

PRO-ED, INC Website Privacy Policy

Effective Date: August 19, 2022

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1. Privacy Policy Overview.

We at PRO-ED Inc., including our affiliates (collectively “PRO-ED,” “we,” “us,” “our”) are committed to your understanding of our privacy policies. We have developed this Privacy Policy to explain how we collect, process, use, share, retain, secure and transfer your personal information when you visit www.proedinc.com, <https://advancedreviewpractice.com/>, and any other websites, desktop applications and mobile applications that are owned and operated by PRO-ED (collectively, the “Site”). This Privacy Policy applies to any users and visitors to the Site and referred to herein as “you”, “your” or “user”.

This Privacy Policy is for users of the Site and does NOT apply to your use of PRO-ED products or services that are subject to another PRO-ED privacy policy (such as for Educational Products or for Health Professionals) (see [PRO-ED Educational and Health Care Privacy Policies](#) .) If you are using a PRO-ED Educational Product (e.g., Edmark Reading Program, Reading Milestones Program, various test and assessment scoring programs) or products for Health Professionals, please refer to the privacy policy specific to that product. This Privacy Policy applies to you ONLY as a visitor to the Site.

We are providing this Privacy Policy to help you understand our privacy practices and make informed decisions when using our Site. This Privacy Policy is a part of the PRO-ED Terms of Use, which is binding on all website users. These Terms of Use along with any applicable End User License Agreement for a product (including products accessed through the Site) govern your visit to our Site. Additional terms and information can be found in the End User License Agreement for the respective product or service. When you access our Site, you acknowledge that you have read this Privacy Policy and understand and agree with its contents.

2. Personal Information we collect?

You may provide us with certain information when using our Site, requesting a quote, accessing products or services through our Site, creating an account to purchase assessments, journals, standards or other products from our Site. This information includes information identifying you as an individual and referred to in this Privacy Policy as “Personal Information” and includes information such as your

contact information, your company, school or organization information, and other information needed to purchase or use a product, service or feature.

Site Use Information (defined below) may also be collected from you as you browse and use our Site or access products/services accessed from our Site. See the section below “How we use cookies and similar technologies” for more details. We may also collect limited information from third parties as also described below.

The types of Personal Information you may provide us may include:

- contact information (name, organization, mail and email addresses, phone number, country of residence, role, university);
- payment information (including payment card numbers and associated identifiers, billing address, and bank account information);
- account creation and log-in credentials (e.g., username and password);
- areas of interest;
- user activity data that may include test preparation product data such as individual responses to questions, performance data, and scores;
- purchase and interest history, such as information about what products you have purchased and your interests in other PRO-ED products and services, and demographic information;

Site Use Information: Like many organizations, we place a "cookie" (a small data file) on your computer when you connect to our Site. This allows us to recognize your computer's IP address on return visits and helps us understand traffic patterns on our Site so we can improve it. For more information about cookies and similar technologies, and guidance about how to refuse cookies, see the below section, “How we use cookies and similar technologies.” In addition, to provide our Site to you, for security and fraud detection purposes, and to detect and evaluate malware and spam, we may scan, collect, and store data including emails, attachments, email addresses, metadata, and URLs, and traffic data.

Third Party Information: We may receive limited information about you from other sources such as mailing list providers (postal and email) and combine that information with information we collect directly from you. For example, we may receive postal or email marketing lists to send you our catalogs from which you can opt out (see below); update payment information and use it to correct our records, purchase or redemption information, or customer support information.

3. How we use your information.

We use the information we collect on our Site in one or more of the following ways:

- to administer our Site and run our business, including Site protection and improvement, account management and analysis, customer support, communication, and market analysis;
- To determine if prospective buyers meet the professional standards, training, and background to be qualified to use and thus purchase certain restricted products.
- for marketing, including communicating with you about PRO-ED products and services that we think may be of interest to you;
- to provide discount purchase codes for products and services that we think may be of interest to you;
- for recruiting candidates for employment;
- where we have a legitimate interest, such as for research and anti-fraud protection;

- when required by law to do so, or to comply with and enforce legal requirements, agreements, and policies;
- as necessary for a corporate transaction (such as a merger or acquisition); in any such transfer of information, your personal information would remain subject to this Privacy Policy;
- to determine individual achievement points obtained by users of certain test prep products (such as Advanced Review for Praxis) and to determine any levels or badges related to progress from preparation tests and related material or
- for other purposes disclosed to you at the time you provide Personal Information to us.

4. How we share your information.

PRO-ED does not sell any Personal Information that we collect from users of Site, our products or services. We do not share Personal Information with any third parties who are unaffiliated with PRO-ED. Below details how we share Personal Information.

- with other members of the PRO-ED corporate family of entities to, among other things, provide the services you have requested or authorized, to conduct research and analysis, and to help us manage the availability, connectivity, and security of the Site;
- with service providers including contractors and agents who perform services and functions at our direction and on our behalf, such as to fulfill online purchase requests, other transactions, Site operations and security. We require these service providers to have written contracts with us that include confidentiality, privacy and security requirements;
- as permitted or required by law or for our legitimate business purposes, including: (a) to comply with a law, legal process or regulations; (b) responding to or cooperating with law enforcement authorities, other government officials or other third parties pursuant to a subpoena, a court order or other legal process; (c) to protect the vital interests of a person; (d) to protect our property, services and legal rights; (e) to companies we plan to merge with or be acquired by. and (f) to support our audit, compliance and governance functions. In any such disclosure of information, your personal information would remain subject to this Privacy Policy; or
- when we have obtained your consent to disclose Personal Information;

Please note that we may also use and disclose information about you that does not identify you personally. For example, we may conduct research and publish reports that contain aggregated and statistical data. These reports use only anonymous data and do not contain any information that would enable the recipient to contact, locate, or identify you.

5. How we protect your information.

We use physical, technical, organizational, and administrative safeguards for our Site designed to protect against loss, misuse, unauthorized access, disclosure, alteration or destruction of the information we collect through our Site. Our security controls are designed to maintain data confidentiality, integrity, and an appropriate level of availability. However, we cannot ensure or warrant the security of any information you transmit to our Site.

Messages that you send to us by email, including by use of the contact us form on the Site, may not be secure, and use of email is not recommended for sending us confidential or sensitive information.

You are responsible for notifying us immediately of any known or suspected unauthorized use(s) of your account, or any known or suspected breach of security, including loss, theft, or unauthorized disclosure of your account credentials, or any other personal information. Any fraudulent, abusive, or otherwise illegal activity on your account may be reported to appropriate law enforcement agencies by us. In the

event of a confirmed security incident that involves Site user's personal information, we will notify you, the respective regulator, law enforcement, and/or individuals of such incident as required by applicable law or where PRO-ED deems appropriate.

6. How we use cookies and similar technology.

When you visit our Site, we may send a cookie to your computer. A cookie is a text file which is stored on your computer or other device and allows us to distinguish you from other users of this Site. Session-based cookies last only while your browser is open and are automatically deleted when you close your browser. Persistent cookies last until you or your browser delete them or they expire.

Cookies can help us to provide you with a more relevant experience when you browse the Site and enable you to use some of its features. Others are used to recognize you when you return, and to personalize content for you. Other cookies allow us to compile anonymous, aggregated statistics that allow us to understand how you and other users interact with the Site, and to improve the functionality, security, and performance of the Site.

Cookies we use include:

- **Strictly Necessary:** Strictly Necessary Cookies are necessary to operate the Site and cannot be switched off. You can set your browser to block (or alert you about) these Strictly Necessary Cookies, but some parts of the Site will not work as a result.
- **Functional:** These cookies provide you with a more tailored experience and allow you to make certain selections on the Site. For example, these cookies store information such as your preferred language and website preferences. Opting out of Functional Cookies may affect the functionality of the Site. In other words, certain features of the Site depend on cookies – so if you block all cookies, you may not be able to use all aspects of the Site. We will provide a cookie consent banner when you visit the Site to disable these cookies if you so choose.
- **Analytic:** These cookies and other technologies allow us to understand how you interact with the Site (e.g., how often you use the Site, where you are accessing the Site from, the content that you are interacting with). Analytic cookies enable us to support and improve how the Site operates. For example, we use Google Analytics cookies to help us measure traffic and usage trends for the Site, and to understand more about the demographics of our users. We also may use web beacons to gauge the effectiveness of certain communications and the effectiveness of our marketing campaigns via HTML emails.
 - If you do not allow Analytic Cookies, then we will not know when you have visited the Site and we will not be able to monitor its performance. For information on how to opt-out of Google Analytics, please see [Google's opt-out options](#) and [Google's privacy practices](#). You may set your email options to prevent the automatic downloading of images that may contain technologies that would allow us to know whether you have accessed our email and interacted with the content. For example, web beacons in emails may be blocked by setting your email preferences to "Plain Text Only".
- **Social Media:** We provide social media buttons on our Site that link to social media pages for PRO-ED, or our specific products and services. These social media pages are not owned or operated by PRO-ED. If you click on the social media button, you will be taken to our page and a cookie may be set by the social media service to enable you to share our content with your friends and networks. It is your choice whether to log-in to your social media account. These sites are governed by their own privacy and related policies. Please read them to understand how they may use your information.
- **You Tube:** PRO-ED uses the available privacy functionality in YouTube to display video content on YouTube. We have turned on "Privacy-Enhancing Mode" for YouTube videos displayed on the

Site. This means that YouTube does not place cookies on a video embedded on the Site unless you press “play” to view the video. For more information, please see [Google’s privacy practices](#). You may also view content on the YouTube website. To control your privacy settings in YouTube, please see [YouTube Privacy Controls](#). It is your choice whether to log-in to your YouTube account. YouTube is governed by its own privacy and related policies. Please read them to understand how they may use your information.

How to manage cookies : PRO-ED will request your consent for the use of cookies that are not strictly necessary when you first visit our Site, and you can manage your cookie preferences at any time.

You can also opt out of interest-based targeting ads provided by participating ad servers through the Digital Advertising Alliance (<http://youradchoices.com>). In addition, on your iPhone, iPad or Android, you can change your device settings to control whether you see online interest-based ads.

7. How we provide links to additional services and other websites.

We may provide links to other websites including social media providers for informational purposes, for you to share information such as results from test preparation products, materials, and similar products, for your convenience or to offer additional services through separate websites and, depending on your device and settings, applications (commonly referred to as “apps”) linked to our Site (“Linked Websites”). Linked Websites are independent from our Site and are not governed by this Privacy Policy. We encourage you to read the Linked Websites privacy policies and terms of use. We do not review or have any control over their content or endorse Linked Websites or the information, software, products or services available on the Linked Websites. We also have no control over the privacy policies used by Linked Websites. If you decide to access any of the Linked Websites, you do so at your own risk.

8. Your Choices and Rights.

Any Personal Information collected by or through our Site will be used only for the purpose it was provided and as described in this Privacy Policy. Once Personal Information is no longer reasonably necessary for business purposes, we will destroy the Personal Information in accordance with our record retention and destruction policies.

For corporate or business customers that purchase our products, we are a data processor only and process Personal Information as instructed by you, our customer.

You have many choices about how we use your Personal Information. If you have an online account with us, you can access and update your account Personal Information at any time by logging in through the Site. You can also update your communications preferences through your account.

We also respect your rights related to your Personal Information under applicable laws such as California and other jurisdictions. Depending on where you reside, you may have the right: (1) to be informed about our collection, use, and disclosure of your Personal Information; (2) to know if we maintain your Personal Information, and, if we do, to receive a copy (subject to the rights of others) and to update it if it is inaccurate or out of date; (3) to object to our processing of your Personal Information, and, if we are processing your Personal Information based on your consent, to withdraw that consent at any time; (4) to ask us to delete or restrict your Personal Information; and (5) to not be subjected to any discriminatory treatment for the exercise of your privacy rights. **PRO-ED does not sell your Personal Information.**

By contacting us as described below you can send us your requests related to your Personal Information. We may require that you verify your identity before exercising your individual rights. Additionally, please

note that these rights are not absolute, for example, your deletion request does not ensure complete deletion or comprehensive removal, as the content or information may be retained subject to applicable law or where we have a legitimate interest to retain the information.

Shine the Light Law: PRO-ED does not share information that identifies you personally with non-affiliated third parties for their own marketing use without your permission.

Do not track signals and requests: Do not track signals and requests are sent from your browser to websites you visit indicating you do not want to be tracked or monitored. Websites are not required to accept these requests and many do not. At this time, our Site does not honor do not track signals or requests.

9. Marketing communications.

We will send marketing and informational communications to individuals if they have affirmatively indicated they want to receive them by providing their contact information and selecting the appropriate boxes to confirm their choice. Additionally, we purchase mailing lists from a third party to send our catalogs to relevant professionals. Individuals can opt-out of these mailings, future marketing and informational materials at any time by contacting us as noted below and indicating your changed preference or clicking on the unsubscribe or opt-out feature at the bottom of electronic marketing and informational materials. If you choose no longer to receive marketing information, we may still communicate with you regarding transactional or administrative topics such as your account and service requests.

10. International Transfer of Personal Information.

We store information received through or by our Site in the United States. If you are providing the information from another country, you give affirmative consent to this transfer and understand that the information will be transferred, stored, and used in the United States.

11. Lawful Bases of Processing.

We rely on one or more of the following legal bases to process data:

- the processing is necessary to perform our contractual obligations in our Terms of Use, End User Licensing Agreements or other contracts with you;
- the processing is necessary for the purposes of our legitimate interests, such as in improving, personalizing, and developing the Site, and maintaining Site safety and security as described above;
- consent is provided by you for a specific purpose (i.e., marketing); or
- the processing is necessary to comply with a legal obligation, a court order, or to exercise or defend legal claims.

12. Can children use our Site?

Our Site is not directed to children under the age of majority (i.e., 18). We do not knowingly collect information from children or others who are not legally able to use our Site unless they do so with the consent of a parent or guardian. If we obtain actual knowledge that we have collected information from a child under the age of majority, we will promptly destroy that information, unless we are legally obligated to retain it. If you believe we have mistakenly or unintentionally collected information from a child under the age of majority, please contact us as noted below.

13. Updates to this Privacy Policy.

We may update or change this Privacy Policy. The effective date at the top of this page states when it was last revised. Any change to this Privacy Policy will become effective when we post the revised Privacy Policy on our Site. Your continued use of the Site indicates your agreement.

If any change may materially and negatively affect the privacy of your Personal Information, we will use reasonable efforts to notify you in advance and give you a reasonable time to object to any changes.

We encourage you to periodically review this Privacy Policy to stay informed about how we collect, use, and share Personal Information.

14. Contacting Us

Use the contact information below if you (a) would like to exercise any individual rights you may have about your Personal Information, (b) have questions, concerns or complaints about this Privacy Policy or our privacy practices or (c) would like additional information about our privacy practices.

Email: privacy@proedinc.com

Phone: 1-800-897-3202 (ext. 644)

Mail: PRO-ED, Inc.
c/o Privacy Officer
1301 W. 25th Street, Suite 300, Austin, Texas 78705