

## FIVEABLE PRIVACY POLICY

**Last Updated: August 24<sup>th</sup>, 2021**

Welcome to Fiveable ( **Fiveable**” or **we,**” **“us,”** or **our**”)! We are committed to privacy and will only use your Personal Information in accordance with the terms of this Privacy Policy ( **Policy**”). This Policy describes how we collect, use, protect, and disclose Personal Information received from your use of the websites owned and operated by us or our affiliates, including, but not limited to, <https://fiveable.me> and <https://hours.zone>, and the features, functionalities, applications, browser extensions, and other services available through our websites (collectively, the **Sites**”) and through our interactions with you outside of our Sites, when you apply for a job with us, and otherwise through our business operations (collectively, with the Sites, our **Operations**”).

When we refer to **Personal Information**” in this Policy, we mean information that identifies, relates to, describes, or is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to a particular individual. Please note, as used in this Policy, Personal Information does not include information that has been deidentified or aggregated in a way that cannot be used to identify a specific individual.

You can access and interact with our Operations in many ways, including from a computer or mobile device. This Policy applies regardless of how you access or interact with our Operations. Depending on how you interact with our Operations, there may be some cases where we need to provide you with additional information about how we use your Personal Information and/or what options you have regarding our use of your Personal Information. We may provide this additional information via notices on our Sites or via direct communications with you. If we do this, unless we tell you otherwise, the additional information will apply in addition to what is described in this Policy.

**Please read this Policy carefully – it provides information about how we collect, use, and disclose your Personal Information in connection with our Operations. If you do not want us to collect, use, or disclose your Personal Information in the ways described in this Policy, please do not use our Sites, provide us with your Personal Information, or authorize a third party to make your Personal Information available to us. By using our Sites, interacting with our Operations, providing us with Personal Information, or otherwise making your personal Information available to us, you acknowledge that you understand that we may use your Personal Information as described in this Policy. Please note, as described in this Policy, we may receive your Personal Information from third parties that have not expressly advised you that they will disclose your Personal Information to us. If you have any questions about how we collect, use, protect, disclose, or otherwise process Personal Information, please contact us at [hi@fiveable.me](mailto:hi@fiveable.me).**

### **PERSONAL INFORMATION WE COLLECT**

Our primary goals in collecting Personal Information are to provide and improve our Sites, conduct our Operations, to communicate with you, and to enable visitors to our Sites to enjoy and easily navigate them. This section describes what Personal Information we collect.

#### ***Categories of Personal Information we Collect***

We collect the categories of Personal Information listed below in connection with our Operations. Please note, depending on how you interact with us, we may not collect all (or any) of the Personal Information identified below.

- Identifiers and contact information, such as your real name, alias, physical address, telephone number, email address, IP address, and similar information.
- Online identifiers you use, such as your username, social media handles, and similar information.
- Website account information, such as your username, password, account activity, and similar information.
- Identity verification information, such as your social security number, and similar information.
- Financial information, such as credit card information, financial account information, and similar information.
- Professional information, such as the licenses and credentials you hold, and similar information.
- Demographic information, such as your age, gender, and similar information.
- Other information you or other third parties provide to us, including information you post to our Sites.

### ***Usage Information***

We may collect information about the devices that access or interact with our Sites (**Usage Information**”), which may include:

- Device information, such as the IP address, general geographic location, operating system, browser type, language preferences, mobile phone number, device identifier, and other similar information associated with a computer or mobile device used to access or interact with our Sites.
- Information about interactions with our Sites, such as links that are clicked, pages or screens that are viewed, access and session times, interactions with emails we send, and other similar information associated with activities on our Sites.
- Information about Internet and network activity, such as websites visited, search engine results, and similar information associated with a computer or mobile device that accesses or interacts with our Sites.
- Information automatically collected by cookies and other technologies on our Sites.
- Any other information that a computer or mobile device automatically sends whenever connected to a website or online application.

Usage Information, by itself, generally does not identify the specific person using the computer or mobile device that generated it. This means that Usage Information usually will not be considered Personal Information and our use of such Usage Information is not subject to this Policy. However, if we link Usage Information directly with other Personal Information or other information that could identify a specific

person, we will treat the linked Usage Information as Personal Information and use the linked Usage Information in accordance with this Policy.

For more information about how we collect Usage Information, please see the “How We Collect Usage Information” section below.

## **HOW WE COLLECT PERSONAL INFORMATION**

### ***Directly from You***

When you engage with us in connection with our Operations, such as visiting our Sites, requesting information, creating an account, signing up to receive communications, communicating with us, or otherwise interacting with us, we may ask you to provide certain Personal Information. Some of the Personal Information we request may not be required, however, we will specifically indicate what Personal Information is required to engage in such activity.

### ***From Third Parties***

We may obtain information (which may include Personal Information) about you from sources that are not us, including, but not limited to, the Internet, offline sources, social media platforms, advertising or marketing platforms, ad networks and analytics providers, and other public or commercial sources (collectively, “**Third Party Services**”).

When you access our Sites through certain Third Party Services, associate our Sites or your activity on our Sites with certain Third Party Services, or share our content via certain Third Party Services, you acknowledge and agree that you are authorizing us to collect, store, share, and use any content and information we receive from those Third Party Services about you in accordance with this Policy.

Some of our Sites may offer the ability for you to register and sign in using your Google Account. This option only gathers the minimum data necessary to create a user within the applicable Sites. These Sites will only store and utilize the following attributes: first name, last name, and email address to create your account. We will not sell, redisclose, or edit your information through the sign in process. Access to this registration and sign-in option may be limited by which Sites you access or having a compatible device/operating system that meets Google’s requirements. By using the Google single sign-on service, Google will know that you are signing into our Site(s) and that you are a user of our Site(s).

We may combine the content and information we receive from Third Party Services with any information that we obtain about you in connection with our Operations. In some cases, you may be able to revoke our access to content and other information we receive from certain Third Party Services, including any social networking sites you connect to through our Sites, by changing the appropriate settings for your account with the applicable Third Party Service.

We may obtain Personal Information about you from our business partners and our service providers. We may also obtain Personal Information about you from other users of our Sites or others that refer you to us.

## **HOW WE COLLECT USAGE INFORMATION**

We collect Usage Information in a variety of ways. Some Usage Information, such as the IP address of the computer or mobile device attempting to access our Sites, is necessary for us to make our Sites available. Other Usage Information, such as information about what features of our Sites are popular, help us to improve our Sites and our Operations. This section describes the primary ways we collect Usage Information in connection with our Sites.

### ***Sites***

When you access our Sites, our systems automatically record Usage Information that your computer or mobile device sends whenever you visit a website or use an online application, as well as Usage Information about how long your computer or mobile device is connected to our Sites and the activities your computer or mobile device engages in while connected to our Sites.

### ***Cookies***

We may automatically collect information (including Usage Information) using “cookies.” Cookies are small data files stored on your hard drive or mobile device storage by a website and other online applications. Among other things, cookies help us improve our Sites, our Operations, and your experience. We use cookies to see which areas and features of our Sites are popular and to understand usage of our Sites. There are two broad categories of cookies that we may use: (1) first party cookies, served directly by us to your computer or mobile device, which are used only by us to recognize your computer or mobile device when it revisits our Sites; and (2) third party cookies, which are served through Third Party Services on our Sites, and can be used by such Third party Services to recognize your computer or mobile device when it visits other websites or uses other online applications. For more information about third party cookies used on our Sites, please see the “Third Party Personal Information Collection” section below. Further information about cookies, including how to see what cookies have been set on your computer or mobile device and how to manage and delete them, please visit <https://www.allaboutcookies.org/>.

### ***Other Tracking Technologies***

We may collect information (including Usage Information) through web beacons, clear gifs, pixel tags, or other similar technologies. These technologies are electronic images that may be used on our Sites or in emails we send. We use these technologies to deliver cookies, count visits, understand usage, and observe data on email delivery, open rates, click rates, bounces, unsubscribes, and other information.

### ***Do Not Track Signals***

Please note that we have not yet developed a response to browser “Do Not Track” signals, and do not change any of our data collection practices when we receive such signals. We will continue to evaluate potential responses to “Do Not Track” signals in light of industry developments and legal changes.

## **HOW WE USE AND DISCLOSE PERSONAL INFORMATION**

We use and disclose Personal Information we collect for various purposes in connection with our Operations. This section describes the purposes for which we use and disclose the Personal Information we collect.

### ***Operational Uses and Disclosures***

We may use and share your Personal Information for the following purposes:

- for any purpose with your consent and/or to fulfill any other purpose for which you provide your Personal Information or otherwise specify;
- to present our Sites and/or changes and updates to our Sites;
- to understand and analyze usage trends and user preferences;
- to notify you about changes to our Operations;
- to present content to you and other users to fulfill our business purposes;
- to provide you with information that you request or that may be of interest to you;
- to provide customer service, including to respond to your comments or questions;
- to facilitate your use of the features you elect to use on our Sites, including, without limitation, engaging in transactions with other users through our Sites;
- to notify you about issues with, or changes to, our policies, terms, and agreements;
- to promote our Operations or to provide other promotions and services to you. In addition, we may share your Personal Information with our third party marketing partners for their own use. If you do not wish to receive these communications (which may occur via email), you may opt out by using one or more of the options described in the “Managing Your Personal Information” section below;
- to carry out our obligations and to enforce our rights arising from any contracts we have entered into, including, but not limited to, any such contracts between you and us;
- to display and target advertisements, marketing, promotions and content via our Sites and in connection with any Third Party Services. For more information, please see the “Targeted Advertising” section below;
- to provide information about your access and use of our Sites with any third party on whose behalf you interact with our Sites; and
- to provide information to certain trusted representatives, advisors, business partners and corporate affiliates for certain purposes, including, but not limited to, information needed for such parties to provide services and support in connection with our Operations, enhance your experience on our Sites, and to conduct our Operations.

***Sale of our Business; Bankruptcy***

In the event of a merger, acquisition, bankruptcy or other sale of all or a portion of our assets, we may transfer or allow third parties to use information owned or controlled by us, including Personal Information. We reserve the right, in connection with these types of transactions, to transfer or assign your Personal Information and other information we have collected to third parties and to authorize such third parties to use any such information. Except as ordered by a bankruptcy or other court, the use and disclosure of all transferred Personal Information will be subject to this Policy. However, any Personal

Information you submit or that is collected after this type of transfer may be subject to a new privacy policy adopted by the successor entity.

### ***Protective Disclosures***

We reserve the right to preserve and disclose any information, including Personal Information, that we believe is necessary to: (a) comply with any court order, law, or legal process, including to respond to any government or regulatory request; (b) enforce or apply our applicable Terms of Use (available at [<https://hi.fiveable.me/terms-of-use>] for Fiveable and [<https://hours.zone/legal/terms-of-use.pdf>] for Hours) and other agreements; and/or (c) protect the rights, property or safety of Fiveable, our subsidiaries and affiliates, and our and their employees, users, and others.

### ***Targeted Advertising***

We may use Personal Information collected through cookies and other tracking technologies to facilitate the delivery of targeted ads, promotions, and offers to you, on behalf of ourselves and our third party marketing partners, on and off our Sites. As part of these activities, we use GetSiteControl, a service provided by Getwebcraft Limited, to display in-page popups to advertise our products, programming, and events based on user activities on our Sites. We provide certain Personal Information to GetSiteControl about users who have an account with us including their online status, email address, account handle, and information about purchases they have made. This enables us to use GetSiteControl to send specific in-page popups to specific users. For more information about Getwebcraft Limited's privacy practices, including how they use Personal Information they receive in connection with GetSiteControl, please refer to <https://getsitecontrol.com/privacy/>.

### ***Use of Anonymized and Other Non-Identifying Information***

We may use and disclose aggregated information about the uses and performance of our Sites, other aggregated information collected in connection with our Operations, and information that does not identify any individual, without restriction.

## **THIRD PARTY PERSONAL INFORMATION COLLECTION**

Based on the nature of our Sites, third parties may collect information from or about you through your use of our Sites. This section describes the different categories of third parties that may collect information about you in connection with our Sites.

### ***Linked Third Party Content***

Any links to other websites, applications or other third party content on our Sites are not an endorsement, authorization, or representation that we are affiliated with that third party and we are not responsible for the content, privacy, and security policies and practices of any third party. We encourage you to read the privacy policies or statements applicable to any third party websites, applications or content you access.

### ***Other Users***

Depending on how you interact with our Sites, other users may collect information about you that is published or otherwise generally made available on our Sites. All users of our Sites are subject to the applicable Terms of Use. While we place restrictions on what our users are allowed to do with information made available to them on our Sites, we are not responsible for any misuse of any information, including

your Personal Information, by any user. If you believe that another user has misused your Personal Information or any other information available on this Website, please contact us at [hi@fiveable.me](mailto:hi@fiveable.me).

### ***Third Party Cookies and Other Tracking Technologies***

We may use tracking solutions provided through certain Third Party Services on our Sites, such as those outlined below:

- *Google Analytics.* We may use Google Analytics, a web analytics service provided by Google, Inc. (“Google”), to assist us in understanding how our Sites are used. Google Analytics will place cookies on your computer or mobile device that will generate information that we select about your use of this Website, including your computer’s or mobile device’s IP address. That information will be transmitted directly to and stored by Google. The information will be used for the purposes of evaluating use of this Website, compiling reports on activity on this Website for our use, and providing other services relating to activity on, and usage of, this Website. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google’s behalf. You may refuse the use of cookies by selecting the appropriate settings on your browser. Please note that by doing so, you may not be able to use the full functionality of this Website. The use of cookies by Google Analytics is covered by Google’s privacy policy, available at <https://policies.google.com/privacy>. Google allows you to opt out of Google Analytics. You may opt-out by visiting <https://tools.google.com/dlpage/gaoptout>.
- *Google Tag Manager.* We may use Google Tag Manager (“GTM”), a tag management system that allows JavaScript and HTML tags to be quickly deployed and updated on portions of this Website for tracking and analytics. GTM enables the use of Google Analytics. If you have opted out of Google Analytics, GTM takes this opt out into account. For more information about the privacy practices applicable to GTM, please refer to <https://policies.google.com/privacy/> and the terms of use at <https://www.google.com/analytics/tag-manager/use-policy>.
- *Facebook Pixel.* We may use Facebook Pixel, a cookie placed by Facebook, that enables us to measure the effectiveness of advertising campaigns served on Facebook. The information collected by that cookie will be transmitted directly to and stored by Facebook. For more information about Facebook’s privacy practices, please refer to <https://www.facebook.com/about/privacy>. To opt-out, please visit <https://www.facebook.com/ads/preferences>.
- *Drip.* We may use services provided by Drip to send you emails (subject to your ability to control communications as described in this Policy) to remind you about upcoming events or programming that you may be interested in. Drip will collect certain information from our Sites, which may include, without limitation, Personal Information and Usage Information. For more information about Drip’s privacy practices, please refer to <https://www.drip.com/privacy>.
- *Mouseflow.* We may use services provided by Mouseflow, ApS (“Mouseflow”) to identify opportunities to improve user experience across the Sites, which may include viewing reports of heatmaps generated through the Mouseflow services that show where the majority of users click on pages on our Sites or viewing replays of anonymous user sessions captured through the

Mouseflow services that show how anonymous users interact with certain pages on our Sites. For more information about Mouseflow's privacy practices, please refer to <https://mouseflow.com/privacy/>.

## **MANAGING YOUR PERSONAL INFORMATION**

We offer you several choices with respect to how we use your Personal Information. This section describes the mechanisms available to you to control the Personal Information we use about you in connection with this Website.

### ***Tools to Contact Us***

If you want to update any Personal Information you have provided to us, update your preferences, control communications we send you, or otherwise contact us about your Personal Information, please email us at [hi@fiveable.me](mailto:hi@fiveable.me).

### ***Additional Tools for Communications***

For email communications you receive from us, you may opt-out of receiving such communications by following the unsubscribe instructions contained in most email messages from us. Your unsubscribe request or email preference changes will be processed promptly, though this process may take several days. During that processing period, you may receive additional emails from us. Please note, opting out of email communications will only apply to marketing and other promotional emails and will not apply to any email or other communications sent for non-marketing purposes, including, but not limited to, emails and other communications about your orders and other interactions with our Operations.

If you have provided us with your prior express consent to receive communications via an automatic telephone system (autodialer), artificial, or recorded voice messages or text messages, we may use your information to send text messages to any mobile device connected to your cell phone number until you opt out from future text messages by replying STOP to any text messages you receive from us. Once you cancel, we will send one additional confirmation text message stating that you have opted out of receiving automated text messages from us.

### ***Targeted Advertising***

If you do not want us to use Personal Information that we collect, or that you provide, to deliver advertisements according to our or our third party marketing partners target audience preferences, you can opt-out by sending us an email with your request to [hi@fiveable.me](mailto:hi@fiveable.me). We do not control third parties collection or use of your Personal Information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your Personal Information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative (NAI) on the NAI's website, located at <https://www.networkadvertising.org>.

### ***Third Party Payment Processors***

We use a third party payment processor to process payments made to us. In connection with the processing of such payments, we do not retain any Personal Information or any financial information, such as credit card numbers. Rather, all such information is provided directly to our third party payment



processor, Shopify, Inc., whose use of the information they collect from and about you is governed by their privacy policy, which may be viewed at <https://www.shopify.com/legal/privacy>.

## **SECURITY OF YOUR PERSONAL INFORMATION**

We are committed to protecting the security of your Personal Information. We maintain commercially reasonable safeguards to maintain the security and privacy of Personal Information we collect and use in connection with our Operations. Nevertheless, when disclosing Personal Information, you should remain mindful that there is an inherent risk in the use of email and the Internet. Your Personal Information and other information may be intercepted without our knowledge or consent, collected illegally and/or used by third parties that are not affiliated with and/or controlled by us. We cannot guarantee the security of any information, including your Personal Information, that you disclose online, and you do so at your own risk.

## **CHILDREN S PRIVACY**

Our Sites are not intended for anyone under 13 years of age. We do not knowingly collect or allow the collection of Personal Information in connection with our Sites from anyone under the age of 13. If we learn that we have collected the Personal Information of anyone under the age of 13, we will take appropriate steps to delete this information. If you are a parent or guardian of someone under the age of 13 and discover that your child has submitted Personal Information to us, you may contact us at [hi@fiveable.me](mailto:hi@fiveable.me) and ask us to remove your child s Personal Information from our systems.

## **CALIFORNIA PRIVACY RIGHTS**

If you are a California resident, please see our CCPA Privacy Notice, available at <https://hi.fiveable.me/privacy-policy-2/ccpa>, for a description of your rights under certain California laws with respect to your Personal Information.

## **EUROPEAN USER RIGHTS**

If you are located in the EU, Switzerland, or the United Kingdom, you have certain rights with respect to your Personal Information. Following is a summary of those rights and additional information applicable to our collection and use of your Personal Information.

### ***Data Controller***

When you provide us with your Personal Information in connection with our Operations, we serve as a data controller. When we act as a data controller we determine how your Personal Information will be utilized, in accordance with this Policy.

### ***Legal Basis for Processing Personal Information***

We rely on several legal bases to process your Personal Information. These legal bases include where:

- The processing is necessary to perform our contractual obligations, such as to provide you with access to our Sites;
- You have given your prior consent, which you may withdraw at any time (such as for marketing purposes or other purposes we obtain your consent for from time to time);

- The processing is necessary to comply with a legal obligation, a court order or to exercise or defend legal claims; and
- The processing is necessary for the purposes of our legitimate interests, such as in improving, personalizing, and developing our Sites and Operations, marketing new features or products that may be of interest, and promoting safety and security as described above.

If you have any questions about or would like further information concerning the legal bases on which we collect and use your Personal Information, please contact us by emailing [hi@fiveable.me](mailto:hi@fiveable.me).

### ***Rights Under the General Data Protection Regulation***

If you are located in the EU, Switzerland, or the United Kingdom, you have the following rights in respect of your Personal Information that we hold:

- *Right of access.* The right to obtain access to your Personal Information.
- *Right to rectification.* The right to obtain rectification of your Personal Information without undue delay where that Personal Information is inaccurate or incomplete.
- *Right to erasure.* The right to obtain the erasure of your Personal Information without undue delay in certain circumstances, such as where the Personal Information is no longer necessary in relation to the purposes for which it was collected or processed.
- *Right to restriction.* The right to obtain the restriction of the processing undertaken by us on your Personal Information in certain circumstances, such as where the accuracy of the Personal Information is contested by you, for a period enabling us to verify the accuracy of that Personal Information.
- *Right to portability.* The right to portability allows you to move, copy or transfer Personal Information easily from one organization to another.
- *Right to object.* You have a right to object to processing based on legitimate interests and direct marketing.

If you wish to exercise one of these rights, please email us at [hi@fiveable.me](mailto:hi@fiveable.me). You also have the right to lodge a complaint to your local data protection authority. Further information about how to contact your local data protection authority is available at [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm).

### ***Retention of Personal Information***

We reserve the right to retain any Personal Information as long as it is needed to: (1) fulfill the purposes for which we collected the Personal Information; and (2) comply with applicable law.

### ***Transfers of Personal Information***

If you are located in the EU, Switzerland, or the United Kingdom, the Personal Information we collect may be stored and processed in any country in which we or our affiliates, suppliers, third party electronic payment processors and/or agents maintain facilities, including, but not limited to, the United States of America. **YOU CONSENT TO ANY AND ALL PERSONAL INFORMATION YOU PROVIDE AND SUBMIT TO US**

**BEING SENT TO THE UNITED STATES OF AMERICA.** The United States of America has not sought nor received a finding of “adequacy” from the EU, Switzerland, or the United Kingdom. We rely on derogations for specific situations as set forth in applicable laws.

***Obligations to Data Protection Authorities (DPAs)***

We will respond diligently and appropriately to requests from DPAs about this policy or compliance with applicable data protection privacy laws and regulations. We will, upon request, provide DPAs with names and contact details of the individuals designated to handle this process. With regard to transfers of Personal Information, we will (1) cooperate with inquiries from the DPA responsible for the entity exporting the data and (2) respect its decisions, consistent with applicable law and due process rights. With regard to transfers of data to third parties, we will comply with DPAs’ decisions relating to it and cooperate with all DPAs in accordance with applicable legislation.

**UPDATES TO THIS POLICY**

From time to time we may revise this Policy to reflect changes in our Operations or to ensure that this Policy complies with applicable laws. Consequently, we reserve the right to update and revise this Policy at any time in our sole discretion. Your continued use of our Sites and/or engagement with our Operations means that you accept this Policy as amended or revised from time to time. Therefore, you should review this Policy regularly to ensure that you are aware of its terms. You will know if this Policy has been revised since your prior visit by referring to the Last Updated Date at the top of this page.

**CONTACT US**

We welcome your questions, comments, and concerns about privacy. Please email us at [hi@fiveable.me](mailto:hi@fiveable.me) with any questions or feedback you have pertaining to our privacy practices.