

Imagine Learning Privacy Policy

At Imagine Learning, we believe every child deserves the chance to enjoy learning and the right to fulfill their unique potential. To that end, we recognize our moral and legal responsibilities to protect student privacy and ensure data security. This Privacy Policy provides basic information on our use of data, details our data stewardship and security practices, and outlines Imagine Learning's compliance with federal privacy laws.

Key Terms

Certain terms, when used throughout this document, are intended to have the specific meanings as defined below:

- **"Services"**: all websites, applications, and services owned and operated by Imagine Learning. A comprehensive list of Services may be viewed via the [Imagine Learning Privacy Policy FAQ](#).
- **"School"**: a school, a school district, or other entity or organization that uses the Services.
- **"User" or "you"**: anyone who accesses the Services, namely schools, school districts, other entities or organizations that use the Services, teachers, administrators, non-School visitors of the Services, students, parents or legal guardians of students, and all others who use or access Imagine Learning services at any time.
- **"Authorized Person"**: an authorized School official, such as a school administrator or teacher, who enrolls a student or other User within the Services.
- **"PI"**: personal information (also commonly known as PI, personal data, personally identifiable information, or PII) collected from Users who access the Services.

Policy Scope

This Privacy Policy applies to all Imagine Learning Services and benefits you.

The data covered by this Privacy Policy applies only to information collected by Imagine Learning from you or an Authorized Person. This Privacy Policy does not apply to information obtained or disclosed through offline correspondence or personal contact with Imagine Learning's representatives.

By using Imagine Learning's Services, you represent that you agree to this Privacy Policy. **If you do not agree to this Privacy Policy, or if you have questions regarding the use of your personal information, contact your teacher or school administrator.**

Data Stewardship

This section provides information about how we collect, use, maintain, and destroy the data we collect.

Data Collection

All PI is handled by Imagine Learning with care and is protected by the policies, procedures, and safeguards described in this Privacy Policy. We collect PI either: (i) directly through forms or data entry fields on our Services, or (ii) through passive collection through use of the Services. To prevent unauthorized collection of PI, particularly from children, students and parents **cannot create student accounts** for Services without a sponsoring School or Authorized Person.

Student Account Data

When a student account is created, Imagine Learning begins to collect information about the student. Portions of this data are personally identifiable.

We will never condition a child's participation in an activity (such as contests) on the child's disclosure of more PI than is necessary to participate in the activity. This means if we don't need a specific piece of information (such as the child's email address) to allow the child to participate in a contest, we will not ask for it.

The following is a list of **required** information necessary to create a student account:

- Student first and last name
- Grade level
- Language
- Student number
- Student username and password for our Services
- School or district name

The following is a list of **optional** student information that may or may not be populated by an Authorized Person:

- SSO ID (for single sign-on functionality)
- Birth date (often used to help distinguish between students with the same name)
- Demographic information (for reporting purposes, such as gender, IEP status, ELL status, etc.)
- Organization number (e.g., School or district identifier, state ID, or other number)

As students use the Services, additional collected data may include:

- Assessment results and scores, including:
 - Academic performance and placement
 - Psychographic information (e.g., emotionality, confidence)
 - Screening results (optionally administered by the School or Authorized Person; e.g., dyslexia, cognitive, social, and physical development)
- Curriculum progress
- Audio recordings (e.g., students reading passages aloud)
- Responses to writing prompts
- Math journals
- Chat text logs between students and our certified teachers
- Certificates of achievement and curriculum completion
- Analytical data measuring a student's usage of and engagement with our Applications and learning activities (e.g., login frequency, click frequency, time between responses, time spent using the Applications, etc.)

Teacher and Administrator Account Data

Imagine Learning also collects a limited amount of information about teachers and administrators. This information includes:

- Teacher first and last name
- Email address
- School or district name

- State
- SSO ID (for single sign-on functionality)

As teachers and administrators use the Services, additional data collected may include:

- Certificates of completion for online training
- Analytical data measuring a User's usage of and engagement with our Applications and learning activities (e.g., login frequency, click frequency, time between responses, time spent using the Applications, etc.)

Data collected by Our Websites, Applications, and Online Services

Contact data provided by you (or an Authorized Person) voluntarily may be collected with comments or requests for information. This information may include:

- First and last name
- Email address
- Phone number
- State and Zip code
- Title and organization name

Additionally, the following data may be collected and generated automatically:

- Device data (such as hardware model and operating system version)
- Analytical data (such as click frequency, time between responses, and time spent using the Services)
- Behavioral data (such as pages visited, interactions with our social media offerings)
- Log data (such as browser type, language preference, time zone, log-in and log-out times, internet connection information)
- Cookie data

Data Control

You always remain in control of the information you provide to Imagine Learning. **If you are a student who was enrolled by an Authorized Person, you must contact the School or Authorized Person regarding any questions or concerns related to your PI.** PI obtained by Imagine Learning from a School or Authorized Person continues to be under the ownership and control of that School or Authorized Person. For more detailed information about Imagine Learning's compliance with various state and federal laws and regulations, see the [Imagine Learning Privacy Policy FAQ](#).

Parents and Legal Guardians

Imagine Learning acknowledges the rights of parents and legal guardians to review any educational data pertaining to their children under FERPA. Imagine Learning promptly routes requests made by parents or legal guardians to the School or Authorized Person for verification of the requester's identity. Imagine Learning will assist the School or Authorized Person as needed to provide parents and legal guardians access to the requested information within a reasonable time frame.

Data Use

Imagine Learning's primary purpose for collecting and processing PI is to provide, maintain, and operate educational services, as well as for general business purposes.

Data Collection for Educational Services

Information we collect (student, teacher, and administrator data) is used to provide educational services. For example, Imagine Learning may, as part of the Services, record audio of a child reading and speaking. The audio recording is played back to the child through the Services so she hears how she sounds, which improves student reading and language fluency. Teachers may later choose to listen to these audio files for an accurate and descriptive measure of student progress.

Other data are similarly collected to enhance the teaching and learning outcomes of both students and educators. Imagine Learning tracks and assesses a student's development as he progresses through the curriculum. Reports generated by this information enable teachers to evaluate student progress, to identify students who need intervention, and to discover students that can be taught together as a group.

Imagine Learning may use PI it collects, either separately or in combination with pre-existing data, for the following educational purposes:

- To provide, maintain, secure, and operate the Services (such as authenticating users and troubleshooting problems as requested by an Authorized Person or User);
- To develop and improve our Services for you;
- To customize your experience or content within our Services;
- To track and assess student development and progress through our Applications;
- To generate reports that allow parents, teachers, and other Authorized Persons to evaluate student progress, identify students who need intervention, and discover students who can be taught together as a group;
- To email parents, teachers, and other Authorized Persons about new features and other information related to our Services;
- To conduct aggregate statistical studies and perform research for Authorized Persons;
- To protect Imagine Learning and our Users, such as conducting audits or notifying Schools of inappropriate or potentially harmful behavior;
- To assist students who request online help from our state-certified, security-cleared teachers who are employed by Imagine Learning to provide individualized instruction; and
- Other educational purposes requested and sanctioned by an Authorized Person.

Like many online service providers, we also collect device, analytical, and log data about how Users use and engage with our Services. This information helps us maintain and improve the consistency, performance, and availability of our Services across platforms and devices.

Browser session cookies are used in our student-facing Services. These temporary cookies are erased from your device's memory when you close your Internet browser or turn off your computer. We also utilize persistent cookies, which are stored on your device until they expire or until you delete them. These cookies and other data collection technologies help you more easily navigate our Services. For example, a cookie may be used to store a School's site code to eliminate a student's need to enter it each time he logs in. No marketing or advertising cookies are used in the Services used by students. For additional information about cookies and how to opt out, see the Cookies section of the [Imagine Learning Privacy Policy FAQ](#).

Data Collection for General Business Purposes

In our non-student Websites and Services, we use website tracking tools such as Google Analytics, Eloqua, Google reCAPTCHA, and Social Media widgets for analytics, behavior tracking, lead

management, tag management, and protecting our Services from spam and abuse. We also use these technologies for the following business purposes:

- To analyze which pages you visit, and which features you use in our Services;
- To provide features such as social sharing widgets and videos;
- To measure advertising and promotional effectiveness;
- To assess which areas of our websites you visit to remarket to you after you visit our site; and
- To provide content to you from our third-party content partners.

Imagine Learning's Services do not currently respond to "Do Not Track" signals sent by your browser. For detailed information about cookies and how to opt out, see the Cookies section of the [Imagine Learning Privacy Policy FAQ](#).

Our web forms, which allow visitors to express interest in our Services, collect contact information and other PI. Completed forms include data used by Imagine Learning to respond to requests.

[Sale of Data, Marketing, or Targeted Advertising](#)

Imagine Learning does not sell PI or disclose collected PI. Imagine Learning does not market to or survey students, nor is PI used or disclosed for behavioral targeting of advertisements to students. School staff may be invited to provide feedback about their experiences, but participation is never required. Students are occasionally asked to provide feedback on their enjoyment level of various aspects of the Services.

[Data Access and Sharing with Third Parties](#)

Access to PI collected by Imagine Learning is restricted to a limited number of Imagine Learning employees who need such access to perform their job.

Imagine Learning may, at times, share certain pieces of PI with third parties that help us provide our Services. These third-party suppliers are considered "sub-processors" under applicable data protection laws because they process (e.g., store) personal data. We expect and require that these sub-processors implement appropriate security measures to safeguard personal data, and that they comply with applicable data protection laws. A list of these sub-processors can be found in the Sub-processors section of the [Imagine Learning Privacy Policy FAQ](#).

Imagine Learning discloses personal data to public authorities ONLY IF required by law. In the event of a required disclosure, Imagine Learning will notify affected Schools or Authorized Persons.

[Data Retention and Management](#)

Data maintained by Imagine Learning are protected in a secure environment. See the **Security Overview** section of this document for more information about Imagine Learning security practices.

All PI held by Imagine Learning is destroyed or de-identified upon one of the following (i) after termination of our relationship with a School or Authorized Person, (ii) when it is no longer needed for the purpose for which it was provided, (iii) when advised to do so by the School or Authorized Person, or (iv) as directed by agreement with the School.

De-identified data (anonymous data with all PI removed) is maintained and used for reporting, analytics, and statistical research. This research helps us evaluate the effectiveness of Imagine Learning and improve our Services for you and other customers. We do not attempt to re-identify information that has been de-identified.

Data Return

Under the direction of the School or Authorized Person, data are returned to the School or Authorized Person as directed by the agreement between Imagine Learning and the School. If no specific instructions are included in the agreement, the data will be returned or destroyed upon one of the following (i) after termination of our relationship with a School or Authorized Person, (ii) when it is no longer needed for the purpose for which it was provided, (iii) when advised to do so by the School or Authorized Person, or (iv) as directed by agreement with the School. Data are returned in a digital, machine-readable format via a secure means of transmission.

Data Destruction

Imagine Learning employs United States Office of Education best practice recommendations for data destruction, as follows:

- Personal information is de-identified or destroyed after the termination of a contract, when it is no longer needed, or when advised to do so by the School or Authorized Person. In cases of de-identification, identifiable information is purged or obscured in such a way that the remaining data cannot be re-identified alone or in combination with other data. See also 'Data Retention and Management'.
- Where possible, personal information is destroyed using National Institute of Standards and Technology (NIST) clear method sanitization that protects against non-invasive data recovery techniques.
- The individual who performs the data destruction signs a certification form describing the destruction.
- Occasionally, non-electronic media used within Imagine Learning might contain personal data. When these documents are no longer required, the non-electronic media is destroyed in a secure manner (most typically using a shredder) that renders it safe for disposal or recycling.

We recognize the right of Users to review, amend where incorrect, request a copy of, and request destruction of their personal information. Imagine Learning promptly routes such requests to the School or Authorized Person for verification of the requester's identity. Imagine Learning will assist the School or Authorized Person as needed to respond to authorized requests within a reasonable time frame and in compliance with applicable laws and regulations.

Security Overview

Imagine Learning takes data stewardship responsibilities seriously. We have implemented several security measures to protect personal information from unauthorized disclosure.

Software Security

Imagine Learning's privacy and security practices utilize industry-standard tools and techniques to protect your personal information. However, to achieve comprehensive protection of personal information, each School needs to use secure practices as well. We host our Services from within Amazon Web Services (AWS) and Microsoft Azure, both of which are compliant with industry-recognized standards for security and privacy.

In addition to the protections afforded by our cloud hosting providers, Imagine Learning employs other practices to protect personal data. See the Security Practices section of the [Imagine Learning Privacy Policy FAQ](#) for detailed information.

Data Security

Personal information collected and processed by Imagine Learning is encrypted in transit and at rest. It is also stored within the continental United States. See the Security Practices section of the [Imagine Learning Privacy Policy FAQ](#) for additional details.

Compliance with Privacy Laws and Standards

Imagine Learning recognizes the preeminence of federal, state, and local laws, regulations, and policies that govern the privacy and security of your personal information. This section outlines Imagine Learning's compliance with several privacy laws and standards, including FERPA, COPPA, California Education Code § 49073.1 and SOPIPA, the Student Privacy Pledge, and the European Union GDPR.

FERPA

The Family Educational Rights and Privacy Act (FERPA) provides parameters for what is permissible when sharing student information. Imagine Learning is authorized by schools and districts under the FERPA "school official" exception to receive and use educational data to provide educational services. This information has significant educational value. Apart from enabling the creation of accounts with which students access our Services, this information enables teachers to track student growth and identify students who need intervention. We do not collect data for collection's sake, and access is limited and appropriate. See the **Data Use** and **Security Overview** sections of this document for more information about how we use and protect data we collect.

COPPA

The primary users of Imagine Learning are young children. The Children's Online Privacy Protection Act (COPPA) protects children under the age of 13. School officials and teachers are authorized under COPPA to provide consent on behalf of parents; therefore, Imagine Learning does not obtain parental consent directly. An Authorized Person provides consent for a child under the age of 13 to use Imagine Learning Services when they create an Imagine Learning account for that child. For more information about COPPA, visit [OnGuard Online](#).

California Education Code § 49073.1 and SOPIPA

Imagine Learning complies with California Education Code § 49073.1 (AB 1584; enacted 1 Jan 2015) and Student Online personal information Protection Act (SOPIPA; enacted 1 Jan 2016). AB 1584 specifies what local educational agencies (LEAs) must include in contracts with third-party digital record and educational software providers, such as Imagine Learning. SOPIPA sets forth privacy laws for operators of websites, online services, and applications that are marketed and used for K-12 school purposes, even if those operators do not contract with educational agencies. Pupil records obtained by a Service Provider from a School continue to be the property of and under the control of the School. Imagine Learning's policies and practices described herein meet the requirements of both California Education Code § 49073.1 and SOPIPA. To verify our compliance with these requirements, see the detailed information provided in the California Education Code § 49073.1 and SOPIPA Compliance section of the [Imagine Learning Privacy Policy FAQ](#).

Student Privacy Pledge

Imagine Learning is a proud signatory of the [Student Privacy Pledge](#). We take responsibility to both support the effective use of student information and safeguard student privacy and information security. We pledge to carry out responsible stewardship and appropriate use of student personal information and adhere to all laws applicable to us as an educational service provider.

European Union GDPR

Although Imagine Learning Applications are not currently available to users in the European Union, we are cognizant of our obligations under the EU General Data Protection Regulation (GDPR), particularly regarding the collection and use of data for job applicants. For information about how we treat this information, see the GDPR Compliance section of the [Imagine Learning Privacy Policy FAQ](#).

Changes to Our Privacy Policy

Imagine Learning periodically reviews the processes and procedures described in this document to verify that we act in compliance with this Privacy Policy. We may make changes to this Privacy Policy at any time to reflect updates to our Services, applicable laws, and other factors. Changes will be posted 30 days prior to their effective date. We will inform you of any material changes by email and/or by prominent notice on our website and/or our Services prior to the change becoming effective, and we encourage you to periodically review this information. Your continued use of the Services constitutes your acceptance of any changes to this Privacy Policy.

Key Changes Since Last Update

This update consolidates various policies across our Services into a comprehensive view of Imagine Learning's practices, regardless of which product you utilize; increased transparency with additional sections to address new privacy regulations; and a new supplemental [Imagine Learning Privacy Policy FAQ](#) that provides more detailed information on some of the policies.

Privacy Policy last updated: October 18, 2019

Privacy Policy effective: November 23, 2019

Imagine Learning's prior policies may be viewed here: <https://imaginelearning.com/privacy>

Contact Us

If you have questions or concerns about Imagine Learning privacy practices, please contact us at privacy@imaginelearning.com or write us:

Imagine Learning, Inc.

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