iKeepSafe Product Profile
TalkingPoints

Introduction

The iKeepSafe Privacy Program is available to operators and service providers of websites and online services, data management systems and other technologies that are, in whole or in part, intended for use in and by schools, and which may collect, store, process or otherwise handle student data.

This *iKeepProfile* is intended to assist you in determining whether the Talking Points complies with FERPA, SOPIPA, California AB 1584, and other California state laws and district policies. It indicates that TalkingPoints has been assessed for alignment with the iKeepSafe FERPA and California Privacy Program Guidelines.

The *iKeepProfile* is not legal guidance, nor does it guarantee or otherwise assure compliance with any federal or state laws. If you have questions on how to use the *iKeepProfile* to support your school's compliance efforts, please contact your school attorney.

Product Overview

Talking Points:

https://talkingpts.org/

TalkingPoints is a two-way multilingual family engagement platform that allows teachers and administrators to communicate directly with English and non-English speaking families via text messages or a mobile app. It translates messages both ways in over 100 languages using human and machine translation. TalkingPoints is accessible for all families who own a simple mobile phone and helps them engage with the school community and be involved in their children's education.

Agreement

As related to the Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. Section 1232g), TalkingPoints agrees:

1. Student records obtained by TalkingPoints from an educational institution continue to be the property of and under the control of the educational institution. The educational institution retains full ownership rights to the personal information and education records it provides to TalkingPoints.
2. TalkingPoints users may retain possession and control of their own generated content.
3. TalkingPoints will not use any information in a student record for any purpose other than those required or specifically permitted by the TalkingPoints Terms and Conditions and Privacy Policy.
4. Parents, legal guardians, or eligible students may review personally identifiable information in the student's records and correct erroneous information by contacting their educational institution. Additionally, TalkingPoints users may access, correct, update, or delete personal information in their profile by signing into TalkingPoints, accessing their TalkingPoints account, and making the appropriate changes.
5. TalkingPoints is committed to maintaining the security and confidentiality of student records. Towards this end, we take the following actions:
    a. we limit employee access to student data to only those employees with a need to such access to fulfill their job responsibilities;
    b. we conduct background checks on our employees that may have access to student data;
    c. we conduct regular employee privacy and data security training and education; and
    d. we protect personal information with technical, contractual, administrative, and physical security safeguards in order to protect against unauthorized access, release or use.
6. In the event of an unauthorized disclosure of a student's records, TalkingPoints will promptly notify customers unless specifically directed not to provide such notification by law enforcement officials.
7. TalkingPoints will delete or de-identify personal information when it is no longer needed, upon expiration or termination of our agreement with an educational institution with any deletion or de-identification to be completed according to the terms of our agreement with the educational institution, or at the direction or request of the educational institution.
8. TalkingPoints agrees to work with educational institutions to ensure compliance with FERPA and the Parties will ensure compliance by providing parents, legal guardians or eligible students with the ability to inspect and review student records and to correct any inaccuracies therein as described above.
9. TalkingPoints prohibits using personally identifiable information in student records to engage in targeted advertising.
10. TalkingPoints will not make material changes to our Terms of Use or Privacy Policy, including making significant changes impacting the collection, use, disclosure or retention of data collected without prior notice to the educational user.

As related to the Student Online Personal Information Protection Act (SB 1177 - "SOPIPA"), TalkingPoints agrees:

Prohibitions:

1. TalkingPoints does not target advertising via the TalkingPoints service or on any other website using information about a K-12 student, their families/guardians or educators acquired from a use of the technology.

2. TalkingPoints does not use information, including persistent unique identifiers, created or gathered by the TalkingPoints service to amass a profile about a K–12 student, their families/guardians or educators except in furtherance of K–12 school purposes.

3. TalkingPoints does not and will not sell, rent, or otherwise provide personally identifiable information to any third party for monetary gain.

4. TalkingPoints does not disclose student information unless for legal, regulatory, judicial, safety or operational improvement reasons.

Obligations:

5. TalkingPoints is committed to maintaining the security and confidentiality of pupil records as noted herein.

6. TalkingPoints will delete student information when requested by school district.

7. TalkingPoints will disclose student information when required by law, for legitimate research purposes and for school purposes to educational agencies.

Data Review Process

TalkingPoints encourages users to update their personal information in order to have accurate, current and complete information. Users may correct any errors or request that TalkingPoints deletes all or some of the personal information. Users may also submit a request not to have any further contact from TalkingPoints.

If users wish to review any student's or child's personally identifiable information, please email them at privacy@talkingpts.org Users may also correct, update, or delete any student or child's personal information by making the change directly in the user profile initially created, or by emailing TalkingPoints.

To protect personal information held by TalkingPoints, users may need to confirm their identity before access to any personal information is granted.

To contact TalkingPoints about any personal information, concerns or complaints, email privacy@talkingpts.org or alternatively, write to TalkingPoints at PO BOX 23672 Pleasant Hill, CA 94523-0672.

Security Protocols

TalkingPoints has a comprehensive Security Program in place designed to protect the confidentiality, integrity and availability of systems, networks and data. The following is a general overview of data security protocols:

Data in Transit:

All data in transit is encrypted via HTTPS

Data at Rest:

Mongo DB default encryption mechanism. AES256-CBC (or 256-bit Advanced Encryption Standard in Cipher Block

Data Center Security:

TalkingPoints uses Amazon Web Services.

Personnel:

Background Checks: All employees with access to student data have undergone criminal background checks.

Training: Employees of TalkingPoints will receive annual privacy and security training that includes FERPA.

Access: Access to student data is role-based; limited to those employees who need access to perform job responsibilities.

Employees are given access to the minimum services that are required for their job function.

Access to Audit

Once per year, TalkingPoints will provide schools with:

[X] audit rights to the school's data

[X] access to the results of TalkingPoints' or its third-party security audit

Data Breach

In the event of an unauthorized disclosure of a student's records, TalkingPoints will promptly notify users unless specifically directed not to provide such notification by law enforcement officials. Notification shall identify:

a. the date and nature of the unauthorized use or disclosure;
b. the Private Data used or disclosed;
c. general description of what occurred, including who made the unauthorized use or received the unauthorized disclosure;
d. what TalkingPoints has done or shall do to mitigate any effect of the unauthorized use or disclosure;
e. advice to the impacted user on how they can best protect themselves.
f. what corrective action TalkingPoints has taken or shall take to prevent future similar unauthorized use or disclosure; and
g. who at TalkingPoints the user can contact. TalkingPoints will keep the user fully informed until the incident is resolved.

TalkingPoints will notify impacted user (s) within 72 hours upon the discovery of a breach of security that results in the unauthorized release, disclosure or acquisition of student information,

Data Deletion

TalkingPoints states that:

Under FERPA, parents have the right to refuse TalkingPoints further contact with their child and to have access to their child's school record information and to have it deleted by contacting the school administrator.

TalkingPoints will retain and use your information as necessary to comply with our legal obligations only. They will retain your information only for as long as your account is active or as needed to provide services.

As stated in their Privacy Policy, users should direct any access, deletion or correction requests related to education records directly to their educational institutions. Being a service provider, TalkingPoints cannot delete or modify education records or other records collected or processed for, or on behalf of, an educational institution, unless it is directed to do so by the educational institution directly.

Research

TalkingPoints stated; We use none of the customer data for research or statistical purposes at this time. If data is used for behavioral or product improvements the data is aggregated and cannot be identified to any particular individual.

TalkingPoints may also analyze information that does not contain "Personal Information" (or contains "Personal Information" in anonymous or aggregated form) for trends and statistics, such as through the use of Google Analytics or other similar analytics services.

Third Parties

TalkingPoints does not sell, trade, lease or loan the personal information they collect or maintain, in the course of providing the service, to any third party for any reason, including direct marketers, advertisers, or data brokers.

TalkingPoints contracts with other third-party companies to perform business functions or services on their behalf and may share PII with such third parties as required to perform their functions. TalkingPoints has agreements in place with all third parties with access to student personal information to ensure they only use the information for purposes necessary to deliver the authorized service and to ensure they maintain the confidentiality and security of the information. The agreements align with TalkingPoints' data privacy and security policies and expectations.

TalkingPoints utilizes the following third-party vendors:

Provider	**How Youth In Government Online uses the Provider**	**What information we share**
Amplitude	Tracking events	All user profile data
Intercom	Tracking events	All user profile data
Google Analytics	Tracking events	All user profile data
UXCam	Monitoring mobile UI (recording)	UI recording
Inspectlet	Monitoring web UI (Recording)	UI recording

Product Data List

Data Collection:

Data Collected for Operation	General Purpose of Data Collection
Student First and Last Name	Required to support product functionality
Parent First and Last Name	Used to support product functionality
Parent Phone Number	May be used to support product functionality
Parent Email	May be used to support product functionality
Parent Password	Required to support product functionality
School Name	Required to support product functionality
Photos/ Video/ Audio Files	May be used to support product functionality
Grades	May be used to support product functionality
Browser Type	Analytics
Access time	Analytics
TIME SPENT ON SITE	Analytics
PAGE VIEWS	Analytics
UDID	Analytics
Referring URL	Analytics

Accuracy Statement

TalkingPoints, hereby confirms the accuracy and truthfulness of all information contained in the TalkingPoints profile and has authorized iKeepSafe to make the profile available to any interested schools.

DocuSigned by:

(Signature)

Claudine Ryan COO & Head of Product, TalkingPoints

21 September 2021

The TalkingPoints service has been reviewed and found in alignment with iKeepSafe's FERPA and California Privacy Program Guidelines as indicated by this product profile. TalkingPoints has been awarded the iKeepSafe FERPA and California Privacy Program badges.

DocuSigned by:

Amber Lindsay

(Signature)

Amber Lindsay
President & CEO
iKeepSafe

21 September 2021

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Disclaimer

By using the California Privacy Assessment Program or accepting any materials related to the California Assessment Program, you expressly acknowledge and agree that neither Internet Keep Safe Coalition, their affiliates, subsidiaries, or designees nor each of their respective officers, directors, employees or agents (collectively, Associates), can guarantee, certify or ensure that you are in compliance with FERPA, SOPIPA, California AB 1584, or any other state or federal laws. You understand that the California Privacy Program does not constitute legal or any other type of professional advice and the California Privacy Seal is not a legal determination.