

## TalkingPoints Privacy Policy

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Welcome to TalkingPoints, the online and mobile service of TalkingPoints (“**TalkingPoints**,” “**we**,” “**our**,” or “**us**”). TalkingPoints understands that privacy is important to our Users. This Privacy Policy explains how TalkingPoints collects, uses, and shares information provided to us by and about users and visitors of, and others who access (collectively, “**Users**”), our website, mobile products, and the software provided on or in connection with our service (collectively, the “**Service**”).

By using our Service, you agree to the terms of this Privacy Policy and our Terms of Service.

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### **1. WHAT INFORMATION DO WE COLLECT AND FOR WHAT PURPOSE?**

We collect information that identifies or relates to an identifiable individual (“**Personal Information**”) from our Users in order to provide a personalized, useful and efficient experience. Personal Information we collect may include:

- Name;
- Phone number;
- Email address;
- Demographic information;
- Home address;
- Social media account ID;
- Photo; and
- Username and password.

We may collect information, including Personal Information, from a variety of sources, including:

- **Information you provide through our website.** Visitors can browse some areas of our website without providing any Personal Information. However, certain interactions with us require Personal Information. For example, we may collect Personal Information when you register for a User account, use our Service, or correspond with us.
- **Information that we collect through the TalkingPoints Service:** In providing our Service to you, we collect, store, process and disclose your Personal Information. Once you begin using the Service, we will keep records of activities related to the Service, including the content of messages that you may send. We use these records to improve the Service, including by providing content suggestions to you.
- **Information we receive from third parties:** We may receive information about you from third parties. For example, if you access our websites or Service through a third-party connection or log-in, for example, through Google, or by interacting with our brand on social media sites, that third party site will pass certain information about your use of its service to TalkingPoints. This information could include, but is not limited to, the User ID associated with your third party account, an access token necessary to access that service, any information that you have permitted the third party to share with us, and any information you have made public in connection with that service. You should always review, and if necessary, adjust your privacy settings on third-party websites and services before linking or connecting them to the Service. You may also unlink your third party account from the Service by adjusting your settings on the third party service.
- **Address Book Information.** With your permission, TalkingPoints may access your contact list available on your mobile device or in your email accounts in order to locate your friends and contacts on the Service and to invite your friends and contacts to connect with our Service. When we invite your friends to join the Service, we will include your name and photo to let them know that you are the person extending the invitation. After sending these invitations, we may also send reminder emails to your invitees on your behalf. We will store these contacts for purposes of alerting you when your contacts join TalkingPoints at a later time so that you may connect with them on the Service, and to suggest friends and connections to other members of TalkingPoints.
- **Student Data:** TalkingPoints may have access to personally identifiable information about students (“**Student Data**”) in the course of providing its Service. We consider Student Data to be confidential and do not use such data for any purpose other than to provide the Service. TalkingPoints has access to Student Data only as provided by a teacher, school or district administrator, as requested by the student’s school or district administrator or provided by the student’s parent or legal guardian and only for the purposes of performing the Service. If a student contacts TalkingPoints with a question about our Service, we will collect Personal Information from that student only as necessary to respond to the student’s request and direct the student to contact his or her school, and we will then delete or anonymize the personal data of the student after providing our response.

- **Other Sources:** We may collect information from other sources, such as during Users’ telephone conversations with us for customer service purposes, as well as from third-party public databases that contain aggregate demographic information on school districts.

We use the foregoing information, including your Personal Information, to operate, maintain, and provide to you the features of the Service, as well as to improve the Service. We may also use this information to communicate with you, such as to send you text messages with your consent, to permit other Users of the Service to send you messages or to follow up with you to offer information about our Service and your account. We may also (i) send you Service-related emails or messages (e.g., account verification, transactional communications, change or updates to features of the Service, technical and security notices), and (ii) send you marketing-related emails or messages based on aggregate information obtained from public databases, as well as usage data (as further described in “How we Use Cookies and Other Tracking Technology to Collect Information,” below). For information about your communication preferences, see “Your Choices Regarding Your Information,” below.

We may use a third-party payment service to process payments made through the Service. If you wish to make a donation through the Service, your Personal Information may be collected by such third party and not by us, and will be subject to the third party’s privacy policy, rather than this Privacy Policy. We have no control over, and are not responsible for, this third party’s collection, use and disclosure of your Personal Information.

If you disclose any Personal Information relating to other people to us or to our service providers, you represent that you have the authority to do so, including that you have any necessary written consents to do so, including any consents required from the parent or guardian of a minor whose Personal Information you disclose, and to permit us to use the Personal Information in accordance with this Privacy Policy. We reserve the right, but have no obligation, to request from you a copy of the consents described above.

We may use and disclose information that is not Personal Information for any purpose permitted by applicable law.

## **2. HOW WE USE COOKIES AND OTHER TRACKING TECHNOLOGY TO COLLECT INFORMATION**

We and our third party partners may automatically collect certain types of usage information when you visit our website or use our Service. For instance, when you visit our websites, we may send one or more cookies — a small text file containing a string of alphanumeric characters — to your computer to uniquely identify your browser and let us help you log in faster and enhance your navigation through the site. A cookie may also convey information to us about how you use the Service (e.g., the pages you view, the links you click, how frequently you access the Service, and other actions you take on the Service), and allow us to track your usage of the Service over time.

We may collect log file information about your browser or mobile device each time you access the Service. Log file information may include information such as your web request, Internet Protocol address, browser type, information about your mobile device, referring / exit pages and

URLs, number of clicks and how you interact with links on the Service, domain names, landing pages, pages viewed, and other such information. We may employ clear gifs (also known as web beacons) which are used to track the online usage patterns of our Users. In addition, we may also use clear gifs in HTML-based emails sent to our Users to track which emails are opened and which links are clicked by recipients. The information allows for more accurate reporting and improvement of the Service. We may also collect analytics data, or use third-party analytics tools, to help us measure traffic and usage trends for the Service. These tools collect information sent by your browser or mobile device, including the pages you visit, your use of third party applications, and other information that assists us in analyzing and improving the Service. Although we do our best to honor the privacy preferences of our Users, we are not able to respond to Do Not Track signals from your browser at this time.

When you access our Service through a mobile device, we may collect a unique identification number associated with your device or our mobile application (including, for example, a UDID, Unique ID for Advertisers, Google Ad ID, or Windows Advertising ID), mobile carrier, device type, model and manufacturer, mobile device operating system brand and model and, depending on your mobile device settings, the approximate geographical location of your mobile device.

We may use the information collected through cookies, log file, device identifiers, location data and clear gifs to: (a) remember information so that you will not have to re-enter it during your visit or the next time you visit the site; (b) provide custom, personalized content and information, including advertising, on the Service, to the extent permitted by applicable law; (c) provide and monitor the effectiveness of our Service; (d) monitor aggregate metrics such as total number of visitors, traffic, usage, and demographic patterns on our website and our Service; (e) diagnose or fix technology problems; and (f) otherwise to plan for and enhance our Service.

You may “opt out” of the collection of information through cookies or other tracking technology by managing the settings on your browser or mobile device. Please refer to your browser’s or mobile device’s technical information for instructions on how to delete and disable cookies, and other tracking/recording tools. To learn more about cookies, clear gifs/web beacons and related technologies and how you may opt-out of some of this tracking, you may wish to visit <http://www.allaboutcookies.org>.

We use Google Analytics, which uses cookies and similar technologies to collect and analyze information about use of the Services and report on activities and trends. This service may also collect information regarding the use of other websites, apps and online resources. You can learn about Google’s practices by going to [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/), and opt out of them by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>.

### **3. SHARING OF YOUR PERSONAL INFORMATION**

We may share your Personal Information in the instances described below. For information on your choices regarding our sharing of your Personal Information, see the “Your Choices About Your Information” section below.

Remember, our Service allows you to connect and interact with others. Your profile information, including your name, photo, and other Personal Information, may be available publicly to other members of the Service if you choose to share it. If you are a teacher and your User account was registered by your school or district administrator, your profile information may be available to the school or district administrator by default.

We may share your Personal Information with:

- Other Users with whom you choose to share data through our Service. This includes your school, other teachers or district administrators;
- Other companies owned by or under common ownership as TalkingPoints. These companies will use your Personal Information in the same way as we can under this policy;
- Third-party vendors and other service providers that perform services on our behalf, in order to carry out their work for us, which may include, for example, billing, payments, service fulfillment, web hosting or providing analytic services;
- To the extent permitted by applicable law, other parties in connection with a company transaction, such as a merger, sale of company assets or shares, reorganization, financing, change of control or acquisition of all or a portion of our business by another company or third party or in the event of a bankruptcy or related or similar proceedings; and
- To the extent permitted by applicable law, third parties as required by law or subpoena or if we reasonably believe that such action is necessary (a) to comply with the law and the reasonable requests of law enforcement; (b) to enforce our Terms of Service or to protect the security or integrity of our Service; and/or (c) to exercise or protect the rights, property, or personal safety of TalkingPoints, our Users, or others.

To the extent that we provide forums, blogs or bulletins that allow you to post user-generated content, such content may become available to the public and to other members of the Service. If you remove information that you posted to the Service, copies may remain viewable in cached and archived pages of the Service, or if other Users have copied or saved that information.

#### **4. YOUR CHOICES ABOUT YOUR PERSONAL INFORMATION**

**How to control your communications preferences:** You can stop receiving email communications from us or from another User by clicking on the “unsubscribe link” provided in such communications. You may also opt-out of receiving text messages from Users via the Services at any time by sending a text message back with any of STOP, CANCEL, GOODBYE. You may not opt out of Service-related communications (e.g., account verification, transactional communications, changes/updates to features of the Service, technical and security notices).

**Modifying or deleting your Personal Information:** We will retain your Personal Information for as long as necessary to provide the Service to you, unless a longer retention period is required or permitted by applicable law. We may not be able to modify or delete your Personal Information in all circumstances. For example, information we collect in the course of providing the Service may be shared by you with another User, or it may be shared with your school or

district administrator if they registered your User account, and we do not control access to that information once it has been shared.

If you are a resident of California, under 18 and a registered User of the Service, you may ask us to remove content that you have posted to the Service by writing to [hello@talkingpts.org](mailto:hello@talkingpts.org). Please note that your request does not ensure complete or comprehensive removal of the content, as, for example, some of your content may have been reposted by another User.

If you have any questions about reviewing, modifying or deleting your account information, contact us at [hello@talkingpts.org](mailto:hello@talkingpts.org).

## **5. HOW WE STORE AND PROTECT YOUR PERSONAL INFORMATION**

Your Personal Information may be stored and processed in the United States and in any other country in which TalkingPoints or its subsidiaries, affiliates or service providers maintain facilities. We may transfer information, including Personal Information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction, including the United States, and you consent to the transfer of information to any country in which TalkingPoints or its parent, subsidiaries, affiliates or service providers maintain facilities. In certain circumstances, courts, law enforcement agencies or security authorities in other jurisdictions may be entitled to access your Personal Information.

TalkingPoints cares about the security of your information and uses physical, administrative, and technological safeguards designed to preserve the integrity and security of Personal Information collected through the Service. However, no security system is impenetrable and we cannot guarantee the security of our systems 100%. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us at [hello@talkingpts.org](mailto:hello@talkingpts.org).

## **6. CHILDREN'S PRIVACY**

TalkingPoints does not knowingly collect Personal Information online from children under the age of 13. Please contact us at [hello@talkingpts.org](mailto:hello@talkingpts.org) if you believe we have inadvertently collected Personal Information online from a child under 13.

## **7. LINKS TO OTHER WEB SITES AND SERVICES**

Our Service may integrate with or contain links to other third party sites and services. We are not responsible for the practices employed by third party websites or services embedded in, linked to, linked from, or connected with the Service, and your interactions with any third-party website or service are subject to that third party's own rules and policies.

## **8. HOW TO CONTACT US**

If you have any questions about this Privacy Policy or the Service, please contact us at [hello@talkingpts.org](mailto:hello@talkingpts.org).

## **9. CHANGES TO OUR PRIVACY POLICY**

TalkingPoints may modify or update this Privacy Policy from time to time to reflect the changes in our business and practices, and so you should review this page periodically. When we change the Privacy Policy we will update the 'last modified' date at the top of this Privacy Policy. Please do not use (or continue to use) the Service unless you agree to the modifications.