



Executive Summary Finance Committee Meeting

DATE: August 20, 2020

TOPIC: Subscription of Seesaw for Schools for Todd Hall for 2020-2021

PREPARED BY: Christopher Edman

Recommended for:

- ☒ Action
- ☒ Discussion
- ☒ Information

Purpose/Background:

Seesaw is a learning management system that lets teachers to create and share activities and communication with students who in turn can use creative tools to take pictures, draw, record videos, and more in order to capture their learning and receive feedback. Teachers at Todd Hall relied heavily on Seesaw last spring as their primary way of assigning work and communicating with their students but found themselves hindered by the limitations of the free and individual subscriptions. A subscription to Seesaw for Schools would give access to critical features such as greater collaboration and co-teaching opportunities, unlimited activities, and a shared activities library for the entire building.

The District's Legal Counsel reviewed Seesaw' contract and Terms and Conditions and noted that there was a one-sided indemnification clause that favored the vendor only and a strict limitation of liability clause which are both fairly standard in these types of license agreements. Counsel also noted a clause about applying California law but that it did not specify venue so a potential for a California venue in litigation is possible. An addendum was proposed to rectify these concerns to which Seesaw accepted.

Counsel also noted that Seesaw are FERPA and DCMA compliant and won't resell information and are committed to privacy. Finally, Counsel noted that arbitration clause is extremely fair as it is not mandatory and there is an opt-out clause if they are notified within 30 days. Furthermore Seesaw will pay all arbitration fees for claims under \$75,000 and will not seek attorneys' fees and costs unless the arbitrator determines the claim to be frivolous.

Fiscal Impact:

\$2,365

Recommendation:

It is the Administrative recommendation that the Finance Committee concurs to recommend to the Board of Education to accept the Seesaw license for Seesaw for Schools for the amount of \$2,365 for the 2020-2021 school year.