



Effective January 1, 2019

Privacy Policy

Demonstrated Success, LLC (“Demonstrated Success” or the “Company”) feels strongly about protecting your privacy. We understand that privacy is important and the Company is committed to protecting the information that users entrust to us. This Privacy Policy explains the data collection and handling practices of Demonstrated Success and our website (the “Site”). Our Privacy Policy describes what information we gather from our schools, school districts and teachers (collectively referred to as “Schools”) and others who visit and use our Service, how we use that information, and what we do to protect it. By visiting or using our Service, the user consents to the information handling practices described in this Privacy Policy. If you do not agree to the terms of this Privacy Policy, then please do not use the Site or our Services.

Information We Collect

When engaging with Demonstrated Success, users may provide the Company what is generally called “Personal Information” or “Personal Data,” such as name, birthdate, email address, physical address or other information that can be used to identify an individual.

We collect information, including personal information, in a variety of ways that may vary according to your use of the Service. The Company may receive Personal Information from Schools about students and staff associated with those Schools. Some information may also come directly from the individuals using the Services. We collect only the information necessary to fulfill our lawful business interests, and keep your information only as long as is necessary to fulfill those interests. We may combine Personal Information with other information, in which case we will treat the combined information as Personal Information. We also may combine information that we collect from one source with additional information that we collect in other contexts. In those circumstances, we will treat the combined information in accordance with this Privacy Policy.

We also collect information automatically through the Website. This may include information such as your IP address and domain name, your location as inferred from your IP address, your internet service provider, the date and time of your visit to the Website, the URLs from the websites you visit before and after navigating to the Website, your computer’s or mobile device’s operating system and browser type, and your software and hardware attributes (including device IDs). We use or may use this data collected through tracking technologies (“cookies”) to better display our website, to save you time, to provide better technical support, and to track website usage. Most browsers are initially set up to accept cookies, but you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. However, some features and services (particularly those that require you to sign-in) may not function properly if your cookies are disabled.

Demonstrated Success permanently deletes personal data after the termination of a contract, when no longer needed or when requested by a User.

School Users and Student Records

To help our School partners address their obligations to protect their students’ data privacy, we have implemented controls and procedures for Schools when they use our services. The personal information related to the School’s student users (“School Users”) that is (i) provided to Demonstrated Success by a student or by a School, or (ii) collected by Demonstrated Success during the provision of the Service to a School, may include information defined as “educational records” by the Family Educational Rights and Privacy Act (“FERPA”) or other information protected by similar student data privacy laws. We call this information “Student Records.” We work with Schools to help protect personal information from the Student’s educational record, as required by FERPA, and to protect the personal information of students under 13 consistent with the Children’s Online Privacy Protection Act (“COPPA”). We collect, maintain, use and share Student Records only for an authorized educational and as described in our Privacy Policy, or as directed by the School, the School User and/or the student’s parent or legal guardian (a “Parent”).



We treat Student Records in the manner described in this Privacy Policy. Demonstrated Success may provide access to certain Student Records to the Schools they attend. We will not knowingly retain Student Records beyond the time period required to support an educational purpose, unless authorized by a School, student or parent.

How Do We Use or Disclose Information?

Demonstrated Success ensures that only individuals that it employs or with whom it contracts, with legitimate educational interests – consistent with the purposes for which the Company obtained the information – to obtain access to personal information from education records it maintains on behalf of the School or provided by a User. Further, Demonstrated Success may not redisclose personal data without consent of a parent or an eligible student (meaning a student who is 18 years old or above or is enrolled in postsecondary education) unless the School has authorized the redisclosure under a FERPA exception and the School records the subsequent disclosure.

We may use the information we collect from and about Users for any of the following purposes: (1) to fulfill requests for products and services, including data analytics; (2) to customize site content; (3) to contact you with information and materials from our; (4) to contact you when necessary for legal or security purposes; (5) to review Site and product usage and operations; (6) to address problems with the Site, improve our business or our products and services; and (7) to protect the security or integrity of the Site and our business.

When the Company conducts studies for, or on behalf of educational agencies for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations. Further, such information will be destroyed once no longer needed. If required by FERPA, a School shall enter into a written agreement with the Company, and the written agreement must: specify the purpose, scope, and duration of the study or studies and the information to be disclosed; require that the organization use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; require that the organization conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and, require that the organization destroy or return (within a specified time period) all personally identifiable information when it is no longer needed for the purpose for which the study was conducted.

In addition to the uses described above, we may disclose your information when you consent or instruct us to share personal information with third parties, or when we have a legitimate business or legal need to share your information. Such disclosure may include the following purposes: (1) to our service providers, who may use it only on our behalf to provide our Services; (2) as necessary, if we believe that there has been a violation of our website Terms & Conditions or of our rights or the rights of any third party; (3) to respond to judicial process and provide information to law enforcement agencies or in connection with an investigation as permitted by law, or otherwise as required by law; (4) as disclosed to you at the point of collection; (5) provide training, support and consulting services; and (6) in the event of a reorganization, merger, sale, assignment, bankruptcy or other disposition of our business, in which case the transferred information will remain subject to the terms of this Privacy Policy.

We may also disclose anonymous or aggregate information that does not reasonably identify individuals. We may use data that has been de-identified and/or aggregated for product development, research, analytics and other purposes, including for the purpose of analyzing, improving, or our services.

We do not sell, trade, or otherwise transfer to outside parties your personally identifiable information. This does not include trusted third parties who assist us in operating our website, conducting our business, or servicing you, so long as those parties agree to keep this information confidential. We may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect our or others' rights, property, or safety.

In the event any third party seeks to access records, Demonstrated Success shall not provide access to such data or information or respond to such requests unless compelled to do so by court order or lawfully issued subpoena from any court of competent jurisdiction.



How Do We Protect Your Information?

Demonstrated Success has implemented technical, administrative and physical security measures designed to secure your information. To protect your privacy and security, we take reasonable steps to verify your identity before granting you account access. For example, we may ask you to provide certain Personal Information to confirm your identity, and we may require that you create and use a password to access certain parts of our Service. You should create and maintain a strong password to help ensure the security of your account.

We utilize a third party provider to store and process your personal information, and that provider has also implemented robust physical, electronic, contractual and managerial steps to safeguard and secure your personal information. The Internet, however, is not perfectly secure and we are not responsible for security breaches not reasonably within its control. There is unfortunately no guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. In the event that any information under our control is compromised as a result of a breach of security, we will take reasonable steps to investigate the situation and will notify you of the security incident in accordance with applicable laws and regulations.

How Can You Access Your Information?

We want you to have access to your information, so that you can help keep it as accurate as possible. Depending on your location and where applicable law requires, you may have choices with respect to your Personal Information including:

- the right to access your Personal Information;
- the right to update your Personal Information;
- the right to withdraw your consent with respect to Personal Information that is collected on the basis of your consent;
- the right to request deletion of your Personal Information or object to its processing;
- the right to portability – to move, copy or transmit personal data from one IT environment to another; and
- the right to lodge a complaint with us or, as applicable, with a supervisory authority.

Please note that due to technical reasons there will likely be a delay in accessing or deleting your Personal Information from our systems if you request it. We also will retain Personal Information in order to comply with the law, protect our and others' rights, resolve disputes or enforce our legal terms or policies, to the extent permitted under applicable law.

Changes and Updates to this Privacy Policy

Demonstrated Success may modify or revise this Privacy Policy from time to time, in part to ensure compliance with its legal obligations. We will notify users of any changes to our Privacy Policy by posting the revised Privacy Policy with an updated date of revision on our Site. Your continued use of the Services following the effective date of such update constitutes your acceptance of the revised Policy.

Terms of Service

Please visit our Terms of Service section which establishes the use, disclaimers, and limitations of liability governing the use of our website at demonstratedsuccess.com.

Questions?

Please contact us at info@demonstratedsuccess.com if you have any questions regarding this Privacy Policy. To the extent parents, guardians or students have questions regarding specific practices relating to student records or other Personal Information provided to Demonstrated Success by a School or District, please direct your questions to your School.