Foundry's Privacy Policy

Foundry is provided by Keystone Insights, Inc. DBA Foundry. This Privacy Policy explains our practices regarding the collection, use, disclosure, and protection of Personal Information and Student Data that is collected through our website and our applications (collectively, our "Solution"), as well as your choices regarding the collection and use of that information. Capitalized terms that are not defined in this Privacy Policy have the meaning given them in our Terms of Use.

Please be sure to read this entire Privacy Policy before using our Solution. Your use of our Solution constitutes your agreement to the Foundry Terms of Use (**www.projectfoundry.com/foundry-terms-conditions)** and to this Privacy Policy.

Definitions

The term "User(s)" refers to all users of the Solution. "You" or "your" refers to a User of our Solution. We use the term "School" to refer to teachers, principals, school districts/boards, school administrators and any other User acting on behalf of an educational institution. An "Individual User" may be a teacher, a school administrator, a student, or a parent, guardian, or mentor (collectively "Mentor") authorized by the School to use the Solution.

"Personal Information" is information that can identify an Individual User, such as name, address, telephone number, email address and other information linked to that Personal Information. Personal Information does not include "Aggregated Information". Aggregated Information is data we collect about a group or category of products, services or Users, from which individual user identities have been removed. Aggregated Information helps us understand trends and our users' needs so that we can better consider new features or otherwise shape the Foundry Solution.

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1. How Foundry Collects Information

We collect Personal Information in a number of ways from our website visitors and users of our Solution.

- **From Schools, Mentors and Students.**
  We ask for certain Personal Information when a School or Individual User registers for a Foundry account or corresponds with us online, which may include, but is not limited to, first and last name, email address, profile picture, user name and password, and any additional Personal Information you voluntarily provide in your Foundry profile, which could include, but is not limited to:

  - ✓ from Schools - class rosters, parent contact information, assignments and classroom content, photos, images, video and any other content Authorized Users post to the Solution;

  - ✓ from teachers, your school name and location, what grade level and subject matter you teach, and your position within the School;

  - ✓ from Mentors, your email address and your relationship is with the student you are linked to.

  We use this information to operate, maintain and provide the features and functionality of our Solution, to analyze and improve our Solution offerings and functionality, and to communicate with our Schools and Users. We do not create or collect student profiles for non-educational purposes.

  Foundry provides the Solution to Schools to facilitate School, student and Mentor engagement and create to create personalized learning experiences and portfolios. Through the provision of this Solution, we may collect or have access to Personal Information about students ("Student Data") that is provided by the School, Mentor or by the student. The type of information we collect will depend on how the School, Mentor or student uses the Solution, but could include the student's first and last name, email address, profile photo, assignment data, and other educational content.

  We consider Student Data to be highly confidential and use this data solely to provide our Solutions to the School, students and their Mentors, and in limited ways, for our internal purposes in accordance with our Terms of Service or specific agreements with Schools. Our collection, use, and disclosure of Student Data is governed by our Terms of Service and/or any other agreement with the School, in the U.S. by the provisions of the Family Educational Rights and Privacy Act (FERPA) and applicable state laws, and by other applicable Canadian, U.S. and international laws relating to the collection and use of Personal Information of students.

  See #2, "How Foundry Uses and Shares Information" below for more on the limited ways in which we share Student Data. Also See #3, "Children's Privacy"

below for more specific information about how we collect and use the Personal Information of children under 13.

If you have any questions about our collection and use of Student Data, please contact us at privacy@projectfoundry.com. If you have any questions about reviewing, modifying, or deleting the Personal Information of a student, please contact your educational institution directly.

- **From Social Media Sites and Third Party Services.**

  We may collect information about you from third party services that you connect to our Solution. For example, if you use a single-sign on like Google Apps for Education to access your Foundry account, we may receive certain information from that third party application. We may also receive information about you if you interact with us through various social media, for example, by following us on Twitter or liking us on Facebook. The data we receive is dependent upon your privacy settings with the social network. You should always review, and if necessary, adjust your privacy settings on third-party websites and services before linking or connecting them to the Solution.

- **From Internet Technology.**

  Like most websites and online services, we automatically collect certain types of usage information when you visit our website or use our Solution. This information is typically collected through cookies, log files, web beacons, and similar tracking technology (collectively, "Cookies"). These Cookies collect information about how you use the Solution: for example, the pages you view, the links you click, and other actions you take on the Solution; information about your browser and online usage patterns such as Internet Protocol ("IP") address, browser type, browser language, referring / exit pages and URLs, pages viewed, whether you opened an email, and inks clicked; and information about the devices you use to access the Solution such as mobile device identifier, mobile carrier, device type, model and manufacturer, mobile device operating system brand and model, and, depending on your mobile device settings, your geographical location data at the city, state, or country level. We may also collect analytics data, or use third-party analytics tools, to help us measure traffic and usage trends for the Solution. Although we do our best to honor the privacy preferences of our visitors, we are not able to respond to Do Not Track signals from your browser at this time.

  Cookies allow us to provide you with a better User experience. For example, we use or may use the data collected through cookies to: (i) remember information so that you will not have to re-enter it during your visit or the next time you visit the site, and (ii) provide custom, personalized content and information . Cookies also allow us to analyze, improve and protect our Solution and our Users. For example, we may also use Cookies to: (a) provide and monitor the effectiveness

of our Solution; (b) monitor aggregate metrics such as total number of visitors, traffic, usage, and demographic patterns on our website and our Solution; (c) diagnose or fix technology problems; (d) investigate fraud or misuse of the Solution and (e) otherwise to plan for and enhance our Solution. Most browsers automatically accept cookies as the default setting. You can modify your browser setting to reject cookies or to prompt you before accepting a cookie from the sites you visit by editing your browser options. Depending on your mobile device, you may not be able to reject cookies. If you decide not to accept our cookies, you will still be able to access those parts of the Foundry Solution available to the general public but you may not be able to use some of the our Solutions, and you may have a less satisfactory experience.

2. How Foundry Uses and Shares Information

We share data within the Solution as needed to perform the service. For example, Student Data will be shared between and among the School Users, Students and Mentors as well as with others who have been authorized to access the content for an educational purpose. Sharing within the Solution will depend on the settings and functionality selected by the School. Foundry only shares Personal Information with third parties in limited circumstances, described below. We will never share or sell Personal Information or Student Data with third parties for marketing purposes.

Foundry uses and shares Personal Information in the following ways:

- **With consent.** We share Personal Information with the consent and at the direction of Schools and parents. A User may direct Foundry to share specific information with another individual, for example, if a teacher directs Foundry to send a communication to a Mentor, or a School User may be able to control data sharing functionality for all User accounts within that school district/board or school system. Parents should contact their child's School with any questions about School-authorized data sharing functionality.

- **With our trusted vendors and third party service providers.** We may share Personal Information with certain trusted vendors, third party service providers and individuals to perform tasks on our behalf, but strictly for the purpose of carrying out their work for us, which may include business development, software design, hosting, customer support, accounting, and other similar services. Personal Information will be shared with these third parties as reasonably needed to perform their services to us, have policies consistent with ours, and under reasonable confidentiality terms.

- **Aggregated Data.** We will share information in an aggregated and/or anonymous form that does not reasonably identify you directly as an individual. For example, we may share aggregate data with other students, parents or Schools to display statistical data related to students in a particular classroom, school, district/board,

or geographic location. We may also use aggregated or anonymized data to study and improve our Solution, user functionality, and product offerings. We may disclose your Personal Information as required or authorized by law or subpoena or if we have a good faith belief that disclosure is necessary to (i) comply with the law or a judicial proceeding, court order, or legal process served on us; (ii) to comply with or the lawful request of law enforcement; (iii) to enforce or apply our Terms of Service or other agreements or to protect the security or integrity of our Solution; and/or (iv) to exercise or protect the rights, property, or safety of Foundry, our employees, our Users, or others.

- If Foundry or some or all of its assets were acquired or otherwise transferred to a third party in the course of a company transaction, such as a merger, sale of company assets or shares, reorganization, financing, change of control, bankruptcy or other corporate event, the Personal Information of our users may be transferred to or acquired by a third party, but only if such third party agrees to be subject to the same commitments set forth in this Privacy Policy with respect to user Personal Information. If the transaction involves the transfer of Student Data to a third party, we will provide you with notice and an opportunity to opt-out of the transfer of Student Data by terminating your account before the transfer occurs.

In addition to the actions described above, Foundry may facilitate the sharing of Student Data with third parties through the Solution, though only when instructed and authorized to do so on behalf of the School or parent. We will use Personal Information about Students to provide the Foundry Solution and permit data sharing among Users authorized to view and access the Student Data. The teachers will be able to collect, review, and edit information about all of their assigned students. A school principal, school or district/board administrator, or other individual authorized by the School to view and access student accounts, may be able to view and access all activity and content associated with the student accounts associated with the School. Each student and his or her Mentor will only have access to view or submit Personal Information relative to that particular student. Neither students nor their parents will be able to view or otherwise access the Personal Information of other students, unless it is provided to that student account by the School (for example, a class photo and class roster containing the names and photos of other students may be added by a teacher to a student account). Except for the circumstances noted above, Foundry shares Student Data only for purposes of providing the educational Solution to and at the direction of Schools and parents.

If you have any questions about how Foundry uses or shares Student Data, please contact us at privacy@projectfoundry.com or discuss this with your student's School.

3. **Children's Privacy**

Foundry does not knowingly collect Personal Information through the Foundry Solution from a child under 13 unless and until a School has appropriate consent and

authorization for a student under 13 to use the Solution and for Foundry to collect information from such student. Please contact us at privacy@projectfoundry.com if you believe we have inadvertently collected Personal Information from a child under 13 without proper consents so that we may delete such information as soon as possible.

4. Communications

As part of our Solution, we may use your information to communicate with you about your account or transactions with us, or send you information about Solution updates, newsletters, or promotional materials. You acknowledge that by using the Solution, Foundry and our trusted third party business partners working on our behalf may send you email or engage in other communications with you. You can unsubscribe from these emails by clicking on the "unsubscribe" button within the body of the email. Please note that you are not permitted to unsubscribe or opt-out of non- promotional messages regarding your account, such as account verification, changes or updates to features of the Solution, or technical or security notices.

When you provide an email address to invite a friend or colleague or other contact to join the Solution, we will use this information to send the invitation, and we may send 1-2 reminder emails if we have not received a response. From time to time, we may also send these individuals email communications letting them know more about Foundry and our Solution. The recipients may unsubscribe from these emails by clicking on the "unsubscribe" button within the body of the email at any time or by contacting us at privacy@projectfoundry.com.

Communication With Students

We use Personal Information of students to facilitate the sending of communications via the Foundry Solution from the School, student, and Mentors. We send these communications only on behalf of, and at the direction of the School or parent. In limited circumstances, we may also send the student notifications from Foundry regarding the student's account and use of the Foundry Solution, but Foundry will never use student Personal Information for advertising or marketing purposes. Please note that all Users who have been authorized to have access to a student's account, which could include a Mentor, school administrator, teacher and/or other User, may be able to view activity and content associated with such student account, including the content of communications.

5. Links to Other Websites

The Foundry Solution and our email communications may contain links to other websites or services. Any Personal Information you provide on the linked pages is provided directly to that third party and is subject to that third party's privacy policy. Except as described above, we are not responsible for the content or privacy and security practices and policies of websites to which we link. Links from the Foundry

Solution to third parties or to other sites are provided for your convenience. We encourage you to learn about their privacy and security practices and policies before providing them with Personal Information.

6. Our Security and Data Storage Practices

Foundry cares about the security of your Personal Information and uses commercially reasonable administrative, physical and technological safeguards to preserve the integrity and security of all information we collect and that we share with our Users and service providers. Our employees and contractors are bound to uphold the provisions in this Privacy Policy, and violators will be subject to disciplinary action, up to and including termination and further legal action. We use internet security best practices to transfer Personal Information. Other security safeguards include but are not limited to data encryption, firewalls, and physical access controls to buildings and files. You can help protect against unauthorized access to your account limiting access to your computer and browser by signing off after you have finished accessing your account.

For United States Users, we store and process your Personal Information in compliance with FERPA, state laws relating to student data privacy, and other applicable U.S. law.

7. Control, Access, and Deletion of Personal Information

You may access, update or correct your Personal Information at any time by logging into your account. If you are a School, you may access, update and correct the Personal Information contained in any account under your control by logging into your Foundry account, and/or by logging into your School Student Information Management System ("SIS"). Parents may request to update a student's Personal Information, but these requests may require the School's authorization to update or delete information contained in active School accounts.

We retain your Personal Information, including Foundry content, for as long as the account is covered by an active subscription or license as described in our Terms of Service, or until we receive a request to delete such information.

When a Foundry User account is no longer in active use the account will be archived in "read-only" mode. Archived accounts are maintained to provide indefinite access to the student's work. If the account is no longer covered by a School license, Foundry will delete archived accounts, including the Personal Information and Student Data associated with such accounts, after a period of dormancy, although we may retain and use certain information if necessary to comply with our legal obligations, resolve disputes, and enforce our agreements, and all information stored in our backup data repository will be deleted pursuant to our standard deletion policy. We may maintain Aggregated Data in a form that does not reasonably identify a

particular individual, for our internal use or analytic purposes.

8. Development of the Solution

The Foundry Solution is under continuous development and testing. The Foundry Solution may contain bugs and other errors that could adversely affect the use or performance of the Foundry Solution. Issues or errors of this nature may impact our ability to comply with this privacy policy.

9. Our Privacy Policy Will Change Over Time

Because we continue to develop the Foundry Solution and take advantage of technologies to improve the Solutions we provide, our policies will change over time. We will note the effective date of the policy at the bottom of this page, and you should review this page periodically for any changes. If we make any material changes in the way we use Personal Information, we will attempt to notify registered users by sending an email to the user's registered email address and posting a notice on our website homepage and login page. It is your responsibility to check for updates to the Privacy Policy and to delete your account if you do not agree to such changes, as any such update shall be effective even if you do not receive notice of such update. Your continued access and use of the Foundry Solution will constitute your acceptance of any changes or revisions to our Privacy Policy.

PRIVACY POLICY CHANGES WITH RESPECT TO STUDENT DATA

We will use our best efforts to provide at least 30 days-notice of a Privacy Policy change that may involve collecting, using, storing, or sharing Student Data in a materially different way than was disclosed in our previous Privacy Policy, so that you have sufficient time to evaluate the change in practice. If you do not choose to accept the changes, you may opt-out by deleting your account before the changes take effect. You may request previous versions of this Privacy Policy by contacting us at privacy@projectfoundry.com.

10. Your Comments or Concerns

If you have any comments or concerns about this privacy policy you may contact us at privacy@projectfoundry.com.