

Compliance with the *Children's Online Privacy Protection Act (COPPA)*

Policy of Bytes of Learning Incorporated

Last Revised: September 12, 2017

As a producer of wholesome instructional software, Bytes of Learning complies with the Children's Online Privacy Protection Act (the COPPA) in spirit, in principle, and in all the company's practices.

While the COPPA only applies to the privacy of personal information for children up to 13 years of age, Bytes of Learning complies with the COPPA in respect to all children and students, regardless of their age. For any exception to the normal course of privacy protection, parent consent is acquired where any child is involved. Where the user is 18 years of age or older, the user's consent is sought. No information is either collected or disseminated, except in accordance with the COPPA.

Bytes of Learning produces two products that collect and manage student information in the course of providing typing instruction. The products are the desktop format of UltraKey (*UltraKey 6*), and *UltraKey Online*. In this policy statement, the title UltraKey encompasses both products unless noted otherwise.

Any party wishing more detailed information about privacy practice and policy at Bytes of Learning Incorporated, should contact:

Art Willer, President, Bytes of Learning

Email is artwiller@bytesoflearning.com

Phone number is 1-800-465-6428 or ++905-947-4646; dial 2221 at the company greeting.

In Canada: 24 Emerick Avenue, Fort Erie, ON L2A 2W3

In the United States (mail only): 266 Elmwood Avenue #256, Buffalo, New York 14222

Questions and comments can be submitted using the Sales & Service link at: www.bytesoflearning.com

Notice Placement

This notice has been placed in an accessible location on the Bytes of Learning commercial web site through its "Privacy" link found at the bottom of every web site page.

This notice has also been placed on the Welcome screen of *UltraKey Online* along with a notice designed for children.

UltraKey 6 stores its data on any installation of the *UltraKey 6 Data Server* software, including a cloud service offered by Bytes of Learning. Any such online data is kept in compliance with the COPPA. The *UltraKey 6* desktop application does not currently offer a privacy policy through its interface. Bytes of Learning will implement an in-app notice, when the next generation of *UltraKey* for desktop is released.

Who Operates the Software and Maintains the User Data

Bytes of Learning Incorporated operates the *UltraKey Online* application.

School, school districts and other enterprises ("Subscribers") who license the *UltraKey 6* desktop application operate their own copies of the *UltraKey 6* client, and have the option of operating their own

installation of the *UltraKey 6 Data Server* software. Alternatively, Subscribers can pay a fee to use cloud-based record keeping for *UltraKey*, which is operated by Bytes of Learning.

In so far as any user records and enrollment are concerned, every *UltraKey* subscription is operated by the Subscriber. The subscription administrator or other delegated personnel for the Subscriber, enrolls students using tools provided in *UltraKey*

Bytes of Learning has no involvement in this process, except on request of the Subscriber under the Subscriber's supervision, and only for the purpose of troubleshooting.

To contact the Subscriber and the person responsible for use of *UltraKey Online*, please look for *Subscriber Contact* on the Welcome screen provided to users after they log in. Parents whose children use the desktop format of *UltraKey*, should contact their children's teachers for operator information, which might be the teacher.

Family and individual subscriptions do not provide subscriber contact information because this is private to the family or the user. This policy applies in every other way that is reasonable in the context of family or other private use.

Information Stored and How It Is Collected

Subscribers are the only parties who enter user information. Users may not enroll themselves unless they are the Subscriber. Bytes of Learning does not enter user information, except at the request of the Subscriber and under the immediate supervision of the Subscriber. User information is never stored at Bytes of Learning except as needed for temporary trouble-shooting purposes.

When Subscribers enroll users, the following information is recorded:

school, class, student ID, first name, last name, login name, and password

This is all the information necessary for user login, record management, and instructional reporting. No other identification information such as address, email address, or telephone, is entered by the Subscriber or requested of the user.

In a future release of *UltraKey*, the application may collect optional parent contact information in order to issue reports and congratulatory notes to parents about their children's progress. In accordance with COPPA, no parent contact information will be uploaded or retained without parental consent. When this feature is implemented, this policy will be updated to provide essential details for parents, including permission process, and removal of permission process.

UltraKey Online does not ask students for any personally descriptive information such as sex, year of birth, likes or dislikes, hobby interests, or other information that might be used to narrow down or confirm the user's personal identification.

During its operation, *UltraKey* stores user goals, user preferences, and user progress, all as they relate to typing instruction, and as they relate to the user's progress and performance in typing.

In the course of developing keyboarding fluency, *UltraKey* lets students freely compose stories, poetry and essays. The program stores each student's most recent composition until a new one is created. It is possible for users to inadvertently identify themselves through the normal course of writing, and it is possible for an operator to gain information about a user by reading the user's composition. The most recent composition is only accessible to the user, and only to instructors authorized to access the user's record. Bytes of Learning never views or accesses user record details or compositions unless required for technical trouble-shooting purposes. Bytes of Learning only uses user record information for technical trouble-shooting purposes and does not store the information beyond the immediate need.

Information Disclosed to Third Parties

Bytes of Learning never discloses customer information, Subscriber information, or user information to any third party. The company never accesses or views user information, except as necessary to troubleshoot technical problems, with Subscribers supervising.

Bytes of Learning cannot attest to the privacy policies that its Subscribers follow, but the reader should note that all Subscribers are schools, school districts, or other enterprises that are required by law to follow the COPPA or the corresponding laws in their country. The only other subscribers are families and individuals who are presumed to be responsible for their own privacy.

Use of Personal Information

Bytes of Learning never accesses user information, nor does it use user information for any self-serving or contracted purpose such as sending advertisements to children, operators or parents. Subscribers, Parents and users of age, who request information at the Bytes of Learning commercial web site, do receive those communications requested and may unsubscribe any time. There is an explicit opt-in and opt-out capability offered within each account maintained on the commercial web site of Bytes of Learning.

The commercial web site of Bytes of Learning contains no information about students operating UltraKey. All information related to UltraKey, which is maintained on the commercial web site, is solely for the purpose of letting Subscribers know how to access UltraKey.

UltraKey goal reports, progress reports, certificates, and usage reports private to the individual user, are available to the user when he or she operates UltraKey. No user can access the information of another user.

Subscribers, and designated operators such as teachers also have access to this information. Such parties are subject to the professional and legal guidelines that apply to their profession. Families and individuals are presumed to keep their own information private.

General Information Excepted

In UltraKey, Subscribers can produce general performance and other reports showing collective data, void of specific user identification or specific user performance.

For example, UltraKey creates general reports about keyboarding skill development across the school district. Such reports may be produced and distributed to parties, internal and external to the Subscriber, without parent consent. This practice is outside the scope of COPPA, because the reports do not contain any personal information.

In the future, Bytes of Learning intends to research student performance, so normative performance data stored by *UltraKey Online*. For example, it will be useful for users to know how they are progressing relative to other users in the class, school, Subscriber or around the world. This information is not subject to COPPA because it never contains personal information about any particular user. In the process of gathering normative data, Bytes of Learning will use automated processes so no personal information will be seen or divulged to any Bytes of Learning personnel.

Cookies and User Tracking

The *UltraKey 6* desktop application does not keep any cookies, or track or transmit user behavior

UltraKey Online keeps several cookies on each user's computer or device solely for the purpose of providing easier login, meeting operational requirements, and allowing easy return to the instructional state from which the user last exited.

A remember-me option provides the ability for users to close their browser, re-access UltraKey, and continue sessions without having to log in again. On iPads, remember-me is automatically invoked because of the nature of the operating system.

UltraKey transmits no information to itself, to Bytes of Learning, to the Subscriber, or to any third party, about the user's computer operation or Internet browsing behavior. Nor is any such information stored in any cookie.

No Advertising

Subscription fees are the sole source of financial support for the development and operation of UltraKey.

UltraKey never advertises to users or operators, either to promote Bytes of Learning products, or to promote third party products or services.

Occasionally, Bytes of Learning donates subscriptions or substantially discounts them for qualifying non-profit non-government organizations. Advertising is not used as a substitute for subscription fees even when the subscriptions are donated or heavily discounted.

In *UltraKey Online*, there is a message board presented to users and operators at the login screen or the welcome screen, depending on the nature of the notice. Such notices are solely intended to inform users or operators of recent developments of UltraKey, or developments at Bytes of Learning that ought to be of genuine interest to operators or users. At Bytes of Learning, uninvited and obtrusive pop-ups are never used on its commercial web site, or on its applications.

In the future, UltraKey will permit operators to post messages for students. The content of these messages will be outside the control of Bytes of Learning. Any parent concerned about the nature of a message posted by an operator, should contact that operator.

In the future, Bytes of Learning may deploy isolated elements of UltraKey such as its ability to assess typing performance. The company reserves the right to perform such deployment as a means of marketing UltraKey or other Bytes of Learning products. Such deployments will have their own specific privacy policy.

Parent Ability to Limit Information or Have Information Removed

All user information in UltraKey, is entered by the Subscriber. Bytes of Learning does not access user information entered by a Subscriber, nor does Bytes of Learning alter any information entered by the Subscriber, unless the Subscriber requests it, and the process is conducted under the Subscriber's supervision.

The information the Subscriber enters, is the limited information that the Subscriber uses in its normal course of business such as names, student identification numbers, and login names. This information is detailed above.

While the student identification number needs to be accurate for Subscriber needs, the name of the user does not have to be the same as the actual name of the user. An alias can be used instead of the child's real name.

Parents who are concerned about the potential disclosure of their child's identification, location, or existence, should contact the Subscriber to discuss means of addressing their concerns. This could include using an alias, or removing the student from the program.

Bytes of Learning welcomes contact by parents who want to clarify any details relating to this policy. However, Bytes of Learning cannot intervene or intercede with a Subscriber on the parent's behalf. This is because Bytes of Learning provides the subscription to the Subscriber for responsible and legal use by the Subscriber, and the Subscriber's response to parents is a matter between the Subscriber and the parents.

Where User Information is Stored

Bytes of Learning contracts for server operation and data storage from professional service providers whose offices and servers are physically located in the United States of America. For better security, Bytes of Learning does not share the names or specific locations of these providers.

All service providers are vetted for their own compliance with privacy laws and security standards. Bytes of Learning does not contract for services from consumer-oriented service providers.

Bytes of Learning does not use service providers who share servers among large numbers of unidentifiable subscribers.

Bytes of Learning only uses the services of providers who exclusively serve law-abiding corporations, and who ensure that no other party has access to Bytes of Learning data.

How User Information is Secured

In this section, the term *operator* means any person who has a management account for UltraKey, as opposed to being a student user.

Bytes of Learning deploys data management software in accordance with the security standards practiced across the computing industry. For example, UltraKey never transmits a password to a user, nor does it generate lists of users or passwords for operators. By limiting potentially compromising functions for all operators, the program limits them for intruders too.

The most common way that databases are unlawfully accessed is that unscrupulous computer users acquire or guess the login and password of an existing operator. UltraKey is engineered to resist intrusion, and limit damage arising from intrusion, in the following ways:

- ✓ Anybody who logs into UltraKey has to know the specific login URL for the particular subscription before the person can even begin attempting to log in.
- ✓ Successful login requires an accurate login name and password. Emails are not used for login because they are a personal piece of identification.
- ✓ Operators are strongly encouraged to keep passwords private and difficult to predict. *UltraKey Online* requires operators to create a new password on their first login, one that contains a minimum variety of numbers, symbols and letters.
- ✓ Students are also encouraged to use secure passwords but this can be a challenge for younger children. If an unauthorized party does log into a student account, the personal information available to that party is limited to the user's name. There is no additional personal information to be gained outside of what the intruder probably already knows.

- ✓ If an unauthorized party gains access as an operator, the party may only generate performance and usage reports.
- ✓ UltraKey does not export lists of users except as part of PDF formatted documents that report performance and usage. In its reports, UltraKey does not include anything more than student IDs and user names.
- ✓ UltraKey never shows or exports lists of passwords for operators or users.
- ✓ Users never have access to operator dashboards, and operators have limited access to operator dashboard controls depending on their status. Operators have a collection of capabilities limited by the Subscriber and by the role the operator plays.
- ✓ Operators have limited domains. For example, a classroom teacher only has access to user records for students who are enrolled in the classes they teach.
- ✓ Every transaction between the UltraKey application and the server, is authenticated. This prevents intruders from manipulating the browser URL field to gain access to restricted areas, beyond their login status.
- ✓ All forms strictly limit any information that is entered through form text fields. This prevents intruders from entering commands or disruptive codes to take control of, or to interfere with the operation of the application or the server.
- ✓ The server-based application is engineered to resist all unauthorized access, whether it is direct through its IP address, or it is indirect through unauthorized login.
- ✓ Any data stored by the server is encrypted using keys that are only known by limited personnel at Bytes of Learning. Neither unauthorized nor authorized visitors to UltraKey, have any access to human-readable data.

Limited Warranty

It is not possible for Bytes of Learning or any other corporation to 100% guarantee the privacy or security of information collected and stored by UltraKey, by the Bytes of Learning web site, or by Bytes of Learning itself.

Bytes of Learning does warranty that it takes all reasonable steps to ensure that privacy is respected and secured as well as technically possible. Potential or real breaches are addressed as immediately and effectively as possible.

One of the keys to any privacy strategy, is to avoid collecting private information in the first place, and to avoid transmitting it to any party regardless of their apparent legitimacy.

Questions, comments, and suggestions are always welcome at [Bytes of Learning](#).