

# 7 Mindsets and Affiliates Privacy Policy

Last Updated: August 31, 2023

## Introduction

Welcome to the Privacy Policy of 7 Mindsets Academy, LLC and its affiliates (collectively, “**7 Mindsets**,” “**we**” or “**us**”). This Privacy Policy governs how information about you is collected, used, and disclosed when you interact with 7 Mindsets’ websites, mobile applications, and other online products and services (collectively, the “**Services**”), when you contact our customer support team, engage with us on social media or otherwise interact with us. This Privacy Policy also applies to information we collect when you interact with third-party websites where we have an official presence. 7 Mindsets takes your privacy seriously and is committed to safeguarding your Personal Information.

7 Mindsets works with educational institutions, mental health facilities and other organizations (collectively, “**Organizations**”) to provide educational services to the students and patients of those Organizations (“**Participants**”). In addition to granting access to the Services to Participants, 7 Mindsets may also grant access to the adult parents and guardians of Participants as well as teachers and school administrators (“**Non-Participants**”).

We are here to address any concerns or questions you may have about our data practices. If you are a Participant or the parent or guardian of a Participant and have questions about your Personal Information, as defined below, please contact our Support department by sending an email to [info@7mindsets.com](mailto:info@7mindsets.com). By accessing and using our Services, you agree to the terms outlined in this Privacy Policy. If you do not agree with this Privacy Policy, please refrain from using any of our Services.

## Affiliates

This Privacy Policy applies to the following 7 Mindsets’ websites and applications:

- The 7 Mindset Academy, LLC classroom portal located at [www.7mindsetsportal.com](http://www.7mindsetsportal.com) (the “**7 Mindsets Site**”).
- The BASE Education, LLC (“**BASE**”) website located at [www.base.education](http://www.base.education) (the “**Base Site**”) and the BASE mobile application (“the **Application**”).
- The xSEL Labs, LLC (“**xSEL Labs**”) website located at [www.xsel-labs.com](http://www.xsel-labs.com) (the “**xSel Site**”). However, please note that this Privacy Policy does NOT apply to information collected through the use of the SEL Assessment software platform referred to as “**SELweb**.” The xSEL Site is intended for a general audience and while educators, students, and research partners may access SELweb through links provided on the xSEL Site, access to and use of SELweb is governed by separate agreements with customers and authorized SELweb users, including the SELweb platform privacy policy.

Collectively, the 7 Mindsets Site, the Base Site and the xSel Site are referred to as the “**Websites**”. By using the Websites or the Application, you consent to the data practices described in this Privacy Policy.

## Collection of Personal Information

7 Mindsets collects both personal and non-Personal Information in the course of its business activities. “**Personal Information**” is any factual or subjective information about an identifiable individual. Personal Information can directly or indirectly identify you as an individual and may include, but is not limited to, your name, email address, telephone number, postal address, online digital identifiers, your browser and device information, and information collected through digital tracking technologies. 7 Mindsets collects Personal Information from you through our Services, through our interactions with you and possibly through information you have made publicly available.

**Organization-Uploaded Information for Participants.** The Services are used to collect Personal Information about Participants. This information is entered into the Services by the Organizations. Organizations choose the types of Personal Information that they upload to the Services. This Personal Information generally may include names, student or patient IDs, dates of birth, grade level, gender identity, and ethnicity. It will also include the courses that have been assigned to each Participant in the Services.

**Participant-Provided Information.** As part of our Services for Organizations and their Participants, Participants directly upload content into the Services. This includes responses to coursework, including potentially deleted responses (as described in the applicable 7 Mindsets’ documentation), as well as Participant requests for assistance from the applicable Organization or 7 Mindsets’ Partner Support Team.

**Anonymous Surveys of Participants.** 7 Mindsets may, from time to time, ask Participants to complete anonymous surveys after completing a course. These surveys may contain Personal Information, but we anonymize the Personal Information such that the survey taker cannot be

identified. These surveys are used to (a) better understand outcomes, and (b) to improve our course offerings to Participants. This anonymous data may be compiled and shared with third parties for 7 Mindsets' legitimate business purposes, in compliance with applicable laws.

**Collection of Non-Participant Information.** 7 Mindsets collects Personal Information from Non-Participant users of the Services, such as parents, teachers, and administrators. The information that we collect from such adult users includes names and email addresses. If you purchase 7 Mindsets' Services, we will collect certain billing information. This information is used to complete the purchase transaction. 7 Mindsets and its affiliates may also collect demographic information such as your age, gender and education level, which will be anonymized and which is used to personalize and improve our Services.

In certain cases, Non-Participants may also participate in coursework, including educators taking additional professional training courses and parents or guardians taking modules similar to those provided to Participants. In these cases, 7 Mindsets will also receive the same information gathered from Participants, as provided by these adults as part of the coursework that they complete.

Contact information, such as your name and email address, and any other Personal Information you may include, are requested from you directly when you send us a message through our Websites.

**Cookies and Other Tracking Technologies.** 7 Mindsets also collects Personal Information from the device you use to access our Websites. This may be done through the use of cookies, as described below, web beacons, pixel tags and other, similar technologies. The information we collect in this manner may include, but is not limited to, your device model, operating system, browser type, IP address, domain name, internet service provider, browsing history related to our Websites, clickstream data, referring website address, connection speed, language settings, location, and time-of-day.

## Use of Personal Information

7 Mindsets uses your Personal Information in order to conduct its legitimate business activities which include, but are not limited to, fulfilling information and other requests, marketing, promotion, recruiting, internal research and reporting, providing and improving products and services, enforcing our Terms and Conditions and personalizing content that you view on our Websites. 7 Mindsets may use your Personal Information to improve its products and services or improve the operation of its Websites and Application. For example, 7 Mindsets will determine which types of products, services or website content get the most engagement from our customers. 7 Mindsets will also use your Personal Information to better understand you, so that we can personalize our business transactions.

We may use third-party web analytics services (such as those of Google Analytics) on our Websites to collect and analyze the information discussed above, and to engage in auditing, research, or reporting, to maintain the quality of our Services and to provide general statistics regarding the use of our Services. The information (including your IP address) collected by various analytics technologies described in the "Cookies and Other Tracking Technologies" section of this Privacy Policy will be disclosed to, or collected directly by, these service providers, who use the information to evaluate your use of the Websites, including by noting any third-party website from which you arrive, analyzing usage trends, assisting with fraud prevention, and providing certain features to you. To prevent Google Analytics from using your information for analytics, you may install the Google Analytics Opt-out Browser Add-on by clicking the link [here](#).

**Use of Participant Information.** 7 Mindsets is bound by all state and federal laws governing the exchange, storage, destruction, and dissemination of Participant Personal Information. 7 Mindsets does not use any of the Personal Information of Participants for purposes outside of 7 Mindsets' provision of Services to the applicable Organization. Also, 7 Mindsets does not create profiles of Participants for its own purposes or engage in behaviorally-targeted advertising with Participants.

**Use of Non-Participant Information.** 7 Mindsets collects and uses your Personal Information to personalize and improve our Services; to allow users to set up a user account and profile through 7 Mindsets' Services; and to operate and deliver the Services you purchased. 7 Mindsets uses the Personal Information you provide us to send Non-Participants messages regarding our products and services including, but not limited to, newsletters and brochures. 7 Mindsets will also use your Personal Information to provide you with information and/or offers tailored to your interests, to inform you of other Services available, to contact you via surveys for the purposes of conducting research about your opinion regarding the Services, to inform you about new Services being offered or to communicate with you directly. 7 Mindsets also uses your Personal Information to manage its contractual relationship with Non-Participants, if such exists, by responding to your inquiries, providing technical support and providing other support activities. You may "opt out" of receiving marketing or promotional communications from us by following the directions in the communications. If you opt out, we may still send you non-promotional communications, such as those about your account or our ongoing business relations.

## Disclosure of Personal Information

7 Mindsets do not sell, rent or lease its customer lists or your Personal Information to third parties. We may, however, disclose Personal Information to our vendors, service providers and marketing partners in order to conduct our legitimate business activities. 7 Mindsets may need to disclose your Personal Information as required by law or to protect its legal rights.

Additionally, 7 Mindsets may disclose your Personal Information, without notice, only if such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on 7 Mindsets; (b) protect or defend the rights, safety, or property of 7 Mindsets, users of the Services (including lawful disclosures in the event that a Participant or Non-Participant indicates plans for self-harm or harming others); (c) to enforce our agreements, policies, and terms of use; (d) in an emergency to protect the personal safety of any person; or (e) to protect against and prevent fraud, unauthorized transactions, claims and other liabilities, and manage risk exposure, including by identifying potential hackers and other unauthorized users.

We also reserve the right to transfer your Personal Information to a buyer or other transferee in the event of a merger, divestiture, restructuring, reorganization, dissolution, sale, or other transfer of some or all of our assets. Should such a sale, merger, or transfer occur, we will ensure that the successor entity, at the time of the closing of the transaction, either: (i) continues to be bound by the terms and conditions of this Privacy Policy, or (ii) agrees to be bound by privacy and security obligations at least as strong as those set forth in this Privacy Policy.

**Disclosure of Participant Information.** 7 Mindsets only shares Participant Personal Information with third parties for the purpose of providing the Services. 7 Mindsets treats all Participant Personal Information consistent with all applicable law including, but not limited to, the Family Educational Rights and Privacy Act and the Children’s Online Privacy Protection Act.

**Disclosure of Non-Participant Information.** 7 Mindsets may share Non-Participant Personal Information with trusted vendors, partners, contractors, service providers, and other third parties we use to provide the Services (collectively, “**Sub-Processors**”), support our business, help perform statistical analysis, inform such third parties as to how to better serve our students on behalf of whom the Services are used, send you email or postal mail, provide customer support, or arrange for deliveries. All Sub-Processors are prohibited from using this data except to provide these services to 7 Mindsets and they are required to maintain the confidentiality of your information. Where these partners handle Personal Information of Participants and Non-Participants, we require them to meet our commitments to respect the privacy of that information, including in their use of the information, their data retention policies, and their security practices. 7 Mindsets may also share your Personal Information with its marketing partners, to permit them to send you marketing communications. Currently, 7 Mindsets’s Sub-Processors include Shopify, Inc., Amazon Web Services, MediaTemple, Google Analytics, Hubspot, 3C Institute, IP Stack, and MongoDB Atlas. 7 Mindsets will bind its Sub-Processors to contractual terms which are as protective of the Personal Information you provide us as those in this Privacy Policy, but 7 Mindsets is not responsible for any data which you provide to a Sub-Processor directly and we encourage you to review any terms or privacy policy information on any third-party website you visit or which is linked to from our Website.

## Security and Retention of your Personal Information

We have implemented physical, administrative, and technical measures to secure your Personal Information from accidental loss and from unauthorized access, use, alteration, and disclosure. All of our servers are behind firewalls with limited access to the public internet. We also encrypt all data in transit and at rest. Please note that the electronic transmission of information is not completely secure. We cannot guarantee that the security measures we have in place to safeguard Personal Information will never be defeated or fail, or that such measures will always be sufficient or effective. Any transmission of Personal Information is at your own risk.

How long we keep the Personal Information we collect depends on the type of information, the purpose for which it is used, how sensitive it is, and similar factors. We only maintain the Personal Information of Participants and Non-Participants for as long as necessary to deliver our Services to the applicable Organization or for as long as is necessary so that we may maintain a relationship with you, to protect ourselves against legal claims, or for record-keeping purposes. As for other types of Personal Information, we will retain it for the length of time reasonably needed to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required and permitted by law. Specifically, we maintain educational records for seven (7) years, consistent with U.S. federal law. You may request to review, correct, update, suppress, restrict or delete Personal Information that you have previously provided to us. If you would like to request information about how your Personal Information has been collected or disclosed, you may contact us by sending an email to [info@7mindsets.com](mailto:info@7mindsets.com). We will respond to your request consistent with applicable law.

If you request that we delete your Personal Information, 7 Mindsets will make reasonable attempts to delete all instances of your Personal Information in its entirety. To request such deletion, please send an email to [info@7mindsets.com](mailto:info@7mindsets.com).

## Opt Out Rights

Though 7 Mindsets gathers and retains Personal Information as described above, you may opt out from receiving marketing emails from us by either following the opt-out instructions in those emails or by sending an opt-out request by sending an email to [info@7mindsets.com](mailto:info@7mindsets.com). You may also opt out of receiving other types of communications from us, including but not limited to phone calls, texts and mailings by contacting us in the same manner. 7 Mindsets will try to comply with your request(s) as soon as is reasonably practicable. Please note that if

you opt out of receiving marketing-related communications from us, we may still send messages to you pursuant to an existing business relationship which we may have with you.

## Do Not Track Signals

Your web browser may let you choose your preference as to whether or not you want to allow the collection of information about your online activities over time and across different websites or online services. At this time, 7 Mindsets' Services do not respond to the preferences you may have set in your web browser regarding such collection of your information, and we may continue to collect information in the manner described in this Privacy Policy.

## Legal Basis For Processing Personal Information

7 Mindsets processes Personal Information under the law at all times. The legal grounds under which 7 Mindsets processes Personal Information include:

- Your consent, which is given when you use our Services
- Our legitimate business activities as described above
- Honoring our contractual commitments
- Compliance with the law

## Your Posts on our Websites

Content that you upload to the Websites (a "**Submission**") will be available to other users of the Websites. You represent and warrant that you have the right to upload any such Submission and make it available to those who use the Websites, and the Submission does not violate any relevant data privacy laws. By uploading a Submission to the Websites you hereby grant 7 Mindsets a perpetual, non-exclusive, unrestricted, non-revocable, royalty-free license to maintain this Content on the Websites. You agree to defend, indemnify and hold 7 Mindsets harmless from and against any and all claims, suits or proceedings, demands, losses, damages, liabilities and costs and expenses (including, without limitation, reasonable attorneys' fees) arising out of or resulting from the actual or alleged infringement of any patent, trademark, copyright, trade secret or any other intellectual property right in connection with any Submission.

## Your California Privacy Rights

Under the California Consumer Privacy Act ("**CCPA**"), California residents have additional privacy rights available to them. These include the right to be notified at or before the point at which Personal Information is collected, the right to opt out of the sale of Personal Information, the right to request deletion of Personal Information, the right to receive copies of, or information about, the Personal Information we collect, the right to be free from discriminatory treatment for the exercise of the privacy rights conferred by the CCPA, and the right to receive information about financial incentives we may offer you, if any. California residents also have the right to designate an authorized agent to make a request under the CCPA on the resident's behalf.

## Individuals Located in the EEA

If you are located in the European Economic Area ("**EEA**"), and you are sending us your Personal Information, you acknowledge and understand that it may be stored in the United States. Subject to limitations under local law, you may have additional rights with regard to your Personal Information including, but not limited to, (i) the right to access/change/delete it, (ii) the right to request a restriction on the way it is processed, (iii) the right to object to it being processed. You may lodge a complaint with the data protection authority in your country or region or where an alleged infringement of applicable data protection law occurs.

## Data Transfers Generally

When we obtain information about you, we may transfer, process, and store such information outside of the country in which you reside, including in the United States. By using the Services, you consent to the transfer to and processing and storage of your information in countries outside of your country of residence, which may have different data protection laws than those in the country where you reside.

## Children Under Thirteen

The Services may be used to collect Personal Information for children under the age of thirteen, provided that the child's parent(s) or guardian(s) consent to the child using 7 Mindsets' Services. If you are under the age of thirteen, you must ask your parent or guardian for

permission to use the Services. If your parent or guardian does not permit you to use the Services, they must opt you out of permission to use the Services by contacting your school administrator.

We may collect Personal Information from children under the age of 13 who use the Services. When we intend to collect Personal Information from children under the age of 13, we take additional steps to protect children's privacy, including:

- Notifying parents/guardians about our information practices with respect to such children, including the types of Personal Information we may collect, how we use that information, and with whom we may share that information;
- In accordance with applicable law, obtaining consent from parents/legal guardians for the collection of Personal Information from their children;
- Limiting our collection of Personal Information from children to no more than is reasonably necessary to participate in an online activity; and
- Giving parents/legal guardians access or the ability to request access to Personal Information we have collected from their children and the ability to request that such Personal Information be changed or deleted.

If you are a parent and you have questions regarding our data collection practices, please contact us using the information provided at the end of this Privacy Policy.

## **Changes to this Privacy Policy**

7 Mindsets may occasionally update this Privacy Policy to reflect company and customer feedback or changing legal requirements or business practices without notice to you. We will not change our privacy practices to be inconsistent with our contractual commitments with our Organizations. By continuing to access or use the Services after those changes become effective, you agree to be bound by the revised Privacy Policy. 7 Mindsets encourages you to periodically review this Privacy Policy to be informed of how 7 Mindsets is protecting your information. The date this Privacy Policy was last revised is at the top of this page.

## **Contact Information**

7 Mindsets welcomes your questions or comments regarding this Privacy Policy. If you believe that 7 Mindsets has not adhered to this Privacy Policy or if you have any questions about this Privacy Policy, please send an email to our Data Protection Officer: [greg.chilsholm@7mindsets.com](mailto:greg.chilsholm@7mindsets.com).