



Privacy Policy for the Fill Product

We take the safety and security of our learners' and educators' data very seriously. We appreciate the laws that have been developed around this topic, including the Children's Online Privacy Protection Act (COPPA) and New York State's Education Law 2-D. This privacy policy outlines how we meet or exceed these standards.

The following information is related to our compliance with the Children's Online Privacy Protection Act (COPPA)

Here is a list of all operators that will be collecting personal information from students when using Fill:

Fill Education
136 Olean Street
East Aurora, NY 14052
317-507-2493
harryomalley@fill.education

Here is a list of the personal information that is collected from students by Fill and a description of how it is collected:

Student First Name
Student Last Name
Student's School ID Number
List of Classes the Student is Attending at School
Quiz Results

The Student First Name, Student Last Name, Student's School ID Number and List of Classes each Student is Attending at School will be provided directly by the participating school or the school Student Information System provider with the school's permission.

The Quiz Results will be collected via Fill's website as students submit answers to online quizzes.

Here is a description of how the personal information will be used by Fill:

The personal information will be used to:

- a) Create class rosters of students based on their quiz results and scheduled availability
- b) Present students, teachers and administrators with information that will help them make more informed decisions regarding students' learning experiences.

Do we disclose any information to third parties? If so, how do they use the information?

The only third party Fill discloses the collected information to is the student's school. The school uses the information to make instructional decisions.

Below is a list of parental rights and other relevant information for parents:

Fill does not collect any more information than is reasonably necessary to perform its primary function.

As a parent, you have the right to review your child's personal information, direct Fill to delete it, and refuse to allow any further collection or use of the child's information by Fill.

To exercise any of the above rights, send an email to harryomalley@fill.education with a subject line that reads "Student Data Request" stating your request in the body of the email.

The following information is related to our compliance with NYS Education Law 2-D

Below is information related to our alignment with the Parent Bill of Rights that educational institutions must publish regarding the student data that we collect:

- (1) Fill will not sell or release a student's personally identifiable information for any commercial purposes;
- (2) Parents have the right to inspect and review the information Fill has collected about their child.
- (3) Fill uses industry standards and best practices, including but not limited to, encryption, firewalls, and password protection, to ensure that student information is protected when data is stored or transferred;
- (4) Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to:

Fill Education
136 Olean Street
East Aurora, NY 14052
317-507-2493
harryomalley@fill.education

Below is supplemental information in addition to the primary Parent Bill of Rights regarding the student data, teacher data, and principal data that we collect:

(1) Here is a description of the exclusive purposes for which the student, teacher, and principal data will be used by Fill:

Here is a list of student data that Fill collects:

Student First Name
Student Last Name
Student's School ID Number
List of Classes the Student is Attending at School
Quiz Results

Here's how we use that student data:

The student information will be used to:

- a) Create class rosters of students based on their quiz results and schedule availability
- b) Present the students teachers and administrators with information that will help them make more informed decisions regarding the students' learning experiences

Here is a list of teacher data that Fill collects:

Teacher First Name
Teacher Last Name
Teacher's School ID Number
List of Classes the Teacher is a Member Of

Here's how we use that teacher data:

The teacher information will be used to:

Associate teachers with their students and provide teachers with information regarding their students' learning performance.

Here is a list of principal data that Fill collects:

Principal First Name
Principal Last Name
Principal's School ID Number
List of Classes the Principal is a Member Of

Here's how we use that principal data:

The principal data will be used to:

Associate principals with their students and provide principals with information regarding their students' learning performance.

(2) Fill will not share data with any subcontractors.

(3) Whenever Fill enters into an agreement with an educational institution in which Fill will collect information related to student data, teacher data, and/or principal data, an clear and agreed upon termination date for the agreement will be determined at the outset of the agreement. All student, teacher, and principal data that Fill collected will be completely deleted upon termination of the agreement.

(4) Below is a description of how a parent, student, teacher or principal may challenge the accuracy of the student data or teacher or principal data that is collected.

If the accuracy of any of the following data types wish to be challenged:

Student First Name
Student Last Name
Student's School ID Number
List of Classes the Student is Attending at School
Teacher First Name
Teacher Last Name
Teacher's School ID Number
List of Classes the Teacher is a Member Of
Principal First Name
Principal Last Name
Principal's School ID Number
List of Classes the Principal is a Member Of

the challenging party should check with the educational institution directly first to make sure the records are accurate there, since Fill gets this data directly from the educational institution. If

the records are accurate at the educational institution, and the challenging party still wishes to challenge the accuracy of the data, please use the contact information below to do so:

Fill Education
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East Aurora, NY 14052
317-507-2493
harryomalley@fill.education

If the accuracy of any of the quiz results wish to be challenged, please use the contact information above to do so.

(5) Below is a description of where the student data or teacher or principal data will be stored (described in such a manner as to protect data security), and the security protections taken to ensure such data will be protected, including whether such data will be encrypted.

All student, teacher, and principal data we collect is encrypted and stored on firewalled servers that utilize industry standard authentication mechanisms (secure shell), ensuring its protection while in storage. We use the https protocol to transfer data between our servers and our users, which means data is encrypted when in transit also.

Regarding Article 4f:

Personally identifiable information maintained by Fill will not be sold or used for marketing purposes.

Regarding Article 5e:

This document describes a set of processes that outline how all state, federal, and local data security and privacy contract requirements will be implemented by Fill. These processes will be implemented over the life of the contract that is agreed upon between Fill and the educational agency.

Regulation 2-D requires that an agreed upon Parent's Bill of Rights be signed by both Fill as well as the educational agency. Our Parent's Bill of Rights is described above. Space for

signatures from both parties acknowledging the agreed upon Parent's Bill of Rights is available at the end of this document so that this requirement can be properly fulfilled and adhered to.

Fill will ensure that all of our officers and employees who have access to student data or teacher or principal data will receive training on the federal and state law governing confidentiality of such data prior to receiving access.

Regarding Article 5f:

Throughout the entire length of an agreement between Fill and an educational agency where Fill collects and maintains student, teacher, and/or principal data, Fill will:

- (1) limit internal access to education records to those individuals that are determined to have legitimate educational interests;
- (2) not use the education records for any other purposes than those explicitly authorized in this contract;
- (3) not disclose any personally identifiable information to any other party:
 - (a) without the prior written consent of the parent or eligible student; or
 - (b) unless required by statute or court order and the party provides a notice of the disclosure to the department, district board of education, or institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by the statute or court order.
- (4) maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of personally identifiable student information in its custody;
- (5) use encryption technology to protect data while in motion or in its custody from unauthorized disclosure using a technology or methodology specified by the secretary of the United States department of health and human services in guidance issued under Section 13402(H)(2) of Public Law 111-5.

Regarding Article 6a:

Throughout the entire length of an agreement between Fill and an educational agency where Fill collects and maintains student, teacher, and/or principal data, Fill will notify the educational agency of any breach of security resulting in an unauthorized release of such data by Fill or its assignees in violation of applicable state or federal law, the parents bill of rights for student data privacy and security, the data privacy and security policies of the educational agency and/or binding contractual obligations relating to data privacy and security, in the most expedient way possible and without unreasonable delay.

Section for Signatures

Each educational agency that enters into a contract or other written agreement with a third party contractor under which the third party contractor will receive student data or teacher or principal data shall ensure that such contract or agreement includes a data security and privacy plan that outlines how all state, federal, and local data security and privacy contract requirements will be implemented over the life of the contract, consistent with the educational agency's policy on data security and privacy.

By signing below, both parties acknowledge that this is the above mentioned, required data security and privacy plan.

Name of Fill Representative (Please Print): _____

Signature of Fill Representative: _____

Date of Signature: _____

Name of Educational Agency: _____

Name of Representative from the Educational Agency (Please Print): _____

Signature of Representative from the Educational Agency: _____

Date of Signature: _____