

Data Privacy Policy

The following document describes Pluto's policies to protect and safeguard the Student & Staff Data provided to Pluto by the Customer for the use of the Agreed Services.

Ownership of Student & Staff Data:

- All Student & Staff Data provided by the Customer to Pluto remains the property of and under control of the Customer or the party who provided such data.

Use of Student & Staff Data:

- Pluto shall only use Student & Staff Data for the purposes of providing the Agreed Services for the Customer, and for any other agreed use between Pluto and the Customer.
- Pluto shall enter into written agreements with all Service Providers that have access to any Student & Staff Data provided to Pluto, whereby the Service Providers agree to protect the Student & Staff Data in a manner consistent with the terms of this Data Privacy Agreement.
- Pluto shall not disclose, transfer, rent, or otherwise share any Student & Staff Data in any manner that directly identifies an individual except:
 - as authorized by this agreement
 - to the Customer, and their authorized users
 - to Service Providers, for the sole purposes of enabling Pluto to provide the Agreed Services
- Pluto shall not Sell any Student & Staff Data.
- As per FERPA, Anonymized Data may be used by Pluto for any lawful purpose, including but not limited to, development, improvement, training, and to demonstrate the effectiveness of the Agreed Services, and need not be destroyed or returned on request of the Customer or at the termination of the agreement between the Customer and Pluto.

Customer's Duties:

- The Customer shall only provide Student & Staff Data to Pluto that it is legally entitled to, and shall limit the Student & Staff Data provided to that required by Pluto.
- The Customer shall, using reasonable precautions, protect all access credentials to Pluto from unintended disclosure and discovery - including ensuring that any passwords are of sufficient strength and unable to be easily guessed.
- The Customer shall inform Pluto promptly in the case of any known or suspected unauthorized access (or attempt to access) Pluto or the Student & Staff Data stored by Pluto.

Pluto's Duties

- Pluto shall comply with all applicable laws and regulations regarding the privacy and security of Student & Staff Data.
- Pluto shall not use any Student & Staff Data for any advertising purposes.
 - This shall not prevent Pluto from providing advertising to students/staff/parents or other users so long as the advertising did not result from the use of Student & Staff Data.
 - This shall not prevent Pluto from using Anonymized Data for marketing, advertising or other commercial purposes.
- All employees and agents who have access to Student & Staff Data must comply with this policy document, and have an agreed contract stating their compliance.
- Pluto shall respond within 30 days to the Customer's request to view any of the Customer's Student & Staff Data that is being held by Pluto. Pluto shall refer the request of any parent, student or individual to the Customer, who will follow the necessary procedures regarding this information.
- All 3rd party requests for Student & Staff Data to Pluto shall be referred to the Customer unless where legally required otherwise, and in which case Pluto shall (if able) inform the Customer prior to this disclosure.
- Pluto shall dispose of all Student & Staff Data within a reasonable period when:
 - it is no longer required to provide the Agreed Services
 - at the written request of the Customer, in which case Pluto shall respond in writing once the data has been disposed of
 - legally required
- Pluto shall dispose of all Student & Staff Data by
 - securely destroying any hard copies of Student & Staff Data
 - erasing any Student & Staff Data, or transforming Student & Staff Data into Anonymized Data

Security

- Pluto shall ensure all credentials that would allow access to Student & Staff Data meet industry best practices.
- Pluto and the Customer agree to maintain security practices that meet best practices in regards to the transfer or transmission of Student & Staff Data.
- Pluto shall ensure Student & Staff Data is only stored in a secure computer environment.
- Pluto shall ensure access to Student & Staff Data through a web interface is protected from unauthorized access and disclosure through the use of SSL (or equivalent), server authentication, firewalls, and encryption.
- Pluto shall ensure Student & Staff Data is backed up daily.
- Pluto shall undertake periodic audits of its systems and Service Providers to ensure they meet industry best practices with regards to security and maintaining the privacy of Student & Staff Data.

Data Breach

- In the event Pluto discovers or suspects unauthorized disclosure or access to Student & Staff Data, Pluto shall notify the customer as follows:
 - The data breach notification shall be titled “Data Breach Notification” and shall contain:
 - A list of the types of Student & Staff Data that are believed to have been disclosed or accessed by or to an unauthorized party
 - The date of the data breach, if known, or the estimated date range within which the data breach occurred
 - If (to the knowledge of Pluto) the notification was delayed as a result of an investigation by law enforcement
 - A general description of the security incident

Signed on behalf of Pluto by Drew Cheeseman, Co-Founder on 25th May 2020

Signature:

A handwritten signature in black ink, appearing to read 'Drew Cheeseman', written over a light grey horizontal line.

Definitions

Agreed Services

The creation of student lists (that is, groupings of students based on various attributes and weightings), typically used for creating class lists.

Anonymized Data

As per FERPA, this is Student & Staff data that has been transformed or modified in such a way that all Personally Identifiable Information including direct or indirect identifiers has been removed or obscured so that the remaining information cannot reasonably be used to identify an individual.

Customer

The school, district or entity that Pluto enters into an agreement with to provide the Agreed Services, and their authorized users.

FERPA

Federal Educational Rights and Privacy Act

Personally Identifiable Information

Data that can be used to identify or contact a particular individual.

This includes, but is not limited to: name, ethnicity, age, school identifiers.

Pluto

Pluto Solutions Limited and their staff / employees.

Service Providers

A party other than Pluto or the Customer who Pluto uses for data analytics, storage or other purpose in order to perform and/or improve the Agreed Services, and who has access to Student & Staff Data.

Sell

The transfer, rental, share or otherwise disclosure of School Data, whether for monetary gain or not. Does not include or apply to a purchase, merger or other acquisition of Pluto by another entity, provided the successor entity continues to be bound by this policy.

Student & Staff Data

Any data that is descriptive of a student or staff member, including, but not limited to: their name, test scores, address, contact details, teacher's notes, relationships, special education data, communications, created works, socioeconomic information, student or staff identifiers.