

Updated: October 27, 2020

## 1. Introduction

At Momentum Learning, Inc (“Momentum”), we understand that privacy is important. This privacy policy (the “Privacy Policy”) is designed to help you better understand the information we gather from our website and through our services, how we protect the information once we gather it, and whether and how we disclose it to anyone.

This Privacy Policy applies equivalently to all hosted services and subdomains of [momentumlearn.com](https://momentumlearn.com), including but not limited to any sandbox, demo, integration environment, blog, or other application hosted under the momentumlearn.com root domain (collectively referred to as “www.momentumlearn.com” or “Website”).

We will ensure that all personal information disclosed by you and that is held by us will be: (i) processed lawfully, fairly, and in a transparent manner; (ii) collected for specified, explicit, and legitimate business purposes and not further processed in a manner that is incompatible with those legitimate business purposes; (iii) adequate, relevant and limited to what is necessary; (iv) kept in a form which permits identification of data subjects for no longer than is necessary; and (v) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction, or damage.

We may, from time to time, make changes to this policy. We will alert you that changes have been made by indicating on the Privacy Policy the date it was last updated. We encourage you to review this Privacy Policy from time to time to make sure that you understand how any information you provide to us will be used. **By visiting this Website, you are accepting the practices described in the current version of this Privacy Policy.** If you do not agree to the terms of this Privacy Policy, do not use the Website.

Please note that this Privacy Policy applies only to the Website as described above and not to other companies’ or organizations’ websites, including any websites to which we link. You are advised to consult the privacy policies of other websites that you visit.

## 2. Information Collection and Use

Our primary goals in collecting Personally Identifiable Information (as defined in Section 2.2 below) are for the legitimate business purpose of providing you with a smooth, efficient, and customized experience, to send you information upon your request, and, if appropriate, to collaborate with you as a client.

## **2.1 Aggregate Data**

In general, we automatically gather certain usage information, such as the number and frequency of visitors to this Website and what features of the Website are most popular to our visitors. This information may include which URL you just came from, which URL you next go to, what browser you are using, what features you click on and read (in whole or in part), and your IP address. We use such data only in the aggregate. This collective data helps us to determine how much our visitors use parts of the Website, and to do internal research on our users' demographics, interests, and behavior, so as to better understand and serve you. Momentum may share aggregate information with third parties.

## **2.2 Personally Identifiable Information**

If you complete the "Contact Us" or "Apply Now" inquiries form on the Website, we will request personally identifiable information about you, including, but not limited to, your name, phone number, and email address (together "Personally Identifiable Information"). We seek such information primarily for the legitimate business purpose of communicating with you about our product/service offerings. In addition, we may use such information for the legitimate business purposes of improving our marketing and promotional efforts, analyze Website usage, improve our content and service offerings, and customize our Website's content, layout and services.

We use outside service providers to facilitate Momentum's Website and overall operation, and to perform functions on our behalf, such as sending postal mail and email, text messages, analyzing data, processing payments and providing customer service. These third parties may have access to your Personally Identifiable Information as needed to perform their functions, but they may not use it for any other purpose. You agree that Momentum and those with whom it shares information (the "Recipients") may disclose and transfer your information worldwide, including in and outside the United States, the European Economic Area, Canada, and other jurisdictions serviced by Momentum, for any purpose relating to Momentum's operations.

## **3 Opt-Out**

You can always choose whether or not you wish to provide information on this Website. If at any time you decide that you no longer want Momentum to have

your information, you may indicate this preference by emailing [info@momentumlearn.com](mailto:info@momentumlearn.com).

#### **4. Social Networking Sites**

Momentum operates and maintains social networking pages and venues on websites such as Facebook, Twitter, and LinkedIn. These social networking sites are not controlled by Momentum and Momentum does not endorse or make any representations about third party websites or social networking sites. Momentum will, from time to time, import comments and posts from these third-party websites to this Website. If you post to any of Momentum's social networking pages on third-party websites, you are providing information to the public and do so at your own risk. Further, Momentum may use these postings on its Website without further notice or compensation to you. Please visit the privacy policies of any third-party websites including social networking sites before posting to Momentum's pages there.

#### **5. Cookies, pixels and other system technologies**

"Cookies" are small files placed on your computer, mobile phone or other device. "Pixels" (also called clear GIFs, web beacons, or pixel tags) are small blocks of code on webpages that do things like allow another server to measure viewing of a webpage and often are used in connection with cookies. We use technologies like cookies, pixels and local storage (like on your browser or device, which is similar to a cookie but holds more information) to provide customized services and information that is targeted to your interests. For example, we use these technologies to tell us how and when pages in our website are visited, what our users' technology preferences are (such as what type of video player they use) and whether our website is functioning properly. We also use these technologies to temporarily retain the information you enter into a form. In some jurisdictions, we are not permitted to send cookies to the browser without the prior consent of the affected user. In this case, we will seek such consent. This section assumes that either the use of cookies is not restricted by applicable law, or if it is restricted that you have expressly consented to the use of the cookies.

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is set. (Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.) You are always free to decline our cookies if your browser permits, although in that case you may not be able to interact with certain features on our website, and you may be required to re-enter your password more frequently during a session.

Additionally, you may encounter cookies or other similar devices on our website that are placed by third parties. We do not control the use of cookies by third parties.

## **6. Transfer, Security and Storage**

We are a United States based company and adheres to the laws of the United States. By providing your information and using the Website, you explicitly consent to the transfer, processing, and storage of your information in the United States. If you do not wish for us to transfer your Personal Information to the United States, please contact us using the information in the “Contact Us” section below.

We maintain commercially reasonable administrative, technical, and physical safeguards (which vary depending on the sensitivity of the Personally Identifiable Information) designed to protect against unauthorized use, disclosure, or access of Personally Identifiable Information. You should be aware, however, that “perfect security” does not exist on the Internet, and that third parties may be able to intercept private communications and/or access your Personally Identifiable Information. We cannot ensure or warrant the security of any information you provide to us. We do not accept liability for unintentional disclosure.

Momentum ensures that Personally Identifiable Information is safeguarded against loss, access, use, modification, disclosure, or other misuse. All reasonable steps are taken to prevent unauthorized use or disclosure of your Personally Identifiable Information including but limited to firewalls, virus scan tools, and physical office security measures.

Momentum will retain your Personally Identifiable Information only for as long as necessary to fulfill the legitimate business purpose(s) for which it was collected and to comply with applicable laws and your consent to such purpose remains valid after termination of our relationship with you. When we no longer need information, we take reasonable steps to destroy the information.

## **7. Sharing Information**

Business contact information is considered non-personal information and not subjected to special protection. Business contact information shall include but is not limited to: business name, business address, and business telephone number, and is not considered personal information in certain jurisdictions.

Business contact information can be routinely shared with anyone inside or outside of the business.

In general, we will not sell, share, or rent information about you in ways different from what is disclosed in this statement. However, we may be forced to disclose information to the government or third parties under certain circumstances. We cooperate with governments and private parties to enforce laws such as those regarding intellectual property rights, fraud, data privacy and security. We can (and you authorize us to) disclose any information about you to government officials and private parties as we, in our sole discretion, believe necessary or appropriate in connection with an investigation of fraud, intellectual property infringement or other activity connected to this website that is illegal or may expose us or you to liability.

## 8. **Individual Rights**

### 8.1 **EU/ EEA Citizens**

The EU General Data Protection Regulation (GDPR) grants individuals who are in the European Union and European Economic Area (EU/EEA) the certain rights, with some limitations. We will establish a system to enable and facilitate the exercise of data subject rights related to:

- Information access;
- Objection to processing;
- Objection to automated decision-making and profiling;
- Restriction of processing;
- Data portability;
- Data rectification; and
- Data erasure.

### 8.2 **California Residents.**

The California Consumer Privacy Act (CCPA) provides California consumers with the right to request access to their personal data, additional details about our information practices and deletion of their personal information (subject to certain exceptions). California consumers also have

the right to opt out of sales of personal information, if applicable. We describe how California consumers can exercise their rights under the CCPA below. Please note that you may designate an authorized agent to exercise these rights on your behalf by providing written materials demonstrating that you have granted the authorized agent power of attorney. Please note that if an authorized agent submits a request on your behalf, we may need to contact you to verify your identity and protect the security of your personal information. We will not fulfill your CCPA request unless you have provided sufficient information for us to reasonably verify you are the consumer about whom we collected personal information. We will not discriminate against you if you choose to exercise your rights under the CCPA.

You may request, no more than twice in a twelve (12) month period, access to the specific pieces of personal data we have collected about you in the last twelve (12) months. You may also request additional details about our information practices, including the categories of personal information we have collected about you, the sources of such collection, the categories of personal information we share for a legitimate business or commercial purposes, and the categories of third parties with whom we share your personal information. You may make these requests by contacting using the contact information provided below in the “Contact Us” Section below. After submitting your request, please monitor your email for a verification email. We are required by law to verify your identity prior to granting access to your data in order to protect your privacy and security.

You may request, no more than twice in a twelve (12) month period, transportable copies of your personal information that we have collected about you in the last twelve (12) months. You may make these requests by contacting using the contact information provided below in the “Contact Us” Section. After submitting your request, please monitor your email for a verification email. We are required by law to verify your identity prior to granting access to your data in order to protect your privacy and security.

You may request that we delete the personal information we have collected about you. Please note that we may retain certain information as required or permitted by applicable law. You may make these requests by contacting us using the contact information provided below in the “Contact Us” Section below. After submitting your request, please monitor your email for a verification email. We are required by law to verify your identity prior to granting access to your data in order to protect your privacy and security.

California residents are entitled to ask us for a notice identifying the categories of personal information which we share with our affiliates and/or third parties for marketing purposes and providing contact information for such affiliates and/or third parties.

### **8.3 Exercising of Individual Rights**

If you would like to exercise above EU General Data Protection Regulation (GDPR) rights about your personal information we hold about you, or exercise any other data subject right available to you under California Consumer Privacy Act (CCPA), please submit a written request to: [info@momentumlearn.com](mailto:info@momentumlearn.com) or contact us using the information provided in the “Contact Us” section below. Our privacy team will examine your request and respond to you as quickly as possible.

### **8.4 Aggregate and De-Identified Data.**

Please note that we may still use any aggregated and de-identified personal information that does not identify any individual and may also retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **9. Do Not Track**

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. DNT is a way for users to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

## **10. Policy Towards Children**

We are concerned about the safety and privacy of children who use the Internet. We encourage the viewing of our website by children to be done with parental supervision. Consistent with the Children’s Online Privacy Protection Act of 1998 (“COPPA”), we will never knowingly request Personally Identifiable Information from anyone under the age of 13 without prior verifiable parental consent. If we become aware that a child under 13 has provided us with Personally Identifiable Information without verifiable parental consent, we will use our best efforts to remove such information from our files. If a parent or guardian becomes aware that his or her child has provided us

with Personally Identifiable Information without verifiable parental consent, he or she should contact us at [info@momentumlearn.com](mailto:info@momentumlearn.com).

### **11. Email, Text, and Telephone Communications.**

You can unsubscribe from email, text and phone communications at any time. To stop receiving our promotional emails, follow the unsubscribe instructions in the email messages you receive from us or contact us as described in the “Contact Us” Section below. To opt-out of receiving text messages, follow the opt-out instructions in the text messages that you receive from us. We will process your request within a reasonable time after receipt, in accordance with applicable laws. Note that you will continue to receive transaction-related emails regarding products or services you have requested. We may also send you certain non-promotional communications regarding Momentum and, to the extent permitted by law, you will not be able to opt-out of those communications (e.g., communications regarding updates to this Privacy Policy).

### **12. Governing Law**

You agree that your use of this website, our products, this Privacy Policy and any disputes relating thereto shall be governed in all respects by the laws of the State of North Carolina. Any dispute relating to this Privacy Policy shall be resolved solely in the state or federal courts located in Raleigh, North Carolina.

Thank you for visiting our website. If you have any questions about our website or our Privacy Policy, please contact us at:

### **13. Contact Us**

Momentum Learning, Inc.  
334 Blackwell ST BO16  
Durham, NC 27701  
Attn: Privacy Officer

Phone: 919.502.3114

Email: [info@momentumlearn.com](mailto:info@momentumlearn.com)