

MINDEX TECHNOLOGIES, INC. PRIVACY POLICY

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Mindex Technologies, Inc. (hereinafter referred to as “Mindex,” “us,” “we,” “our,” or “Company”) has created this Privacy Policy to apply to all users and clients of this website, mobile applications, and all digital assets contained or offered therein (collectively, our “Services”). This Privacy Policy describes, among other things, the types of information we collect from users when you use our Services, how we use it, and how you can access your information.

This Privacy Policy is integrated into our [Terms & Conditions of Use](#) (“Terms & Conditions”).

I. SCOPE OF THIS PRIVACY POLICY

This Privacy Policy addresses our privacy practices as they relate to visitors and users of these Services. Mindex works with schools, school districts, and related entities and organizations that sign up to use the product and services Mindex offers, including but not limited to administrators who purchase the product and services (collectively, our “Customers”). Through the course of providing our products and services to a Customer, we may have access to personally

identifiable information about students that is provide by a school, by the parent or guardian or by the student (“Customer Data”). However, Mindex has access to Customer Data only as requested by the Customer and only for the purpose of performing services on the Customer’s behalf. We have instructed our Customers to include information regarding their individual privacy practices anywhere on their website and services where personal information is collected.

II. INFORMATION WE COLLECT ABOUT YOU

We may collect the following types of information about you which are described in more detail below: (A) information you provide to us, (B) information we may automatically collect, and (C) information we may receive from third parties. All the information listed in (A)-(C) above, are detailed below, and hereinafter referred to as “Information.”

A. Information You Provide to Us:

In using our Services, you may provide us with Information, including, without limitation:

- Contact information such as name, email address, postal address and telephone number(s);
- Account information and log in credentials, including unique identifiers such as username and password;
- Communications and opinions in chat rooms, message boards, forums, surveys, polls, and online forms;
- Preferences for communications, shopping, products;
- Access to your geo-location (including through our mobile app) or to other data held on social media platforms and other software (for example, access to your contacts, calendar or photos);
- Resume information you submit voluntarily through our career tab;
- Additional information as otherwise described to you at the point of collection or pursuant to your consent.

B. Information We May Automatically Collect About You:

Our Services may automatically collect certain Information about you. We use this Information to help us design our Services to better suit our users’ needs. This Information may include:

- IP address, which is the number associated with the service through which you access the Internet, like your ISP (Internet service provider);
- Date and time of your visit or use of our Services;
- Domain server from which you are using our Services;
- Type of computer, web browsers, search engine used, operating system, or platform you use;
- Data identifying the web pages you visited prior to visiting our website or use of our Services;
- Your movement and activity within the website, which is aggregated with other information;
- Geo-location information through the use of any of our mobile applications;

- Mobile device information, including the type of device you use, operating system version, and the device identifier (or “UDID”); and
- Mobile application identification and behavior, use, and aggregated usage, performance data, and where the application was downloaded from.

1. Cookies & Technologies Used to Collect Information About You

We collect the above Information directly and through the use of third parties. We collect this Information by using certain technologies, such as cookies, web beacons, and other technologies. Third-party service providers, advertisers, and/or partners may also view, edit, or set their own cookies or place web beacons. The use of these technologies by such third parties is subject to their own privacy policies and is not covered by this Privacy Policy, except as required by law.

Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. Most web browsers automatically accept cookies. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our website.

Flash Cookies. We may use local shared objects, also known as Flash cookies, to store your preferences such as volume control or display content based upon what you view on our site to personalize your visit. Third parties, with whom we partner to provide certain features or to display advertising based upon your browsing activity, use Flash cookies to collect and store information. Flash cookies are different from browser cookies because of the amount of, type of, and how data is stored. Cookie management tools provided by your browser will not remove Flash cookies.

Web Beacons. Website pages may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages and for other related statistics (for example, recording the popularity of certain content and verifying system and server integrity). We also use these technical methods to analyze the traffic patterns, such as the frequency with which our users visit various parts of the Services. These technical methods may involve the transmission of Information either directly to us or to a third party authorized by us to collect Information on our behalf. Our Services use retargeting pixels from Google, Facebook and other ad networks. We also use web beacons in HTML emails that we send to determine whether the recipients have opened those emails and/or clicked on links in those emails.

Analytics. Analytics are tools we use, such as Google Analytics, to help provide us with information about traffic to our website and use of our Services, which Google may share with other services and websites who use the collected data to contextualize and personalize the ads of its own advertising network.

Mobile Application Technologies. If you access our website and Services through a mobile device, we may automatically collect information about your device, your phone number, and your physical location.

C. Information We May Receive from Third Parties

We may collect additional Information about you from third-party websites, social media platforms, such as, but not limited, to Facebook, Twitter, Instagram, “Social Media Platforms”), and/or sources providing publicly-available information (e.g., from the U.S. postal service) to help us provide services to you, help prevent fraud, and for marketing and advertising purposes.

Information we may access about you, with your consent, may include, but is not limited to, your basic Social Media Platform information, your location data, your list of contacts, friends or followers and certain information about your activities on the Social Media Platform. Please keep in mind that when you provide Information to us on a third-party website or platform (for example, via our applications), the Information you provide may be separately collected by the third-party website or the Social Media Platform.

The Information we collect is covered by this Privacy Policy, and the Information the third-party website or Social Media Platform collects is subject to the third-party website or platform’s privacy practices. We encourage you to be aware when you leave our sites or applications and to read the privacy policies of other sites that may collect your Information.

D. Information About Schools and Students

Mindex works with schools, school districts, and related entities and organizations that sign up to use the Services, including but not limited to administrators who access the Services on their behalf (each, a “School”). Schools may provide separate login pages to allow users to access the Services. Schools are responsible for determining whether Student Data is shared with Mindex. Student Data means personally identifiable information about students.

We have access to Student Data only as requested by the School and only for the purposes of performing the Services on the School's behalf. The type of Student Data we collect will depend on how the School uses the Services. In some instances, depending on the level of Services selected by the School, the School may allow students to log into the Services. In that instance, the School provides each student with login credentials and confirms that it has obtained appropriate parental consents, as needed, before the student is permitted to access the Service.

III. HOW WE USE YOUR INFORMATION

A. Use and Purpose of Processing Your Information

We use and process your Information for things that may include, but are not limited to, the following:

- Provide you with the Services, and related products, promotions, newsletters, and information you request;

- To respond to your inquiries, request for demo, and provide you with requested information and other communications, including by email or text messages, and including alerts and notification of promotions.
- For general or targeted marketing and advertising purposes, including sending you promotional material or special offers on our behalf or on behalf of our marketing partners and/or their respective affiliates and subsidiaries and other third parties, provided that you have not already opted-out of receiving such communications;
- To fulfill contract(s) we have with you;
- Maintain, improve, customize, or administer the Services, perform business analyses, or other internal purposes to improve the quality of our business, the Services, resolve technical problems, or improve security or develop other products and services;
- Comply with our Terms & Conditions;
- Analytics for business purposes and business intelligence;
- Comply with any applicable laws and regulations and respond to lawful requests; and/or
- For any other purposes disclosed to you at the time we collect your Information and/or pursuant to your consent.

B. Sharing Your Information

We may disclose anonymized aggregated information about our users, that does not identify any individual, without any restriction.

We may share your Information as set forth in the Privacy Policy and in the following circumstances:

- **Third-Party Service Providers.** We may share your Information with third-party service providers that perform certain functions or services on our behalf (such as to host the Services, fulfill orders, provide services, manage databases, perform analyses, process credit card payments, provide customer service, or send communications for us). These third-party service providers are authorized to use your Information only as necessary to provide these services to us. In some instances, we may aggregate Information we collect so third parties do not have access to your particular Information to identify you individually.
- **Disclosure of Information for Legal and Administrative Reasons.** We may disclose your Information without notice: (i) when required by law or to comply with a court order, subpoena, search warrant, or other legal process; (ii) to cooperate or undertake an internal or external investigation or audit; (iii) to comply with legal, regulatory or administrative requirements of governmental authorities (including, without limitation, requests from the governmental agency authorities to view your Information); (iv) to protect and defend the rights, property or safety of us, our subsidiaries and affiliates and any of their officers, directors, employees, attorneys, agents, contractors and partners, and the website Service users; (v) to enforce or apply our Terms & Conditions; and (vi) to verify the identity of the user of our Services.

- **Business Transfers.** Your Information may be transferred, sold or otherwise conveyed (“Conveyed”) to a third party where we: (i) merge with or are acquired by another business entity; (ii) sell all or substantially all of our assets; (iii) are adjudicated bankrupt; or (iv) are liquidated or otherwise reorganize. You agree to any and all such Conveyances of your Information.
- **With Your Consent.** We may share Information consistent with this Privacy Policy with your consent.

Except as provided in this Privacy Policy, we will not sell, trade, or disclose your Information we have collected without your consent.

IV. LINKS TO OTHER WEBSITES

Our Services may contain links to other websites or services that are not owned or controlled by us, including links to Social Media Platforms such as Facebook, Instagram, Twitter, or may redirect you off our website away from our Services to other websites for information, other services, or to receive special offers, contests, games, sweepstakes, or for transactions or purchases. These other websites may send their own cookies to you, independently collect data or solicit personal Information and may or may not have their own published privacy policies. If you visit a website that is linked to our Services, you should consult that website’s privacy policy before providing any Information.

This Privacy Policy only applies to Information collected by our Services. We are not responsible for the privacy and security practices of those other websites or Social Media Platforms or the Information they may collect (which may include IP address). You should contact such third parties directly to determine their respective privacy policies. Links to any other website’s or content do not constitute or imply an endorsement or recommendation by us of the linked website, Social Media Platform, and/or content.

V. INFORMATION SECURITY

We use commercially reasonable measures to provide our Services. However, you should assume that no data transmitted over the Internet or stored or maintained by us or our third-party service providers can be 100% secure. Therefore, although we believe the measures implemented by us reduce the likelihood of security problems to a level appropriate to the type of data involved, we do not promise or guarantee, and you should not expect, that your Information or private communications will always remain private or secure. We do not guarantee that your Information will not be misused by third parties. We are not responsible for the circumvention of any privacy settings or security features. You agree that we will not have any liability for misuse, access, acquisition, deletion, or disclosure of your Information.

If you believe that your Information has been accessed or acquired by an unauthorized person, you shall promptly [How to Contact Us](#) so that necessary measures can quickly be taken.

VI. DATA RETENTION

We will retain your Information for as long as needed to provide you Services. If you wish to request that we no longer use your Information to provide you Services, please contact us at privacy@mindex.com. We will retain and use your Information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. In accordance with our routine record keeping, we may delete certain records that contain Information you have submitted to us. We are under no obligation to store such Information indefinitely and disclaim any liability arising out of, or related to, the destruction of such Information.

VII. HOW WE WILL CONTACT YOU

You agree that we, our affiliates, and/or third-party service providers with whom we collaborate and contract may communicate with you regarding our Services via electronic messages, including email, to, for example, send you information relating to our products and Services that we think may be of interest to you, communicate with you about offers, promotions, and upcoming events, and other news about products and services provided by or through us through permissible targeted advertisements offered by us, our parent companies, our subsidiaries, our affiliates, and other business partners. See Your Choices, below, for how you can update the way we contact you.

VIII. YOUR CHOICES

- A. Email.** By using our Services, you agree that we may contact you by email as set forth herein. If you do not want to receive marketing and promotional emails from us, you may click on the “unsubscribe” link in the email to unsubscribe and opt-out of marketing email communications or [How to Contact Us](#).
- B. Mobile Push Notifications.** By using our Services, you agree that we may contact you by calling or sending messages to your phone. You can use the settings on your mobile device to enable or turn off mobile push notifications from us or [How to Contact Us](#).
- C. Location Choices.** You can change the privacy settings of your device at any time to turn off the sharing of location information with our Services. If you choose to turn off location services, this could affect certain features or services of our Services. If you have specific questions about the privacy settings of your device, we suggest you contact the manufacturer of your device or your mobile service provider for help.
- D. Opting Out of Direct Marketing.** To exercise choices regarding the marketing information you receive, you may also review the following links:
 - a. You may opt-out of tracking and receiving tailored advertisements on your mobile device by some mobile advertising companies and other similar entities by downloading the App Choices app at www.aboutads.info/appchoices.
 - b. You may opt-out of receiving permissible targeted advertisements by using the NAI Opt-out tool available at <http://optout.networkadvertising.org/?c=1> or visiting About Ads at <http://optout.aboutads.info>.

- c. You can opt-out of having your activity on our Services made available to Google Analytics by installing the Google Analytics opt-out add-on for your web browser by visiting: <https://tools.google.com/dlpage/gaoptout> for your web browser.

IX. ACCESSING, CORRECTING, OR DELETING YOUR INFORMATION

Upon request as set forth below and subject to certain exceptions and limitations and applicable laws, we will inform you of the existence, use and disclosure of your Information and will provide you access to that Information. To the extent other state laws provide users with additional data subject rights, those rights may be honored by us following proper authentication and verification.

We encourage you to review, update, and correct Information that we maintain about you, and you may request that we delete Information about you that is inaccurate, incomplete, or irrelevant. We may not accommodate a request to change Information if we believe the change would violate applicable law in our control.

To access, correct, or delete your Information, contact us at:

Email: privacy@mindex.com.

Call us: (585) 424-3590

Write us: Mindex,
250 Alexander Street
Rochester, NY 14607

X. CHILDREN'S INFORMATION

The Website is intended only for users over the age of eighteen (18). If we become aware that a user is under thirteen (13) (or a higher age threshold where applicable) and has provided us with Information, we will take steps to comply with any applicable legal requirement to remove such Information. Contact us if you believe that we have mistakenly or unintentionally collected Information from a child under the age of thirteen (13).

XI. CHANGES TO THIS PRIVACY POLICY

We reserve the right to change, modify or amend this Privacy Policy at any time to reflect changes in our products and service offerings, accommodate new technologies, regulatory requirements or other purposes. If we modify our Privacy Policy, we will update the "Effective Date" and such changes will be effective upon posting. It is your obligation to check our current Privacy Policy for any changes. In that email, we will provide the option to opt-out of receiving further emails.

XII. HOW TO CONTACT US

If you have any questions about this Privacy Policy or the Information we have collected about you, please contact us at the following:

Email: privacy@mindex.com.

Call us: (585) 424-3590

Write us: Mindex, 250 Alexander Street, Rochester, NY 14607.

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