

RENAISSANCE

Privacy Notice for California Residents: Renaissance Consumer Products

Effective Date: January 1, 2020

Last Reviewed: March 31, 2020

This **Privacy Notice for California Residents** supplements the information contained in Renaissance Learning Inc.'s ("Renaissance" or "We") US Privacy Notice: Renaissance Products and applies solely to individuals serving students who reside in the State of California ("Consumers" or "You"/"Your") when using our direct to consumer products **Freckle** or **myON - Home School Buyer's Club Edition** ("Consumer Products"). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Notice.

Where noted in this Notice, the CCPA temporarily exempts Personal Information reflecting a written or verbal business-to-business communication ("**B2B Personal Information**") from some of its requirements.

Information We Collect

Our Consumer Products collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device ("**Personal Information**"). Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

In particular, our Consumer Products have collected the following categories of Personal Information from You within the last twelve (12) months:

Category	Examples	Source	Collected
A. Identifiers.	Name, customer name, address, phone number, email address, date of birth or other similar identifiers.	<ul style="list-style-type: none">• Directly from You or Your device	YES
B. California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Name, contact information, payment information	<ul style="list-style-type: none">• Directly from You or Your device	YES
C. Protected classification characteristics under	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability,	<ul style="list-style-type: none">• Directly from You or Your device	YES

California or federal law.	sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).		
D. Commercial information.	Records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	<ul style="list-style-type: none"> Directly from You or Your device 	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.		NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Your browser or device, third party advertising networks, internet service providers, data analytics providers, operating systems and platforms, and social networks	YES
G. Geolocation data.	Rough location generated based upon IP address	<ul style="list-style-type: none"> Directly from You or Your device 	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.		NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.		NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	<ul style="list-style-type: none"> Directly from You or Your device 	YES
K. Inferences drawn from other Personal Information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	<ul style="list-style-type: none"> Directly from You or Your device 	YES

Use of Personal Information

We take Your privacy seriously. Truly. We are proud signatories to the [Student Privacy Pledge](#) which is a voluntary standard that is legally enforceable by the Federal Trade Commission. We won't use Your Data to do anything other than what We describe below. We use Your Data as follows:

- Provide You and Your Authorized Users with access to the Products
- Communicate with Authorized Users as necessary to meet Our obligations to You
- Provide marketing communications to Educators

RENAISSANCE®

- Provide You notices about Your account, including expiration and renewal notices
- Carry out Our obligations and enforce Our rights arising from Our Terms of Service and License Agreement
- Notify You of changes to any Products
- Estimate Your size and usage patterns
- Store information about Your preferences, allowing Us to customize Your services
- Maintain and improve performance or functionality of the Products
- Demonstrate the effectiveness of the Products
- To De-identify Your Data so that De-identified Data can be used as follows:
 - aggregate reporting and analytics purposes
 - general research and the development of new technologies
 - improving educational products
 - developing and improving educational sites, services and products
 - where applicable, to support any of the uses above or any other legitimate business purpose

Sharing Personal Information

We may disclose Your Personal Information to a third party for a business purpose. When We disclose Personal Information for a business purpose, We enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

We share Your Personal Information with the following categories of third parties:

- Service providers
- Third parties at your request
- Security providers
- Analytics providers

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Renaissance has disclosed the following categories of Personal Information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records Personal Information categories.
- Category C: Protected classification characteristics under California or federal law.
- Category F: Internet or other similar network activity.
- Category G: Geolocation data.
- Category J: Non-public education information.
- Category K: Inferences drawn from other Personal Information.

We disclose Your Personal Information for a business purpose to the following categories of third parties:

- Service providers
- Security providers
- Analytics providers

Sales of Personal Information

In the preceding twelve (12) months, Renaissance has not sold Personal Information.

Your Rights and Choices

The CCPA provides Consumers (California residents) with specific rights regarding their Personal Information. This section describes Your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that We disclose certain information to You about our collection and use of Your Personal Information over the past 12 months. Once We receive and confirm Your verifiable consumer request (see Exercising Access, Data Portability, and Deletion), We will disclose to You:

- The categories of Personal Information We collected about You.
- The categories of sources for the Personal Information We collected about You.
- Our business or commercial purpose for collecting or selling that Personal Information.
- The categories of third parties with whom We share that Personal Information.
- The specific pieces of Personal Information We collected about You (also called a data portability request).
- If We sold or disclosed Your Personal Information for a business purpose, two separate lists disclosing:
 - Categories of personal information sold and categories to whom personal information was sold; and
 - Categories of personal information disclosed for a business purpose and categories of third parties to whom disclosed for a business purpose.

We do not provide these access and data portability rights for B2B Personal Information.

Deletion Request Rights

You have the right to request that We delete any of Your Personal Information that We collected from You and retained, subject to certain exceptions. Once We receive and confirm Your verifiable consumer request (see Exercising Access, Data Portability, and Deletion), We will delete (and direct our service providers to delete) Your Personal Information from our records, unless an exception applies.

We may deny Your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which We collected the Personal Information, provide a good or service that You requested, take actions reasonably anticipated within the context of our ongoing business relationship with You, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with You.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if You previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on Your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which You provided it.

We do not provide these deletion rights for B2B Personal Information.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 1-800-338-4204.
- Emailing us at privacy@renaissance.com

Only You, or someone legally authorized to act on Your behalf, may make a verifiable consumer request related to Your Personal Information. You may also make a verifiable consumer request on behalf of Your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

RENAISSANCE®

- Provide sufficient information that allows us to reasonably verify You are the person about whom We collected Personal Information or an authorized representative.
- Describe Your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to Your request or provide You with Personal Information if We cannot verify Your identity or authority to make the request and confirm the Personal Information relates to You.

Making a verifiable consumer request does not require You to create an account with us. However, We do consider requests made through Your password protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If We require more time (up to 90 days), We will inform You of the reason and extension period in writing.

If You have an account with us, We will deliver our written response to that account. If You do not have an account with us, We will deliver our written response by mail or electronically, at Your option.

Any disclosures We provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response We provide will also explain the reasons We cannot comply with a request, if applicable. For data portability requests, We will select a format to provide Your Personal Information that is readily useable and should allow You to transmit the information from one entity to another entity without hindrance, specifically a CSV file.

We do not charge a fee to process or respond to Your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If We determine that the request warrants a fee, We will tell You why We made that decision and provide You with a cost estimate before completing Your request.

Non-Discrimination

We will not discriminate against You for exercising any of Your CCPA rights. Unless permitted by the CCPA, We will not:

- Deny You goods or services.
- Charge You different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide You a different level or quality of goods or services.
- Suggest that You may receive a different price or rate for goods or services or a different level or quality of goods or services.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to privacy@renaissance.com or write us at: Renaissance Learning, Inc. Attn: Data Protection Officer, 6625 W. 78th Street, Suite 220, Bloomington, MN 55439.

Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When We make changes to this privacy notice, We will post the updated notice on the Website and update the notice's effective date.

Contact Us

If You have any questions or comments about this notice, the ways in which Renaissance collects and uses Your information described here and in the US Privacy Notice: Renaissance Products, Your choices and rights regarding such use, or wish to exercise Your rights under California law, please do not hesitate to contact us at:

Phone: 1-800-338-4204

Email: privacy@renaissance.com

Postal Address:

Renaissance Learning, Inc.

Attn: Data Protection Officer/Legal

6625 West 78th Street

Suite 220

Bloomington, MN 55439