Privacy Policy

Last updated June 12, 2019.

SmartyPants App, Inc. wants to make sure you understand how we collect and use your personal information as outlined in our Privacy Policy when you provide it to us through our web site: www.FletchApp.com and our mobile application: Fletch. If there’s anything about this Privacy Policy you don’t understand, please contact us: support@fletchapp.com

About This Policy

The “Site” refers to www.FletchApp.com and all of its mobile applications. This Privacy Policy applies to the information we collect. It describes how we collect and use personal data, including the extent to which we share. Please note: This Privacy Policy does not supersede or affect the terms of any policy or agreement between you and any school or third party (for example, Facebook®, Twitter® and other parties with whom you share your personal information). Please make sure that you read and understand the terms of any privacy policies that you enter into with parties other than SmartyPants App, as those policies – and not this Policy – explain how your personal information is used by such other parties. This Policy does not apply to information collected directly or indirectly by our third party service providers.

Does SmartyPants App, Inc. Ever Make Changes To Its Privacy Policy?

We may change this Privacy Policy from time to time. Any changes to our privacy policy will be posted to this page and are effective thereupon. We encourage you to periodically review this page for the latest information on our privacy practices.

What Type of Information Does SmartyPants App Collect?

Information You Provide To Us

We collect the personal data that you provide to us. This includes your contact information, such as your name, e-mail address and school. When you supply such information, we collect it.

When you use SmartyPants App, you may do things like form relationships, send messages, perform searches and queries, form groups, set up events, and transmit information through various channels. When you do so, we collect this information so that we can analyze our performance, provide you with these services and offer personalized features. In most cases, we retain this information so you can have a
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record of your activity. If you choose to use our invitation service to tell a friend about Fletch, we will ask you for information needed to send the invitation, such as your friend's email address. We will automatically send your friend a one-time email inviting him or her to visit the Site. Your friend’s email will then be permanently deleted unless they choose to register for an account. If you communicate with us regarding our services, we will collect the information that you provide to us.

We won’t knowingly allow anyone under 17 to register with us or to provide any other personal information.

Log Information

We also collect information about your system and devices and how you use SmartyPants App products and services. We use analytic and reporting technologies to record non-personal information such as Internet domain and host names, browser software, operating system types, page views, clickstream patterns, and the dates and times you access our services. We may use a variety of methods for automatically collecting such “passive” information. We also contract with third party vendors to help manage, monitor and optimize the Site and to help us measure the effectiveness of our services. To do this, we may use log files, web beacons and cookies.

We are able to determine the Internet protocol (IP) address from which you access the Site. Essentially, your IP address is a numerical address that is used by computers connected to the Internet to identify your computer so that data (such as web pages you want to view) can be transmitted to you. Your IP address does not tell us who you are.

Cookies

If you have the settings on your browser set accordingly, we will use cookies to track some of your information from your browser or mobile device. We do link personal information submitted on this site with cookies. The use of cookies is a very common practice on the Internet. Cookies are small pieces of information that we will place on the hard drive of your computer in order to store personal data such as (but not limited to) your password, preferences, etc. to create a personalized experience for you. Our advertisers and third party service providers may also assign their own cookies to your hard drive, a process we do not control. You have the option to set your web browser to reject cookies and if you do so some features of the Site will not work. You should check the documentation of your browser to learn how to disable cookies. We use session ID cookies to confirm that users are logged in.
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FERPA

Confidential Information will be deemed to include, without limitation, information about the Customer’s employees and any and all student information disclosed by Customer or otherwise obtained by Company in connection with its performance of this Agreement. To the extent that Company may gain access to Customer’s records and information, Company shall not make available or distribute any Confidential Information in violation of the Family Educational Rights and Privacy Act ("The Buckley Amendment" or "FERPA") or any other applicable law, rule or regulation concerning student information.

HIPAA

SmartyPants App, Inc. acknowledges that the Company must comply with the applicable provisions of the Administrative Simplification section of the Health Insurance Portability and Accountability Act of 1996, codified at 42 U.S.C. § 1320 through d-8 ("HIPAA"), and the requirements of any regulations promulgated thereunder, including, without limitation, the federal privacy regulations as contained in 45 C.F.R. Parts 160 and 164, and the federal security standards as contained in 45 C.F.R. Parts 160, 162 and 164 (collectively, the “Regulations”). Accordingly, Company may only disclose Protected Health Information, as defined in 45 C.F.R. 164.501, or Individually Identifiable Health Information, as defined in 42 U.S.C. § 1320d(6) (collectively, “Protected Health Information”).

About Your Privacy Settings

Public Searching of Shared Material

SmartyPants App contains functionality permitting any user to search for and to use such public content.

About Aggregated Reports

SmartyPants App gathers information about its users, such as what areas users visit and what services users access most frequently. SmartyPants App automatically logs IP addresses, session sources, and other data that tracks users’ access to our services. We analyze these logs for sales and marketing purposes as well as system performance monitoring. These logs are analyzed for the aggregate trends they reveal about our users and how they use our services. We may use aggregated personal information to determine the demographic composition of our user base and to distribute statistics and general marketplace
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information about SmartyPants App. We may disclose aggregated user statistics in order to describe our services to prospective advertisers and other third parties, for lawful purposes.

Third Party Advertising

We do not allow advertising on our platform.

When Will SmartyPants App Disclose My Information to Third Parties?

Other than the practices we described in the “About Aggregated Reports” section, above, SmartyPants App may sell information we collect on the Site in conjunction with the disposition of SmartyPants App’s assets in bankruptcy and/or through merger or acquisition. In the event SmartyPants App goes through a business transition, such as a merger or acquisition by or with another company, or sale of all or a portion of our assets, your personal information will likely be among the assets transferred.

We may disclose information (including personally identifiable information) about you to our Affiliates. For purposes of this Policy only, “Affiliates” means any person or entity which directly or indirectly controls, is controlled by or is under common control with us, whether by ownership or otherwise.

We reserve the right to disclose your personal information if required to do so by law or in the good faith belief that such action is necessary to: (a) comply with the law or with legal process or government request served on us; (b) protect and defend our rights or property; or (c) act under exigent circumstances to protect the personal safety of a user of the Site, or the public.

As needed we may also disclose information we collect on the Site to third-party service providers we retain to provide goods and services to us, including but not limited to reports, analyses, technical support, hosting and maintenance, credit card processing, sending emails on our behalf, fraud screening and developing applications. We will use commercially reasonable efforts to prevent such third parties from disclosing your personal information, except for the purpose of providing the services in question. We cannot guarantee that such third parties will not disclose your personal information.

Communications from the Site

When you sign up for our services we will send you push notifications.

Service Related Announcements: We will send you strictly service-related announcements on rare occasions when it is necessary to do so. For instance, if our service is temporarily suspended for maintenance, we might send you an email. Generally, you may not opt-out of these communications, which are not promotional
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in nature. If you do not wish to receive them, you have the option to deactivate your account.

Security

Your account information is located on a secured server behind a firewall. For your own information and protection on the Site and on the Internet in general, please keep in mind that whenever you voluntarily disclose personal information, that information can be collected and used by others. Similarly, if you post personal information in public places, you may receive unsolicited e-mail messages.

Fletch Web Hosting Security

The SmartyPants App platform is run on a private server leased from Bluehost, Inc., headquartered at 560 Timpanogos Pkwy, Orem, UT 84097. Bluehost has no access to our private server and the data therein. Only through written request of the Chief Executive Officer of SmartyPants App, Inc. can Bluehost, Inc. access our private server.

We utilize SiteLock security on our private servers. Our server, website and data is protected by daily 360-degree vulnerability scanning, dashboard reports, alerts and email notifications, security maintenance, Virus Scanning, Spam Blacklisting, detection of defacement, application vulnerabilities, Database vulnerabilities, Drive-by Downloads, SQL Injection vulnerabilities, Cross-Site Scripting (XSS) vulnerabilities and Network vulnerabilities.

SmartyPants Admins receive an email and dashboard alert if a threat is detected. We have access to on-demand Site Lock expert technicians who help with cleaning and securing our platform.

How Can I Access My Personal Information?

Access and control over most personal information on SmartyPants App is readily available through the profile editing tools.

When you make use of our content features to share information with other users on SmartyPants App, (e.g., sending a personal message to another user, uploading files) you generally cannot remove such content, so please exercise caution and discretion before sharing such information.

If you wish to access personal information that is not available to you through your account, please contact us at the address listed below. We may require proof of your identity before providing any such information. To the extent the law permits
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us to do so, we reserve the right to refuse to provide you with copies of your personal data if reasonably necessary due to administrative or technical burden, expense or security concerns. You should be aware that it is not technologically possible to remove from our system each and every record of the information you have provided to us. The need to back-up our systems to protect information from inadvertent loss means that a copy of your personally identifiable information may exist in a non-erasable form that will be difficult or impossible for us to locate. After receiving your request, however, all personally identifiable information stored in databases we actively use and other readily searchable media we control will be updated, corrected, changed or deleted, as appropriate, as soon as reasonably practicable. We will respond to requests for access within 30 days.

If you would like to request the removal of an unauthorized profile you can contact us at legal@fletchapp.com

We will retain your information for as long as your account is active or as needed to provide you services. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Social Media Features

Other Sites

The Site may contain links to other websites not owned or operated by SmartyPants App. If you click on such a link, you may be taken away from the Site to an entirely different website. This Policy applies only to the Site and not to any third-party website that may be accessed through links on the Site. We encourage you to be aware when we link to other websites and to read the privacy policies or statements of each and every such website.

Questions?

We welcome feedback regarding this Policy. If at any time you believe that the Site has not adhered to this Policy, please contact us and we will use reasonable efforts to promptly investigate and, if necessary, correct the problem. If you have any questions, please contact us at legal@fletchapp.com or via postal mail at: 405 N Jefferson Ave, Springfield, MO 65806.