

APPLICATION PRIVACY POLICY

Effective as of May 21, 2019

This App Privacy Policy relates to the information collection and use practices of Honorlock in connection with our App. This App Privacy Policy applies to information collected from and about both Students and Authorized Users. BY ACCESSING AND USING THE APP, YOU ARE ACKNOWLEDGING THAT YOU HAVE READ, UNDERSTOOD, AND AGREE TO BE LEGALLY BOUND BY THIS APP PRIVACY POLICY AND THE TERMS OF SERVICE APPLICABLE TO YOU AS EITHER A STUDENT OR AUTHORIZED USER (EACH, A “TERMS OF SERVICE”). LINKS TO BOTH STUDENT AND AUTHORIZED USER TERMS OF SERVICE ARE FOUND AT <https://honorlock.com/legal/student> AND <https://honorlock.com/legal/faculty>. THE TERMS OF SERVICE APPLICABLE TO YOU ARE HEREBY INCORPORATED INTO THIS APP PRIVACY POLICY, AND, TOGETHER WITH THIS APP PRIVACY POLICY, CONSTITUTE THE STUDENT OR AUTHORIZED USER AGREEMENT RESPECTIVELY. IF YOU DO NOT AGREE TO ANY OF THE TERMS IN THE STUDENT OR AUTHORIZED USER AGREEMENT, YOU MAY NOT ACCESS OR USE THE APP.

Capitalized terms not defined in this App Privacy Policy shall have the meaning set forth in the Terms of Service applicable to you.

GDPR & Privacy Shield Notice

Natural persons located in the European Economic Area should review the General Data Protection Regulation (“GDPR”) & Privacy Shield Notice https://honorlock.com/legal/gdpr_privacy. The term “European Economic Area” shall be as defined in such notice.

The Information We Collect and Receive

In the course of operating the App, we will collect (and/or receive) the following types of information. You authorize us to collect and/or receive such information.

1. Personal Information

When Students and Authorized Users login to a School’s LMS and install the Honorlock Chrome extension, they are asked to provide us with certain personal information. This personal information may include your first and last name, email address, LMS user ID, and, with respect to Students, all Authentication Data (including personal information contained on a Student’s photo ID, such as driver’s license number, home address, date of birth, and other information).

The personal information described in this section is referred to collectively as “Personal Information”. The Personal Information is used provide the Services (including to perform Authentication), and to contact you as needed in connection with the Services or for purposes of direct marketing of our Services. We do not collect any Personal Information from Students or Faculty unless they provide such information voluntarily.

2. Device Information

In order to perform the Services, including, without limitation, the Authentication, we collect information about Students' Primary Devices and, if applicable, Secondary Devices. We may also collect information about the devices being used by Authorized Users. Information about devices may include type of device, operating system and version (e.g., iOS, Android or Windows), carrier and country location, network type (WiFi, 3G, 4G, LTE), and other related device information (collectively, "Device Information"). We use the Device Information in connection with Authentication, and to provide the Services, including, without limitation, to detect Student misconduct when taking Exams.

3. Activity Information

In an ongoing effort to improve the App, we automatically collect certain information when you use the App. This information consists of IP addresses, browser type and language, referring and exit pages and URLs, date and time, amount of time spent on particular pages, and similar information concerning your use of the App. We also collect information using "cookie" technology. Cookies are small packets of data that a server stores on the hard drive of your computer or mobile device to "remember" information about your visit. We may use session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer/device until you delete them). If you do not want us to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser's documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the App may not function properly. The information described in this paragraph is referred to as "Activity Information."

If you communicate with Honorlock or any of our Proctors via live chat or email, we collect information provided in such communications. This may include chat transcripts. In addition, the App records almost all Student activity including, without limitation, video recorded from the Student's Primary Device web camera, recordings of a Student's screen activity from his or her Primary Device, and recordings of a Student's search and screen activity from his or her Secondary Device in connection with our Secondary Device Detection feature. The information described in this paragraph is referred to as "Records," which are a form of Activity Information.

Some Records are collected on our behalf by third-party service providers. We currently employ the services of Inspectlet to record Secondary Device activity, but we reserve the right to use other service providers from time to time without notice. Inspectlet only provides this activity to us in anonymous format. You may review Inspectlet's privacy policy and terms of use at <https://www.inspectlet.com/legal>. Notwithstanding the foregoing, our technology is able to match this anonymous activity back to a particular Student based on several factors including the Student's location, the time the Student commenced the Exam in question, and the specific question(s) on the Exam that were searched.

How We Use and Share the Information

All of the information that we collect and/or receive pursuant to this App Privacy Policy, including Personal Information, Device Information, and Activity Information described above, is referred to collectively herein as "Information." We use the Information to provide you access to and use of the App, to provide the Services to Students, assure the quality of our Services, Instructors, and Schools, solicit your feedback, and to inform you about our products and services. We may share your Information as described below in accordance with applicable law.

- We may share your Information with the School with which you are affiliated, and only to the extent necessary to perform the Services. It is the School's obligation to comply with all applicable laws, rules, and regulations with respect to your Information.
- In an ongoing effort to better understand our users and our App, we might analyze the Information in aggregate, anonymous form in order to operate, maintain, manage, and improve the App, and for benchmarking purposes. This aggregate information does not identify any individual personally. We may share this aggregate data with our affiliates, agents, business partners, and third parties. We may also disclose aggregated user statistics in order to describe our products and Services to current and prospective business partners and to other third parties for other lawful purposes.
- We may employ other companies and individuals to perform functions on our behalf. Examples may include Inspectlet for providing Secondary Device activity detection and recording, and other third parties to provide marketing assistance, billing and payment processing, and customer service. These other companies will have access to the Information only as necessary to perform their functions and to the extent permitted by law.
- As we develop our business, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Information may be part of the transferred assets.
- We may also disclose Information when required by law, court order, or other government or law enforcement authority or regulatory agency, or whenever we believe that disclosing such information is necessary or advisable, for example, to protect the rights, property, or safety of Honorlock or others, to the extent permitted by law.

We will take reasonable measures to require that the party receiving any of your Information undertakes to: (i) retain and use such information only for the purposes set out in this App Privacy Policy; (ii) not disclose your Information except with your consent, as permitted by law, or as permitted by this App Privacy Policy; and (iii) generally protect the privacy of your Information.

How We Protect Your Information

We take commercially reasonable steps to protect the Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the information you supply will not be intercepted while being transmitted to and from us over the Internet.

For example, your Information is subject to data input limitations, media file process monitoring, restricted access, and other process integrity controls. We are committed to the availability of our App through continuous monitoring of our systems. Further, we are committed to protecting your Information through our SOC 2 compliant policies and procedures.

Retention of Personal Information

We will retain your personal information in a form that identifies you only for as long as it serves the purpose(s) for which it was initially collected as stated in this App Privacy Policy, subsequently authorized, or as allowed under applicable law.

Accessing and Modifying Contact Information and Communication Preferences

You may make changes to your contact information by contacting us at privacy@honorlock.com or by following instructions on the App. In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the “Unsubscribe” link located on the bottom of any Honorlock marketing email. We will use commercially reasonable efforts to process such requests in a timely manner. You cannot opt out of receiving transactional or administrative e-mails related to the Services.

Important Notice to Non-U.S. Residents

The App and our servers are operated in the United States. Please be aware that your Information may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your country of origin. Except in the case of data transfers under the EU-US Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework, your decision to provide such data to us, or allow us to collect such data through the App, constitutes your consent to this data transfer.

How We Protect Your Personal Information under the Privacy Shield

Honorlock takes very seriously the security and privacy of the personal information that it collects pursuant to the Privacy Shield. Accordingly, we will implement reasonable and appropriate security measures to protect your personal information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in processing and the nature of such data, and comply with applicable laws and regulations.

California Residents

Under California Civil Code Section 1798.83, California residents who have an established business relationship with Honorlock may choose to opt out of our sharing their Information with third parties for direct marketing purposes. If you are a California resident and (1) you wish to opt out; or (2) you wish to request certain information regarding our disclosure of your Information to third parties for the direct marketing purposes, please send an e-mail to privacy@honorlock.com.

In addition, Honorlock does not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser “Do Not Track” settings and/or signals.

External Websites

The App may contain links to third-party websites. Honorlock has no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

Changes to This App Privacy Policy

This App Privacy Policy is effective as of the date stated at the top of this App Privacy Policy. We may change this App Privacy Policy from time to time, and will notify you of such changes (e.g., posting any changes on the App, e-mailing you, or prompting you via a popup). By accessing and using the App after we notify you of such changes to this App Privacy Policy, you are deemed to have accepted such changes. Please refer back to this App Privacy Policy on a regular basis.

How to Contact Us

If you have questions about this App Privacy Policy, please e-mail us at privacy@honorlock.com.