

Seesaw Privacy Policy

Effective Date: September 3, 2019



INTRODUCTION

Seesaw’s mission is to create an environment where students can be their best. To accomplish this goal, it’s essential that Seesaw is a safe place for students to document their learning, and that families and teachers are in complete control over how that information is shared.

Protecting your privacy is fundamental to our mission and business. The following summarize our promises to you.

- We never sell your data or student data.
- We never advertise in Seesaw.
- We don’t own the content you add to Seesaw.
- Student work is private to the classroom by default.
- We use the latest security industry best practices to protect you.
- We are transparent about our practices and will notify you if things change.
- We are compliant with FERPA, COPPA, GDPR, MFIPPA, and the Australian Privacy Act.

You can read more about our Privacy Principles and our commitment to privacy [here](#).

This Privacy Policy governs the use of data collected by our websites at seesaw.me, and the Seesaw Application (collectively “the Seesaw Service”, “the Service” or “Seesaw”). This includes personally identifiable information that we collect when you create an account (“Account Information”), content added to class journals (“Journal Content”), Activities teachers create, and Messages sent via Seesaw. Any data collected by Seesaw that can be linked back to an individual student is considered “Student Data”.

By using Seesaw, you agree to this Privacy Policy. If you don’t agree, please don’t use Seesaw. You can contact us anytime with questions about this policy at help@seesaw.me.

SEESAW AND PARENTAL CONSENT

We require that teachers or schools get parental consent before using Seesaw with children who are under the age when they can grant consent on their own. This age may vary based on where you live. For example, in the US that age is younger than 13. You should check your local laws to determine the relevant age in your country. Parents or guardians can withdraw consent for the further collection of their child’s information at any time. If you are aware Seesaw is collecting information from a student without parental consent, please contact us immediately at help@seesaw.me and we will delete the data.

There are a number of ways in which teachers or schools can obtain parental consent:

- Get consent as part of a school-wide technology consent process you may already have in place.
- Use our [sample consent form](#) - but please note that this is an example only and does not constitute legal advice.
- For teachers in the United States, agree to act as the parent’s agent, and provide consent on their behalf to use Seesaw solely in the educational context as provided by the FTC. [Learn More](#).

SEESAW AND FERPA

Data collected by Seesaw may include personally identifiable information from education records that are subject to the Family Educational Rights and Privacy Act, "FERPA", ("FERPA Records"). To the extent that Student Data includes FERPA Records, you designate Seesaw as a "School Official" (as that term is used in FERPA and its implementing regulations) under the direct control of the school with regard to the use and maintenance of the FERPA Records and Seesaw agrees to comply with FERPA.

SEESAW AND GDPR

Seesaw complies with the European Union General Data Protection Regulation (the "GDPR") and makes it easy for EU individuals to exercise their rights described in that regulation. The purposes for which Seesaw collects your information, the categories and specific types of information, and our practices and policies regarding the processing of your information are described in this Privacy Policy and our [Data Processing Agreement](#). If you have specific questions about how Seesaw is compliant with GDPR, please see our [frequently asked questions](#) about GDPR.

WHO DOES SEESAW COLLECT INFORMATION FROM?

Teachers, parents, family members, students, and schools may create accounts on Seesaw. We also collect limited log-data from all visitors to our marketing website.

WHAT INFORMATION DOES SEESAW COLLECT?

Account Information: When teachers, parents, family members, or school administrators create an account on Seesaw we collect your name, email address, password, and profile picture. Seesaw may also collect your phone number if you enter it in your Account Settings.

Teachers using Seesaw to communicate with Families may add a family member's email or phone number to Seesaw in order to send messages or updates about school work to the appropriate parent or family member.

Students cannot create an account by themselves, but must be invited to a Seesaw class by a teacher or school administrator. Where students have permission to use Seesaw, Seesaw collects personally identifiable information about them including their names, email addresses, and profile picture. This information may be entered by a teacher or the student or populated from the student's account with a third party sign-in service, such as their Google account.

Journal Content: Seesaw also collects content that is added to a class or student journal. This content may be photos, drawings, files, notes, hyperlinks, and other ways of documenting student learning. We regularly add types of information that can be uploaded to a Journal, and these are all covered by this Policy. We also collect comments on posts in your class journal which may be text, or if you allow Seesaw to access the microphone on your device, voice recordings. Journal Content that is uploaded by a student or teacher may be considered a student education record as defined by FERPA.

Messages: Seesaw collects messages that are sent and received in Seesaw by teachers, family members, and students.

Activities: Teachers may use Seesaw to create activities to use with their students. Activities may include text or voice instructions for how to complete the activity, an example of a correct response or a template for students to edit.

Activity Author Profiles: Teachers who choose to publish activities to the Community Activity Library or the Activity Library managed by their school or district can also create an Activity Author Profile. This includes the name and profile picture they choose to publish on their Author Profile, as well as their school name and location.

Communications: Seesaw collects any information you send to us directly, such as email communications.

Information from your Google Account or other Third-Party Sign-in Service: Seesaw allows teachers, parents, family members, and students (after being invited by a teacher) to sign up for and log into our service using a Google or Clever Account. Teachers can also create student accounts on behalf of students in their class. When we create a Seesaw account using one of these Third-Party Services, we use the name, profile picture, and email address (if available) provided by these services.

Log Data: When you use Seesaw, we receive log data such as your IP address, browser type, operating system, device information, and your mobile carrier. In addition, we may receive or collect additional information such as the referring web page, referring search terms, and pages visited. If you are using Seesaw as a teacher, parent, or administrator, Seesaw may use your IP address to determine your approximate location for the purposes of sending you customized marketing and other information about our products.

HOW DOES SEESAW USE THIS INFORMATION?

We only use this information to provide our services to you. For example we use this information to:

- Allow you to access and use our service by verifying your identity and storing your Journal Content, Activities, and Messages.
- Provide teachers, schools, and family members with customer support.
- Notify you about activity on and updates to your account or your child's account (if you've indicated in your account settings that you'd like notifications).
- Research, understand, and analyze trends of users to improve and develop new features for our products.
- Promote enhancements to Seesaw relevant for teachers, families and schools.
- Investigate, prevent, and detect activities on our service that we believe may violate the law or applicable regulations. We may, at the request of a school, investigate accounts to determine whether they comply with school policies.

You can withdraw consent for the collection of your personal information at any time, and also opt-out of marketing communications from us.

DOES SEESAW ALLOW ADVERTISING OR SHARE DATA FOR ADVERTISING?

Absolutely not. Our business model is straightforward: we charge for optional, additional features on top of our free product and have no interest in advertising within Seesaw. We never display ads, allow third-party ads, share data for advertising or marketing purposes, or allow data collection by third-party advertisers or data brokers. We do not allow in-app purchases for student accounts.

IN WHAT LIMITED CIRCUMSTANCES MAY SEESAW NEED TO SHARE MY INFORMATION?

We do not sell or share any data you provide with third parties except in the limited circumstances detailed below:

- We use a small number of third-party services in order to operate and improve Seesaw – for example a data center operator that manages our servers or a notification service that helps us send you messages about your account. These services need access to your personally identifiable information in order to work (i.e. your email address is required to send you email), but are contractually prohibited from using that information for any other purpose other than to provide the Seesaw service. In cases of onward transfer to third parties of data of EU individuals received pursuant to the EU-US and the Swiss-US Privacy Shield, Seesaw is potentially liable. A list of the third-party services that obtain personally identifiable information we currently use can be found [here](#). When these third-party services transfer the personal information (Personal Data, as that term is defined in GDPR) of EU residents, these services are processors and are contractually bound to also comply with GDPR to protect your data privacy and security.

- Seesaw may disclose your information to a third party to comply with applicable laws or regulations, or a valid legal request - including to meet national security or law enforcement requirements. If we are going to release your data, we will do our best to provide you with notice in advance by email, unless we are prohibited from doing so by law.
- Seesaw may disclose student Account Information and Journal Content to the child's school district upon request, as required by FERPA.
- By default Activities teachers create are private to their account. Optionally, teachers may choose to publish Activities they create to the Community Activity Library or the Activity Library managed by their school or district. In these cases, the activity and the teacher's Activity Author Profile will be shared publicly (in the case of the Community Library) or with other teachers at their school or district. No student responses to Activities are ever shared.
- We may share activities published to the public Community Activity Library with teachers who we think may be interested in using them with their class.
- We may disclose or transfer your Account Information and Journal Content in connection with the sale, merger, bankruptcy, sale of assets or reorganization of our company. We will notify you if a different company will receive your information. The promises in this Privacy Policy will apply to your data as transferred to the new entity.

DO YOU COLLECT DATA ABOUT [BLANK]?

We've listed all the data we collect in the section above titled What Information Does Seesaw Collect. We intentionally limit our data collection to only what we need to provide the Seesaw service for you.

However, sometimes we get asked if we collect data about some other topic or area that's of particular interest to a school. To be clear, we do not collect biometric, behavioral, free or reduced lunch eligibility, health, or financial data.

DO YOU WORK WITH THIRD-PARTY ANALYTICS SERVICES?

Seesaw is constantly improving, and we use aggregate data about how Seesaw is used -- for example what buttons you click on or what pages you visit -- to inform those decisions.

To help us analyze this data, we use a small number of third-party services (such as Google Analytics). In no circumstances are any data you have shared with Seesaw (such as your Account Information or Journal Content) shared with these services. In addition, these services are contractually obligated only to use data about your usage of Seesaw to provide analytics services to us and are prohibited from sharing it or using it for other purposes. If you do not wish to participate in Google Analytics, you may download the Google Analytics opt-out browser add-on.

HOW DO YOU USE COOKIES?

Cookies are small text files that we transfer to your web browser that allow us to identify your web browser and store information about your account. We use these cookies to keep you logged in to Seesaw, customize your Seesaw experience, understand how you use Seesaw, and promote Seesaw to relevant teachers and schools.

You can choose to remove or disable cookies via your browser settings. Please be aware that Seesaw will not work properly if you disable or decline cookies.

HOW CAN USERS SHARE STUDENT AND CLASS JOURNAL INFORMATION?

Seesaw is designed to promote safe sharing. Teachers control who can see Messages or access a student's Journal Content by authorizing specific people to connect to that student's account. Teachers may also choose to publish some class content to a public class web page managed by Seesaw.

Teachers also control whether or not students or family members can save Seesaw content to their device or get a link to specific Journal Content. However, it's worth noting that we cannot prevent all forms of sharing (e.g. by taking a screenshot) so it's important that Teachers only grant access to their class to authorized parties.

HOW DOES SEESAW HANDLE ABANDONED ACCOUNTS?

Seesaw will delete an account and all content associated with the account if the account has not been accessed for more than 7 years. Prior to deleting an abandoned account, Seesaw will notify the teacher or school associated with the account by email and provide an opportunity to download an archive copy of the class journal.

HOW TO VIEW, CORRECT, EDIT, PORT, OR UPDATE YOUR PERSONAL INFORMATION

You have the right to access, correct, download for transport to a similar service, or delete any of your personal information collected by Seesaw. If you are a parent or teacher, you can update the information associated with your Seesaw account directly by logging into your Seesaw account and viewing the Account Settings tab on your profile. If you are a parent and want to correct, edit, download, or update information about a student, please work directly with your teacher or school, or you can contact us at help@seesaw.me.

HOW TO DELETE YOUR SEESAW ACCOUNT

If you would like to delete your Seesaw account or any content submitted to Seesaw, please send an email to help@seesaw.me. If you request that your account or any content submitted to Seesaw be deleted, Seesaw may still retain information for up to 60 days to provide customer support and prevent accidental deletion.

If you are a teacher or school administrator within the US, please be aware that FERPA requires us to retain student education records once a valid request to inspect those records has been made.

HOW DOES SEESAW KEEP YOUR DATA SAFE?

Seesaw takes protecting your security and privacy seriously and we've put a number of measures in place to protect the integrity of your information, including use of access-controlled data centers, routine 3rd party security audits, restricted employee access to user information, data encryption in transit and encryption of Journal Content at rest. For more information, please read this [article](#).

In the event of a security breach, we will notify affected account holders within the amount of time required by law so that you can take steps to keep your data safe.

HOW DOES SEESAW HANDLE DATA FROM INTERNATIONAL VISITORS?

The Seesaw Service is hosted and operated in the United States and is subject to United States law. By default, any personal information that you provide to Seesaw will be hosted on servers located in the United States. By using this Service, you consent to the transfer to and processing of your personal information in the United States. If your school or district has purchased Seesaw for Schools, your school or district can choose to store all data associated with your Seesaw for Schools account in a different supported country. By participating in Seesaw for Schools you consent to allow your school or district to determine where to store all your data. Please contact your Seesaw for Schools administrator to find out where your data is stored.

Seesaw complies with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information from the European Union, the United Kingdom, and Switzerland transferred to the United States pursuant to Privacy Shield. Seesaw has certified that it adheres to the Privacy Shield Principles with respect to such data. If there is any

conflict between the policies in this privacy policy and data subject rights under the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/>.

With respect to personal data received or transferred pursuant to the Privacy Shield Frameworks, Seesaw is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission.

In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Seesaw's accountability for personal data that it receives in the United States under the Privacy Shield and subsequently transfers to a third party is described in the Privacy Shield Principles. Pursuant to the Privacy Shield, Seesaw remains liable for the transfer of personal data to third parties acting as our agents unless we can prove we were not a party to the events giving rise to the damages.

In compliance with the Privacy Shield Principles, Seesaw commits to resolve complaints about your privacy and our collection or use of your personal information transferred to the United States pursuant to Privacy Shield. European Union and Swiss individuals with Privacy Shield inquiries or complaints should first contact Seesaw by email at privacy@seesaw.me.

Seesaw has further committed to refer unresolved privacy complaints under the Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit www.bbb.org/EU-privacy-shield/for-eu-consumers for more information and to file a complaint. This service is provided free of charge to you.

If your Privacy Shield complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Privacy Shield Annex 1 at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.