

## **iLead Privacy Notice**

Last Updated September 10, 2021

This is the Privacy Notice for the iLead application (“iLead”) offered by the John Maxwell Leadership Foundation (“JMLF”, “us”, or “we”). iLead is a three-year youth curriculum to develop the leadership ability of the next generation. We encourage you to read this Privacy Notice with your parents and teacher to understand how iLead collects and uses your information.

### **OUR PRIVACY PROMISE**

We know that the path to transformation requires an environment for leadership values to be shared, practiced, and evaluated. As a nonprofit organization, JMLF is exempt from certain privacy laws, but nevertheless designed iLead to respect and protect your privacy and safeguard the information entrusted to us. Here is a summary of our promise to you:

- \* iLead is private by default. Your teachers and classmates will only learn details about your life that you choose to share with them.
- \* You can always control your information associated with your account.
- \* Any reporting we do on your use of iLead is 100% anonymous.
- \* We do not republish or share your Personal Information with any third parties without your affirmative consent.
- \* Our relationships with your school or organization do not change these promises.
- \* We will notify you if our promise changes in any way.

This Privacy Notice is part of and governed by JMLF’s Terms of Use for the iLead and iLead Applications. Any terms used in this Privacy Notice without defining them have the definitions given in the Terms of Use. We may provide additional, separate notices about our privacy practices, each of which will be considered to form part of this Privacy Notice. If you or your Guardian have questions about our privacy practices, please contact us at [privacy@jmlf.app](mailto:privacy@jmlf.app).

### **1. CONSENT**

Your use of iLead is conditioned on consent to this Privacy Notice and agreement to our Terms of Use (including all applicable limitations on damages and the provisions regarding resolution of disputes) by you and your legal guardian or another adult with authority to agree to your use of iLead (your “Guardian). **BY ACCESSING OR USING iLEAD, YOU AND YOUR GUARDIAN ACCEPT AND CONSENT TO THIS PRIVACY NOTICE AND TERMS OF USE.** If you do not agree with this Privacy Notice, do not use iLead.

### **2. SCOPE**

This Privacy Notice describes how we collect and treat information when you register for or use iLead or communicate with JMLF online or through other means. Please note that this Privacy Notice **DOES NOT** apply to any information collected via a third-party website or platform, even if accessed via iLead. JMLF has no control over third-party privacy practices.

### **3. PERSONAL INFORMATION**

As used in this Privacy Notice, “**Personal Information**” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household, such as:

- a. Identifiers (e.g., name, email address, username, phone number, IP address);

- b. Protected Information (e.g., race, citizenship, marital status, sex);
- c. Biometric information (e.g., health data, gait or physical movements, face/voice prints) and audio, electronic, visual, thermal, olfactory, or similar information;
- d. Commercial information (e.g., products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies);
- e. Employment-related information (e.g., current or past employment);
- f. Non-public educational information, including information protected under the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g, 34 C.F.R. Part 99);
- g. Sensitive Personal Information (e.g., religious beliefs; precise geolocation; racial or ethnic origin; health information; information related to sex life or sexual orientation; union membership; government identification number; contents of mail, email or text messages when we are not the recipient);
- h. Internet activity (e.g., interactions with a website, content, or advertisement); or
- i. Inferences drawn from Personal Information to create a profile about preferences, characteristics, trends, predispositions, behavior, attitudes, intelligence, and aptitudes.

Personal Information does not include (a) publicly available information; (b) aggregated information, meaning data about a group or category of services or users from which individual identities and other Personal Information has been removed; or (c) deidentified information that cannot reasonably be used to infer information about, or otherwise be linked to, a particular consumer.

#### **4. CHILDREN'S PRIVACY**

JMLF recognizes the need to provide greater privacy protections for children's Personal Information. JMLF is a 501(c)(3) nonprofit corporation and therefore is exempt from the United States' Children's Online Privacy Protection Act and several other predominant laws governing privacy practices. Nevertheless, iLead does not knowingly collect any Personal Information from children under age 18 without obtaining consent from the child's Guardian.

Guest Accounts are available to any user of any age as these accounts do not collect Personal Information linked to the individual user. User Accounts collect Personal Information and are therefore available to users 18 or older or children under age 18 with Guardian consent.

If a child under age 18 wishes to register for a User Account, the child's Guardian must consent to the registration by initiating the child's User Account registration or via our email confirmation process. If a child attempts to register for a User Account but we do not receive their Guardian's consent within 24 hours, we will delete any Personal Information the child may have provided as part of their registration. If you are under 18 and your Guardian has not provided consent, we instruct you to discontinue use of iLead and not provide us with any Personal Information.

Children should always check with a parent or teacher before sharing information online, and we encourage families and classes to discuss guidelines regarding the online sharing of Personal Information. If you believe that we may have information from or about a child without Guardian consent, or if you wish to review or request deletion of Personal Information we have about your child, please contact us at [privacy@jmlf.app](mailto:privacy@jmlf.app).

#### **5. COLLECTION AND USE OF PERSONAL INFORMATION**

JMLF collects Personal Information via iLead (a) with your consent; (b) if we have a legitimate interest in doing so; or (c) as authorized or required by law. We only collect, use, retain and

share Personal Information as reasonably necessary and proportionate to achieve our purposes, or for other purposes that we disclose to you and are compatible with the context of how we collected the Personal Information.

In the preceding 12 months, iLead has collected Personal Information in the categories of identifiers, internet and similar activity, and, if you choose to submit it, sensitive Personal Information. We collect this information from sources and for purposes described below:

- a. **Your Guest Account registration, with consent.** If you create a Guest Account, we will ask for your location (city, state/province, and country), language, and birth year. You will also have the option to tell us your gender. Guest Accounts can download courses as PDFs to complete offline but cannot submit any information via the Reflections feature. No Personal Information is collected for a Guest Account because none of the information is linked to you as an identifiable individual. Even so, we collect this information directly from you with your consent. We use Guest Account information to create and manage the account, analyze usage trends, and generate application matrix reports.
- b. **Your iLead User Account registration, with consent.** To create a User Account, in addition to the Guest Account information we will also collect your email address and name. To join a Table Group, you or your Guardian must provide the corresponding Association Code. If your course is associated with an organization, iLead may add information about the organization to your User Account. iLead collects this information from you or your Guardian with your consent, and we use it to create and manage your User Account and the iLead program, analyze usage trends, and generate application matrix reports.
- c. **Your Reflections within iLead, with consent.** iLead offers User Account features that prompt you to answer reflection questions and provide survey responses (“**Reflections**”). Reflections may be presented to you as Likert scale responses or free form narratives. Some survey Reflections must be completed to unlock iLead lessons. Your Reflections should follow guidelines of your home or classroom. Any Personal Information included in your Reflections is provided by you voluntarily. JMLF keeps your Reflections private and stored securely. We use this information in the aggregate to analyze trends and generate data reports about iLead use and performance. We never share your personally identifiable Reflections with any third parties without your consent.
- d. **Your communications with JMLF, with consent.** If you interact with JMLF via email or social media or contact us in any way, we will collect identifiers like your name and email address, along with any other Personal Information that you choose to include in your communication to us.
- e. **Your use of iLead, with a legitimate interest.** iLead may automatically collect technical data when you use the application, such as your (i) device network information when using iLead; (ii) usage details like the content, features, or resources you access and use; (iii) generalized geolocation; or (iv) stored information (e.g., metadata). We collect this information to achieve our legitimate interest of providing and improving iLead and our other services.

In addition to the specific uses described above, we reserve the right to use your Personal Information to (i) protect your privacy and the privacy of others; (ii) comply with a law, regulation, legal process, or order; (iii) monitor your compliance with this Privacy Notice and your agreements with us; (iv) if we believe it is necessary, to identify, contact or bring legal action against persons

or entities who may be causing injury to you, to JMLF, or to others; or (v) for any other purpose with your consent. We will not collect additional categories of Personal Information or use your Personal Information for purposes that are incompatible with the purpose stated at the time of collection without first notifying you by updating this Privacy Notice or through other means.

## 6. DISCLOSURE OF PERSONAL INFORMATION

In the preceding 12 months, we have disclosed all of the categories of Personal Information listed above as having been collected. We disclosed that information to the following recipients for a business purpose:

- a. **Integrated third party platforms and other service providers.** iLead uses certain integrated third-party platforms for data collection, cleaning, and segmenting purposes. We may also use other technology service providers like data analytics companies, data hosting, or email and hosting providers. We may need to disclose some or all your Personal Information to these service providers so they can perform their contractual obligations to JMLF. The type of information that we provide to a Service Provider will depend on the service that they provide to us. Our service providers are subject to contractual agreements that protect your Personal Information, and we require all service providers to maintain confidentiality standards that are commercially reasonable to ensure the security of your Personal Information.
- b. **Law Enforcement.** We reserve the right to disclose your Personal Information to law enforcement or other government agencies as permitted or required by law.
- c. **Other Third Parties.** We may disclose your Personal Information to other third parties in certain circumstances as permitted by applicable law, for example: (i) if we go through a business transition (e.g., merger, acquisition, or sale of a portion of our assets); (ii) to comply with a legal requirement or a court order; (iii) when we believe it is appropriate in order to take action regarding illegal activities or prevent fraud or harm to any person; (iv) to exercise or defend our legal claims; or (v) for any other reason with your consent.
- d. **Aggregated and Deidentified Information.** JMLF reserves the right to disclose information that is aggregated, anonymized, or deidentified with organizations, entities, or individuals affiliated with JMLF or its licensors, as well as with nonaffiliated entities for any purpose, without restriction.

## 7. RETENTION OF PERSONAL INFORMATION

JMLF retains Personal Information collected from your use of iLead for the minimum period required to provide the application's services or to serve an identified internal business purpose. When you delete your Guest Account or User Account, your Personal Information will be de-associated with the account and deleted. JMLF reserves the right to retain information from your deleted account (a) in a deidentified, anonymized, or aggregated format to use for any purpose or (b) as necessary for JMLF to comply with the law, prevent fraud, collect fees, resolve disputes, troubleshoot problems, assist with investigations, enforce our terms and conditions, or take other actions permitted by law.

## 8. YOUR PRIVACY CONTROLS

- a. **Direct Controls.** You can directly control much of the Personal Information we collect and hold about you using the methods described below:
  - i. **Your Account.** You have access to and control over your Guest Account or User Account at all times. You can make changes to your profile, download your Personal Information and other data, or delete your account data at any time by

signing into your account and making those selections. If you would like assistance deleting and deactivating your account, please contact [privacy@jmlf.app](mailto:privacy@jmlf.app).

- ii. **Emails.** If you opt-in to our mailing list, you may receive informational or marketing emails from JMLF about iLead or our other services and news. You can unsubscribe from future emails by clicking the Unsubscribe link found in any of the emails we send you, or by contacting us at [privacy@jmlf.app](mailto:privacy@jmlf.app) to request to be removed from the mailing list.
  - iii. **Do Not Track.** Do Not Track signals are signals sent through a browser informing us that you do not want to be tracked. Currently, our systems do not recognize browser “do-not-track” requests. If this changes in the future, we will update this Privacy Notice.
- b. Consumer Privacy Requests.** If you would like assistance with your account, have request information, express concerns, lodge a complaint, or wish to exercise Your Privacy Rights beyond the methods described above, please submit a request by email to [privacy@jmlf.app](mailto:privacy@jmlf.app) or via our Privacy Request Form. We can only fulfill a request when we have sufficient information to verify that the requester is the person or an authorized representative of the person about whom we have collected Personal Information, and to properly understand, evaluate, and respond to the request.

We endeavor to respond to privacy inquiries in accordance with the requirements of the law applicable to your jurisdiction, subject to statutory exceptions and limitations. We do not charge a fee to process or respond to a verifiable request unless we have legal grounds to do so. If we determine that the request warrants a fee, we will tell you why and provide you with a cost estimate before completing your request.

## 9. YOUR PRIVACY RIGHTS

JMLF is a 501(c)(3) nonprofit corporation and therefore is exempt from certain predominant privacy laws that govern the provision of applications like iLead. For example, at this time iLead is subject to the European Union’s General Data Protection Regulations (“**GDPR**”) but exempt from the Children’s Online Privacy Protection Act (“**COPPA**”), California Consumer Privacy Act of 2018 (“**CCPA**”) and, to the extent iLead is not deemed a commercial activity, Canada’s Personal Information Protection and Electronic Documents Act (“**PIPEDA**”). Nevertheless, JMLF values the privacy of all eligible users who wish to engage with iLead.

JMLF adopted this section to comply with notice requirements of the laws that apply to iLead and to offer additional information as a courtesy to those subject to privacy laws from which iLead is exempt. Depending on where you live, your rights over your Personal Information may include some or all of the following:

- a. **Right to know how we collect and process your Personal Information.** We have set notices in this Privacy Notice to comply with the requirements of the above-referenced laws. We may provide you with additional notices about other ways we process your Personal Information, such as by sending you a notice via email or by other means of communication.
- b. **Right to expect** us to collect, use or disclose Personal Information responsibly and not for any other purpose other than which you consented. We set your expectations in this Privacy Notice, and we collect legally required consent at various stages of our interactions with you. If we collect or use your Personal Information based on your consent, we will also notify you of any changes and will request your further consent as required by law. You may withdraw your consent at any time with reasonable notice

by contacting [privacy@jmlf.app](mailto:privacy@jmlf.app).

- c. Right to access your Personal Information.** You can request access to your Personal Information. Upon request, we will provide you with a copy of your Personal Information, along with details about the types of Personal Information we process, why we process it, and any third parties we work with to collect Personal Information on our behalf. We may have one or more legally valid reasons to refuse your request in whole or in part, for example to protect the rights of other individuals. Under the CCPA, a resident of the State of California may only request specific pieces of Personal Information we have collected about you over the past 12 months, and we would only have to respond to two such requests within a 12-month period.
- d. Right to accuracy, and the right to correct your Personal Information.** If you become aware that the Personal Information that we hold about you is incorrect, or if your situation changes (e.g., change of address), please inform us and we will update our records.
- e. Right to data portability.** In some cases, we are required to provide your Personal Information to another organization at your request and in a structured, commonly used machine-readable format, so that the other organization can read and use it.
- f. Right to deletion or erasure (a.k.a. the “right to be forgotten”).** Upon your request, and in certain circumstances and where we are required to do so by law, we are required to delete your Personal Information. This right is not absolute, and we may be entitled to retain and process your Personal Information despite your request. If you make this request, we balance certain legal, contractual, and business interests against your right to request the deletion of your Personal Information.
- g. Right to restrict processing of your Personal Information.** You may have the right to request that we restrict the processing of your Personal Information if (i) the data is inaccurate, (ii) the processing is unlawful, (iii) we no longer need the Personal Information, or (iv) you exercise your right to object. Your right to restrict may be limited to Personal Information that is sensitive in nature, or that is sold or shared for certain purposes.
- h. Right to object to certain processing of your Personal Information.** You may have the right to request, under certain circumstances and where we are required to do so by law, that we will limit our processing of your Personal Information as you request.
- i. No selling or sharing Personal Information.** JMLF does not sell your Personal Information or share your Personal Information with third parties for cross-contextual behavioral advertising purposes. If this changes in the future, we will update this Privacy Notice and provide you with a method to opt-out.
- j. Limited use and disclosure of sensitive Personal Information.** JMLF does not knowingly collect any sensitive Personal Information about you, and we never use or disclose any sensitive Personal Information for the purpose of inferring characteristics about any consumer. If this ever changes in the future, we will update this Privacy Notice and provide you with methods to limit use and disclosure of sensitive Personal Information.
- k. Right to nondiscrimination.** We will not discriminate against you for exercising any of your privacy rights. Under the CCPA, residents of the State of California are protected from discrimination in the form of being: (i) denied goods or services, (ii) charged different prices or rates for goods or services, (iii) provided a different level or



quality of goods or services, or (iv) suggested that they may receive a different price or rate for goods or services or a different level or quality of goods or services, because they exercised their statutory right unless permitted by law.

- l. Right to not be subject to Automated Decision-Making (“ADM”).** JMLF does not use automated decision-making or profiling as part of iLead. If this changes in the future, we will update this Privacy Notice and provide you with an option to exercise your privacy rights related to Personal Information processed using ADM.
- m. Right to disclosure of certain information** about our collection and use of your Personal Information over the past 12 months. Under the CCPA, a resident of the State of California may request that disclosure of: (i) the categories of Personal Information collected about them; (ii) the categories of sources for the Personal Information collected about them; (iii) the business purpose for collecting or selling Personal Information; and (iv) the categories of third parties with whom Personal Information was disclosed. Additionally, if a business sells or shares Personal Information, the consumer may request two separate lists stating: (a) sales, identifying the Personal Information categories that each category of recipient purchased; and (b) disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained. The CCPA only requires business to respond to two disclosure requests within a 12-month period.
- n. Right to disclosure of marketing information.** If you are a resident of the State of California, note that California’s Shine the Light Act (Civil Code sections 1798.83-1798.84) entitles you to request certain disclosures regarding Personal Information sharing with affiliates and/or third parties for marketing purposes.

You can exercise these rights as they apply to you based on where you reside by following the instructions under **Your Privacy Controls**, subject to any exceptions and limitations that may apply. Please contact [privacy@jmlf.app](mailto:privacy@jmlf.app) if you have questions about your specific privacy rights. Please be aware that our obligation to fulfill your request may be limited under COPPA, the CCPA, or PIPEDA, or if you are otherwise subject to privacy laws from which we are exempt.

## **10. CROSS-BORDER DATA TRANSFERS**

JMLF is a U.S.-based nonprofit organization offering iLead to individuals around the world. If you access or use iLead from outside of the United States, the application may transfer your Personal Information out of your country of origin with laws governing data collection and use that may differ from or be more restrictive than U.S. law, or may result in governments, courts, law enforcement or regulatory agencies having access to or obtaining disclosure of your Personal Information pursuant to the laws of the applicable foreign jurisdiction. Wherever your data is processed or transferred, JMLF and our service providers will take all reasonable steps to ensure the safety and security of your Personal Information and privacy. By allowing us to collect Personal Information about you, you consent to the transfer and processing of your Personal Information as described in this paragraph.

## **11. DATA SECURITY**

We implement reasonable and appropriate security procedures and practices to help protect your Personal Information from unauthorized or illegal access, destruction, use, modification, or disclosure. Data from your Reflections, including any Personal Information you choose to include, is securely stored in the aggregate and not linkable to any individual user. JMLF houses all data in a secure cloud environment offered by an industry-leading data hosting provider. JMLF has adopted and maintains internal policies and protocols to support data security for iLead data and throughout JMLF and its affiliates’ organizational structure.

Please note, however, that no transmission of data over the Internet or mobile platforms is 100% secure, and we cannot guarantee that unauthorized third parties will not defeat our security measures or use your Personal Information for improper purposes. The security of your Personal Information also depends on how you use iLead. We encourage you to take steps to safeguard your Personal Information by signing off your device after use and keeping your login and password private. We are not responsible for any lost, stolen, or compromised passwords, or for any activity on your account via unauthorized activity.

## **12. THIRD-PARTY WEBSITES**

iLead may include links to third-party websites or platforms for your convenience, but JMLF has no ability to control, and we are not responsible for, the privacy and data collection, use, and disclosure practices of third parties. JMLF is not responsible for the privacy practices of any third party, and your access to and use of third-party websites is governed by the privacy notices of those websites.

## **13. CHANGES TO THIS PRIVACY NOTICE**

We may update this Privacy Notice from time to time in JMLF's sole discretion. If we make material changes to this Privacy Notice, we will post a new version on the App or the app store.