

## State Privacy Rights

# NEW State Privacy Notice (California and Nevada)

Effective Date: January 1, 2022

California residents have certain privacy rights detailed in Section I of this Notice below.

Nevada residents have certain privacy rights detailed in Section II of this Notice below.

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##### I. California Residents

This Section I of this Notice applies to “Consumers” as defined by the California Consumer Privacy Act (together with its regulations, the “**CCPA**”) as a supplement to My College Options, Inc.’s (“**Company**,” “**us**,” “**we**,” or “**our**”) other privacy policies or notices. In the event of a conflict between any other Company policy, statement or notice and this Notice, this Notice will prevail as to California Consumers and their rights under the CCPA. Please see also our general [Privacy Policy](#) and any other privacy notice posted or referenced on our websites, apps, products, or services including, without limitation, [www.myoptions.org](http://www.myoptions.org), [encourageme.com](http://encourageme.com), [encourage.myoptions.org](http://encourage.myoptions.org), [mycollegeoptions.org](http://mycollegeoptions.org), [admitted.ly](http://admitted.ly) and/or [admittedly.com](http://admittedly.com) websites, and any other online service location (e.g., website or mobile app) that posts a link to this Notice or as otherwise relates to our products or services (e.g., paper student questionnaires) for more information on our data practices.

Consistent with the CCPA, subsections A and B of this Section I describe our collection, use, disclosure, and sale of California Consumers’ “Personal Information” (“**PI**”) as defined by the

disclosure, and sale of California Consumers' Personal Information ("PI") as defined by the CCPA, except to the extent such PI is exempt from the notice obligations of the CCPA, for calendar year 2021 and will be updated annually. Our current privacy notices at the point of collection, as well as our general privacy policies and other privacy notices may reflect practices that are more current. Section I.C explains the rights California Consumers have under the CCPA, and Section I.D provides notices to Californians required by other laws.

Consistent with the CCPA, job applicants, current and former employees and independent contractors ("**Personnel**"), and subjects of certain business-to-business communications acting solely in their capacity as representatives of another business, are not considered "Consumers" for purposes of this California Privacy Notice or the rights described herein. However, our Personnel may obtain a separate privacy notice that is applicable to them by contacting our Human Resources.

Publicly available information is not treated as PI under the CCPA, so this notice is not intended to apply to that data and your Consumer privacy rights do not apply to that data.

To aid in readability, in some places we have abbreviated or summarized CCPA terms or language and in some places in this Section I we cite to specific CCPA sections for your reference. Terms defined in the CCPA that are used in this Section I shall have the same meaning as in the CCPA.

#### A. **PI We Collect**

In 2021, we collected, retained, used, and disclosed PI about California Consumers as follows:

Category of PI	Examples of PI
Identifiers (CCPA §1798.140(o)(1)(A))	This may include, but is not limited to: a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.
Personal Records (CCPA §1798.140(o)(1)(B))	This may include, but is not limited to: a real name, alias, date of birth, postal address, parent's names, or telephone number.
Personal	This may include, but is not limited to: race or gender

Personal Characteristics or Traits (CCPA §1798.140(o)(1)(C))	This may include, but is not limited to: race or gender identity.
Customer Account Details / Commercial Information (CCPA §1798.140(o)(1)(D))	This may include, but is not limited to: products or services purchased, obtained, or considered.
Internet Usage Information (CCPA §1798.140(o)(1)(F))	This may include, but is not limited to: browsing history, search history, and information regarding your interaction with an Internet website or application.
Geolocation Data (CCPA §1798.140(o)(1)(G))	This may include, but is not limited to: precise physical location or movements and travel patterns.
Sensory Data (CCPA §1798.140(o)(1)(H))	This may include, but is not limited to: audio recordings of customer care calls.
Professional or Employment Information (CCPA §1798.140(o)(1)(I))	This may include, but is not limited to: professional memberships or employment-related information.
Non-public Education Records (CCPA §1798.140(o)(1)(J))	This may include, but is not limited to: education records directly related to a student maintained by an educational institution or party acting on its behalf.

Inferences from PI Collected (CCPA §1798.140(o)(1)(K))	This may include, but is not limited to: creating a profile about a Consumer reflecting the Consumer's preferences, characteristics, attitudes, or abilities.
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The chart above reflects the categories of PI required by the CCPA. There may be additional information that we collect that meets the CCPA's definition of PI but is not reflected by a category, in which case we will treat it as PI as required by the CCPA, but will not include it when we are required to describe our practices by category of PI.

As permitted by applicable law, we do not treat deidentified data or aggregate consumer information as PI and we reserve the right to convert, or permit others to convert, your PI into deidentified data or aggregate consumer information, and may elect not to treat publicly available information as PI. We have no obligation to re-identify information or keep it longer than we need it to respond to your requests.

**1. Sources of PI**

We may collect PI directly from Consumers, from Consumers' devices, from service providers such as analytics companies, joint marketing providers, or other vendors and suppliers, from our parent and its and our other affiliated entities ("**Affiliates**"), and from advertising networks; provided however, that we only collect PI for Consumers with which we or our Affiliates have a direct relationship (e.g., students that take our voluntary educational and professional interest surveys, provide PI to our Affiliates and/or visit our website).

**2. Uses of PI**

Generally, we collect, retain, use, and share your PI to provide you services and as otherwise related to the operation of our business. For more detail on our disclosures and sale of PI, see the next section titled Sharing of PI.

We may collect, use and share the PI we collect for one or more of the following business purposes:

- **Processing Interactions and Transactions;**
- **Managing Interactions and Transactions;**

- **Performing Services;**
- **Research and Development;**
- **Quality Assurance;**
- **Security;** and
- **Debugging.** Additional business purposes include sharing PI with third parties for other than a sale or one of the foregoing business purposes as required or permitted by applicable law, such as to our vendors that perform services for us, to the government or private parties to comply with law or legal process, and to the consumer or other parties at the consumer's request, and for the additional purposes explained in our [Privacy Policy](#), and to assignees as part of an acquisition, bankruptcy, merger, asset sale or other transaction where a Third Party assumes control over all or part of our business ("**Other Business Purposes**"). Subject to restrictions and obligations of the CCPA, our vendors may also use your PI for some or all of the above listed business purposes. Our vendors may themselves engage services providers or subcontractors to enable them to perform services for us, which sub-processing is, for purposes of certainty, an additional Other Business Purpose for which we are providing you notice.

We may collect and use your PI for commercial purposes such as in a manner that is deemed a sale under the CCPA. Our primary purpose is to help colleges, universities, and other providers of Education-related Products and Services (defined below) connect with students that participate in our Program, such as voluntary educational and occupational interests and opportunities surveys, so that students can receive information and resources directly from them.

"**Education-related Products and Services**" means from colleges and universities, as well as other education-related products and services such as:

- Financial planning, student loans, and scholarships;
- Enrichment opportunities such as travel programs, camps, extra-curricular activities and conferences;
- Curriculum materials, books, Internet based educational programs, educational magazines providing low-cost literary products;
- Academic assistance, remedial help, and preparation for college-entrance

examinations;

- Recognition for high levels of performance;
- Participation in community service;
- Learning about civic responsibilities; and
- Employment, career options and the military.

## B. Sharing of PI

In 2021, we disclosed PI about California Consumers to our service providers, other vendors, Affiliates, and/or third parties as follows:

Category of PI	Categories of Recipients
Identifiers	Business Purpose Disclosure: <ul style="list-style-type: none"><li>• Affiliates</li><li>• Service Providers, such as External Marketing and Advertising Agencies, Data Processors, and Cloud Providers</li><li>• Public Authorities/Government Bodies</li></ul> Sample: <ul style="list-style-type: none"><li>• Affiliates to enable colleges, universities and other providers of Education-related Products and Services to learn about and connect directly with students.</li><li>• Cookie Operators (as defined in the Sale section below)</li></ul>
Personal Records	Business Purpose Disclosure: <ul style="list-style-type: none"><li>• Affiliates</li><li>• Service Providers, such as External Marketing and Advertising Agencies, Data Processors, and Cloud Providers</li><li>• Public Authorities/Government Bodies</li></ul> Sample: <ul style="list-style-type: none"><li>• Affiliates to enable colleges, universities and other</li></ul>

Affiliates to enable colleges, universities and other providers of Education-related Products and Services to learn about and connect directly with students.

Personal Characteristics or Traits

Business Purpose Disclosure:

- Affiliates
- Service Providers, such as External Marketing and Advertising Agencies, Data Processors, and Cloud Providers

Sample:

- Affiliates to enable colleges, universities and other providers of Education-related Products and Services to learn about and connect directly with students.

Customer Account Details / Commercial Information

Business Purpose Disclosure:

- Affiliates
- Public Authorities/Government Bodies
- Service Providers, such as External Marketing and Advertising Agencies, Data Processors, and Cloud Providers

Sample:

- Affiliates to enable colleges, universities and other providers of Education-related Products and Services to learn about and connect directly with students.

Internet Usage Information

Business Purpose Disclosure:

- Service Providers, such as External Marketing and Advertising Agencies, Data Processors, and Cloud Providers

Sample:

- Cookie Operators (as defined in the Sale section below)

Geolocation Data	Business Purpose Disclosure: <ul style="list-style-type: none"><li>• Service Providers, such as Data Processors</li></ul> Sample: <ul style="list-style-type: none"><li>• Cookie Operators (as defined in the Do Not Sell section below)</li></ul>
Sensory Data	Business Purpose Disclosure: <ul style="list-style-type: none"><li>• Service Providers, such as Data Processors</li></ul> Sample: <ul style="list-style-type: none"><li>• Not Sold</li></ul>
Professional or Employment Information	Business Purpose Disclosure: <ul style="list-style-type: none"><li>• Affiliates</li><li>• Service Providers, such as Data Processors</li></ul> Sample: <ul style="list-style-type: none"><li>• Affiliates to enable colleges, universities and other providers of Education-related Products and Services to learn about and connect directly with students.</li></ul>
Inferences from PI Collected	Business Purpose Disclosure: <ul style="list-style-type: none"><li>• Affiliates</li><li>• Service Providers, such as External Marketing and Advertising Agencies, Data Processors, and Cloud Providers</li></ul> Sample: <ul style="list-style-type: none"><li>• Affiliates to enable colleges, universities and other providers of Education-related Products and Services to learn about and connect directly with students.</li></ul>

While we don't believe that in 2021 we "sold" PI in the traditional sense, some of our 2021 activities may be characterized as such under the CCPA's expansive definition of "sale." Accordingly, we can be seen to have sold Consumer PI as set forth above.

For more information on how to exercise your do not sell rights, see the Do Not Sell subsection of the California Privacy Rights section of this Notice below.

### C. **California Privacy Rights**

We may, from time-to-time, update information in our notices regarding our data practices and your rights, modify our methods for you to make and for us to respond to your requests, and/or supplement our response(s) to your requests, as we continue to develop our compliance program to reflect the evolution of the law, regulation and our understanding of how it relates to our data practices.

We provide California Consumers the privacy rights described in this section. You have the right to exercise these rights via an authorized agent who meets the agency requirements of the CCPA and related regulations. As permitted by the CCPA, any request you submit to us is subject to an identification process ("**Verifiable Consumer Request**") as more fully explained in the Right to Know and Right to Delete sections below. We will not fulfill your Right to Know or Right to Delete request unless you have provided sufficient information for us to reasonably verify you are the Consumer about whom we collected PI. Please follow the instructions at our Consumer Rights Request page [here](#) and respond to any follow up inquires we may make.

We will make commercially reasonable efforts to identify Consumer PI that we collect, process, store, disclose and otherwise use and to respond to your California Consumer privacy rights requests. In some cases, particularly with voluminous and/or typically irrelevant data, we may suggest that you receive the most recent or a summary of your PI and give you the opportunity to elect whether you want the rest or not. We reserve the right to direct you to where you may access and copy responsive PI yourself. We will typically not charge a fee to fully respond to your requests; provided, however, that we may charge a reasonable fee, or refuse to act upon a request, if your request is excessive, repetitive, unfounded or overly burdensome. If we determine that the request warrants a fee, or that we may refuse it, we will give you notice explaining why we made that decision. You will be provided a cost estimate and the opportunity to accept such fees before we will charge you

for responding to your request.

## 1. The Right to Know

### a. Categories

You have the right to send us a request, no more than twice in a twelve-month period, for any of the following for the period that is twelve months prior to the request date:

- The categories of PI we have collected about you.
- The categories of sources from which we collected your PI.
- The business or commercial purposes for our collecting or selling your PI.
- The categories of third parties to whom we have shared your PI.
- A list of the categories of PI disclosed for a business purpose in the prior 12 months and, for each, the categories of recipients, or that no disclosure occurred.
- A list of the categories of PI sold about you in the prior 12 months and, for each, the categories of recipients, or that no sale occurred. To make a request, follow the instructions at our Consumer Rights Request page [here](#) or call us at 1-877-360-0833.

In order for us to look into your request, we first need to verify your identity, meaning that we need to make sure that you are the consumer we may have collected personal information about or a person who has been duly authorized to make the request on behalf of the consumer. We may verify a consumer's request to know categories of PI to a reasonable degree of certainty, which may include matching at least two data points provided by the consumer with data points maintained by us, which we have determined to be reliable for the purpose of verifying the consumer. If you fail to do so we may be unable to verify you sufficiently to honor your request, but we will refer you to Sections I.A and 1.B of this Notice for our categories disclosure with regard to Consumers generally. The information you send for us to verify your identity will be used for this purpose only.

For your specific pieces of information, as required by the CCPA, we will apply the heightened verification standards set forth in subsection (b) below.

Please note that PI is retained by us for various time periods, so we may not be able to fully respond to what might be relevant going back 12 months prior to the request.

#### **b. Specific Pieces**

You have the right to make or obtain a transportable copy, no more than twice in a twelve-month period, of your PI that we have collected in the period that is 12 months prior to the request date and are maintaining. To make a request, follow the instructions at our Consumer Rights Request page [here](#) or call us at 1-877-360-0833 and respond to any follow up inquires we may make.

In order for us to look into your request, we first need to verify your identity, meaning that we need to make sure that you are the consumer we may have collected personal information about or a person who has been duly authorized to make the request on behalf of the consumer. We may verify a consumer's request to know specific pieces of PI to a reasonably high degree of certainty, which may include matching at least three data points provided by the consumer with data points maintained by us, which we have determined to be reliable for the purpose of verifying the consumer. If you fail to provide the data points we may be unable to verify you sufficiently to honor your request, but we will then treat it as a categories request (explained above) The information you send for us to verify your identity will be used for this purpose only.

Please note that we retain PI for various time periods, so we may not be able to fully respond to what might be relevant going back 12 months prior to the request.

## **2. Do Not Sell**

Although we do not think we sell Consumer PI in the traditional sense, because we disclose PI of our program participants to our Affiliates so that they can disclose it under a restricted license to colleges, universities and other providers of Education-related Products and Services to learn about and directly contact them, as more fully explained above, doing so can be seen to be a "sale" under the CCPA's expansive definition of sale. In addition, data collection by certain Cookie Operators, as more fully described below, may be deemed to be a sale by us.

However, we will not knowingly sell PI of Consumers under 16 without obtaining opt-in consistent with the requirements of the CCPA. However, we may sell PI of a California Consumer that we Collected before they turned 16 once they have turned 16 without such an opt-in.



- **SafariAd Industry Tools:** Some third parties that may collect PI in association with your use of our online services for advertising, analytics and other purposes, and may sell that PI downstream, provide you the opportunity to opt-out of their sales. Please visit <https://www.privacyrights.info/> to opt-out of the sale of PI by participating third parties. You must opt out on every device and browser you use in order to effectuate your “Do Not Sell” requests from these parties. However, opting out does not mean you will stop seeing ads and you may continue to still see interest-based ads. You can also learn more about how to exercise certain choices regarding cookies and interest-based advertising at <http://www.aboutads.info/choices/>, <http://www.aboutads.info/appchoices>, and <http://www.networkadvertising.org/choices/>. In addition, third-party tools may enable you to search for and opt-out of some of these trackers, such as the Ghostery browser plug-in available at <https://www.ghostery.com/>.

We do not represent that these third-party tools, programs or statements are complete or accurate. Clearing cookies or changing settings may affect your choices and you may have to opt-out separately via each browser and other device you use. Cookie-enabled opt-outs signals may no longer be effective if you delete, block or clear cookies. We are not responsible for the completeness, accuracy or effectiveness of any third-party notices or choices.

Some browsers have signals that may be characterized as do not track signals, but we do not understand them to operate in that manner or to indicate a “Do Not Sell” expression by you, so we currently do not recognize these as do not sell requests.

We may disclose your PI for the following purposes, which are not a sale: (1) if you direct us to share PI; (2) to comply with your requests under the CCPA; (3) as part of a merger or asset sale; and (4) as otherwise required or permitted by applicable law.

### 3. Delete

Except to the extent we have a basis for retention under CCPA, you may request that we delete your PI that we have collected directly from you and are maintaining. Our retention rights include, without limitation, to complete transactions and service you have requested or that are reasonably anticipated, for security purposes, for legitimate internal business purposes, including maintaining business records, to comply with law, to exercise or defend legal claims, and to cooperate with law enforcement. Note also

that we are not required to delete your PI that we did not collect directly from you.

To make a request, follow the instructions at our Consumer Rights Request page [here](#) or call us at 1-877-360-0833 and respond to any follow up inquires we may make. Please note that exercising your deletion right will terminate our ability to continue to provide the PI to our Affiliates for their disclosure to providers of Education-related Products and Services. However, a deletion request to us is not a deletion request to our Affiliates and will not terminate your ACT account. If you wish to make a deletion request to any of our Affiliates, visit their website and contact them directly.

In order for us to look into your request, we first need to verify your identity, meaning that we need to make sure that you are the consumer we may have collected personal information about or a person who has been duly authorized to make the request on behalf of the consumer. We are required to verify a consumer's request to delete to a reasonable degree of certainty, which may include matching at least two data points provided by the consumer with data points maintained by us, or to a reasonably high degree of certainty, which may include matching at least three data points provided by the consumer with data points maintained by us, depending on the sensitivity of the PI and the risk of harm to the consumer posted by unauthorized deletion. If you fail to provide the data points we will be unable to verify you sufficiently to honor your request. The information you send for us to verify your identity will be used for this purpose only. However, you may alternatively exercise more limited control of your PI by instead opting-out of our commercial emails by following the unsubscribe instructions at the end of such messages or exercising your do not sell rights described above.

#### **4. Non-Discrimination and Financial Incentive Programs**

California residents also have the right not to receive discriminatory treatment for the exercise of any of the privacy rights conferred by the CCPA. We will not discriminate against you in a manner prohibited by the CCPA because you exercise your CCPA rights. As of the Effective Date, we did not offer any programs requiring you to limit any of your CCPA rights, or otherwise require you to limit your CCPA rights in connection with charging a different price or rate, or offering a different level or quality of good or service. If we do so, the CCPA requires certain program terms and notices for California Consumers describing the material aspects of any such program and the rights of California participants. Participating in any such programs will be entirely optional. We may add or change programs and/or their terms by posting notice on the program descriptions, so be sure to check them regularly.

## 5. Authorized Agents

If a Consumer chooses to submit a Right to Know or Right to Delete request through an Authorized Agent, we require the Authorized Agent to submit a request through our California Consumer Rights Portal [here](#). We will require verification of agency authority consistent with the CCPA, which can be accomplished by presenting a power of attorney that meets the CCPA's requirements that we can reasonably verify as valid ("**PoA**"). Absent such a PoA, we may ask the authorized agent to provide a signed permission by the Consumer and we may directly confirm with the verified Consumer that they provided the authorized agent permission to submit the request.

## 6. Limitation of Rights

Notwithstanding anything to the contrary, we may collect, use and disclose your PI as required or permitted by applicable law and this may override your CCPA rights. In addition, we need not honor any of your requests to the extent that doing so would infringe upon our or any other person or party's rights or conflict with applicable law.

### D. Additional California Notices

In addition to CCPA rights, certain Californians are entitled to certain other notices, including:

#### 1. Third Party Marketing and Your California Privacy Rights

**Separate from your CCPA "Do Not Sell" rights you have the following additional rights regarding disclosure of your information to third parties for their own direct marketing purposes:**

We provide California residents with the option to opt-in or opt-out to sharing of "personal information" as defined by California's "Shine the Light" law with third parties, other than with our Affiliates, for such third-parties' own direct marketing purposes. California residents may exercise that opt-out, and/or request information about our compliance with the Shine the Light law, and obtain a disclosure of third parties we have shared information with in accordance with the law for their direct marketing purposes absent your choice (i.e., Company Parties/Affiliates) and the categories of information shared, by contacting us at [privacy@encourageme.com](mailto:privacy@encourageme.com) or by sending a letter to us at:

**My College Options, Inc.,**

**1212 NE Windsor Drive,**

**Lee's Summit, MO 64086**

**(Attention: Privacy Coordinator / Legal Compliance).**

Requests must include “California Privacy Rights Request” in the first line of the description and include your name, street address, city, state, and ZIP code. Please note that we are only required to respond to one request per customer each year, and we are not required to respond to requests made by means other than through the provided e-mail address or mail address.

**As these rights and your CCPA rights are not the same and exist under different laws, you must exercise your rights under each law separately.**

## 2. Online Privacy Practices

For more information on our online practices and your California rights specific to our online services, see our [Privacy Policy](#). Without limitation, Californians that visit our online services are entitled to the following notices of their rights:

### a. Tracking and Targeting

When you visit our online services, we and third parties may use tracking technologies to collect usage information based on your device for a variety of purposes, including serving you advertising, based on your having visited our services or your activities across time and third-party locations. Some browsers may enable you to turn on or off a so-called “Do Not Track” signal. Because there is no industry consensus on what these signals should mean and how they should operate, we do not look for or respond to “Do Not Track” signals. For more information on tracking and targeting and your choices regarding these practices, see our [Privacy Policy](#).

### b. California Minors

Any California residents under the age of eighteen (18) who have registered to use our online services, and who posted content or information on the service, can request removal by contacting us at [privacy@encourageme.com](mailto:privacy@encourageme.com), detailing where the content or information is posted and attesting that you posted it. We will then make reasonably good faith efforts to remove the post from prospective public view or anonymize it, so the minor cannot be individually identified to the extent required by applicable law. This removal process cannot ensure complete or comprehensive removal. For instance, third parties may have republished or archived content by search engines and others that we do not control.

## II. Nevada Residents

This Section II of this Notice applies to “Consumers” as defined by Nevada Revised Statutes §

THIS SECTION II OF THIS NOTICE APPLIES TO "CONSUMERS" AS DEFINED BY NEVADA REVISED STATUTES § 603A ET SEQ. ("**NRS**") AS A SUPPLEMENT TO COMPANY'S OTHER PRIVACY POLICIES OR NOTICES. IN THE EVENT OF A CONFLICT BETWEEN ANY OTHER COMPANY POLICY, STATEMENT OR NOTICE AND THIS NOTICE, THIS NOTICE WILL PREVAIL AS TO NEVADA CONSUMERS AND THEIR RIGHTS UNDER NRS.

NEVADA "CONSUMERS" HAVE THE RIGHT TO INSTRUCT US NOT TO "SELL" "COVERED INFORMATION" AS THOSE TERMS ARE DEFINED BY NRS. YOU MAY CONTACT US AT [privacy@encourageme.com](mailto:privacy@encourageme.com) TO BE VERIFIED AND LEARN MORE ABOUT YOUR OPT-OUT RIGHTS UNDER NRS.

### **III. Contact Us**

For more information, call us at 1-877-360-0833, email us at [privacy@encourageme.com](mailto:privacy@encourageme.com), or write to us at:

**My College Options, Inc.,**

**1212 NE Windsor Drive,**

**Lee's Summit, MO 64086**

**(Attention: Privacy Coordinator / Legal Compliance).**