

PRIVACY POLICY

(k)Nudging

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VERSION 1.3

Version History			
VERSION	APPROVED BY	REVISION DATE	DESCRIPTION OF CHANGE
1.1	Matthew Miko	27Feb2021	-initial document created
1.2	Matthew Miko	24Feb2022	-general revisions
1.3	Matthew Miko	23Apr2023	-general revisions

Purpose

(k)Nudging LLC (hereinafter referred to as “(k)Nudging,” “we,” “our,” or “us”) is committed to protecting your privacy. This document defines the Privacy Policy of (k)Nudging as it is related to this Site (www.knudging.com) and its Services (the (k)Nudging Online Discussion App). In this Privacy Policy, we describe how we collect, use, and disclose information that we obtain from visitors to our Site, users of our Services, information received from our customers, and how your information is collected and used. We will also describe your choices regarding how data is used, accessed, and corrected.

Information We Collect Directly From You

The data covered by this policy includes, but is not limited to, all electronic information found in databases, applications, other media, and communication channels used by or in conjunction with our Site and Services. The type of information collected from you depends on your interaction with the Site and Services. If you contact us directly through the Site or via email or other means, we may collect your name, email address, phone number, and any information that you provided to us through our Site or other means. If you register for our events or webinars, we may use your registration information to deliver the content you have requested.

By using our Services, either on your own or through your educational institution, some information is collected about you to be able to create a user account and fulfill the necessary functions of the purpose of our Services.

You may always choose not to provide subscriber information (by opting not to create an account) and may choose to remove an account that was created for you by your instructor or us at any time, but if you so choose, our Services will not be available to you. We require as little user information as possible to be able to create your user account and provide you with the services of our site.

When using our Site or Services, certain kinds of non-personal information, such as the website that referred you to us, your IP address, browser type, operating system, and access times. This information is collected to help troubleshoot any software issues or “bugs” you may encounter by providing us with appropriate system data.

Information We Collect from Educational Institutions

The type of information that we collect from you depends on your interaction with our Services. Our Services require that users have a registered account in a Learning Management System (“LMS”) to access our Services. This registered account is created by your educational institution. Information associated with that account may include, but is not limited to, your name and email address.

If you are a student, we may receive information about you from the LMS utilized by your education institution. This information may include your name, student ID, email address, as well as educational data that is collected and maintained by your educational institution.

(k)Nudging has no direct relationship with many of the individuals whose personal information it processes. If you seek to access, correct, amend, or delete data associated with our Services, please first direct your request to your educational institution.

Cookies and Other Tracking Mechanisms

We may automatically collect the following types of information about use of our Sites and Services through cookies and other technologies, including your browser type, your IP address, access timestamps, and the frequency of your use of our Sites and Services.

You may control the use of cookies utilizing the settings in your browser(s). If you choose to disable cookies, it may limit or prevent your use of certain features on our Site and within our Services. By continuing to use our Site and Services, you are agreeing to our use of cookies as described in this Policy.

Email Preferences

Any marketing communications we send will include the ability to opt-out. You may sign-up to receive newsletters and product updates and other communications from us. If you decide to discontinue receiving this information, you may update your email preferences by using the “Unsubscribe” link found in emails we sent to you.

How We Use Information

How we use information that we collect or receive about you depends on your relationship with (k)Nudging and/or your educational institution. We may use your information for the following purposes:

- to enable us to comply with contractual obligations to deliver our Services
- to respond to your inquiries and for customer service purposes
- for analytical purposes
- as permitted or required by law

We may share your information with certain trusted third-party services in order for us to provide and protect our Services, including, but not limited to, storing your data on a third-party storage service to support delivery of our Services. We may also share your information with your educational institution to provide our Services. Otherwise, your personal information is never shared with any individual or other organizations.

We do not sell data to third parties and we work to protect data through industry best practices. By using our Sites and Services, you accept that your personal information will be handled as described in this Policy.

Data Retention Policies

If a client chooses to end their contract with us, all of their data (including student user data) will be destroyed, erased, or anonymized within 180 days of the contract end date. If a client requires a longer retention period, we can work out arrangements to do so.

Server Security

(k)Nudging data is stored on the Digital Ocean technology platform. For more detailed information, please see the (k)Nudging Data Security Policy. We have implemented commercially reasonable and industry standard precautions to protect the information we collect from loss, misuse, unauthorized access, alteration, and destruction.

Legal Notice

(k)Nudging may be required to disclose personal data in response to lawful requests by public authorities to meet national security or law enforcement requirements. We may disclose your personal information as required by law to comply with a subpoena or other legal process, according to any stipulations included in our agreement with your educational institution.

FERPA

FERPA ensures that personally identifiable education information is protected. (k)Nudging is dedicated to ensuring we are abiding by all FERPA regulations. We acknowledge that information about the an educational institutions' students is contained in records maintained by (k)Nudging and that this information is confidential per FERPA.

Age Restrictions and COPPA

We do not intend to solicit or collect personal information from anyone under the age of 13 (a "Child User") and/or who is otherwise unable to enter into a contract (a "Minor User") without consent from such the parent or legal guardian of such Child User or Minor User, as applicable ("Parent"). By creating an account or using this website, you verify that you are not a Child User or Minor User. If you believe we might have any information from or about a person who is a Child User or Minor User without parental consent, please contact us at privacy@knudging.com.

We make every effort to comply with the Children's Online Privacy Protection Act. We do not knowingly permit Child Users to register directly to use our Products without the consent of a Parent. If we learn that the personal information of a Child User has been collected by our Products without parental or guardian consent, then we will take appropriate steps to delete such information. If you are a Parent of a Child User and discover that your child has registered to use our Products without your consent, please contact us a info@knudging.com.

Additional Information on Data Protection Rights

As required by the California Consumer Protection Act ("CCPA"), customers and clients who are California residents have the following rights regarding their personal information:

- California residents have the right to request information about the personal information we have collected, used, and disclosed about them during the preceding 12 months.
- California residents have the right to request the deletion of personal information we have collected from them, subject to certain exceptions specified by the CCPA.
- (k)Nudging does not in any way sell personal information if applicable, and has no plans to do so at any point in the future. However, should this ever change, we will provide an easy and accessible method for California residents to opt-out of the sale of their personal information if applicable.
- California residents may contact info@knudging.com with any CCPA-related inquiries, requests, or concerns. To learn more about your California privacy rights, visit <https://oag.ca.gov/privacy>.

If you are a Canada resident, Canadian law may provide you with additional rights regarding our use of your personal information. To learn more about your Canada privacy rights, visit <https://www.priv.gc.ca/en/>.

If you are a resident of the European Union or European Economic Area, the General Data Protection Law (“GDPR”) may provide you with additional rights regarding our use of your personal information. To learn more about your GDPR privacy rights, visit <https://eugdpr.org/the-regulation/>.

You also have the right to lodge a complaint with the supervisory authority of your habitual residence, place of work or place of alleged infringement, if you consider that the processing of your personal data infringes applicable law.

A list of European Union data protection authorities is available at:

http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080.

Changes To Our Privacy Policy

We may change this Privacy Policy from time to time. If we make any changes to this Policy, we will change the “Last Updated” date above. If such changes are material, a notice of the changes will be posted along with the revised Privacy Policy. We encourage you to visit this page from time to time for the latest on our privacy practices. Your continued use of the Products after any changes or

revisions to this Privacy Policy shall indicate your agreement with the terms of such revised Privacy Policy.

Contact Information

We welcome your questions and comments about this policy. You can contact us at info@knudging.com.