

## End User Privacy Notice

Effective Date: May 9, 2018

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### Introduction

As a global leader in providing digital learning systems for educators and students, McGraw-Hill Education (“MHE”) is deeply committed to protecting the privacy of our end users. Whether you are using Connect, ConnectEd, Engrade or any of our other solutions, we collect Personally Identifiable Information that we use to provide, maintain and improve the solution. We are providing the below information so that you can understand how we protect and use your information. If you are under 18, we suggest that you review this information with your parents.

This information applies to all end users of our digital learning system. Since McGraw-Hill Education is a service provider to your institution, your institution Educational institutions are best able to provide you with a full understanding of their privacy practices and more information on how their end user’s Personally Identifiable Information (PII) is collected, shared, and used. To obtain more detailed information about how PII is collected, used, and shared by your educational institution, please contact the appropriate individual at that institution.

In limited circumstances, end users may also be customers of MHE and MHE may market to them as a customer. For example, end users may purchase products or create personal accounts in our web sites. In these circumstances, they would be treated as a customer. For more information on how your data is used as a customer, please review the Customer Data Privacy Notice. By contrast, this End User Data Privacy Notice applies to end users with respect to the information collected and processed as part of a course of instruction within the digital learning solution as determined by their educational institution or employer. Aggregated de-identified end user PII is leveraged by MHE to improve existing or develop new educational products and services.

MHE is a global organization. We follow privacy laws and regulations that are applicable to our company and our services in the areas where we do business. Should our privacy practices change, we will update it here, but more importantly, we will notify your educational institution in writing and obtain their consent before implementing any material impact to your privacy rights.

### **Questions? Contact us:**

Any questions or complaints regarding this notice or the collection, use, disclosure, or transfer of PII collected by your educational institution through our digital learning systems should be directed to the appropriate representative at your educational institution.

Otherwise, if you have purchased or received an MHE product outside of an educational institution, please direct any questions or complaints to the MHE Data Protection Officer by emailing [privacy@mheducation.com](mailto:privacy@mheducation.com) or calling +1-646-766-3199. If applicable, you may choose to lodge a

complaint with your national data protection authority at any time. For local privacy contact information, please see [McGraw-Hill Education's Local Privacy Official](#).

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### ***What is personally identifiable information (PII)?***

Personally identifiable information, or PII, is any information relating to an identified or identifiable natural person ("data subject") including personal data as defined under applicable local law. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

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### ***What PII do we collect?***

***We collect PII, such as contact information and education details, in order to provide you with the product and/or service requested.***

We only collect the information required to provide, maintain and improve the digital learning solution you use. When you register, or are registered within one of our digital learning solutions, we collect your name, school, instructor, class, and login information. Once you begin using one of our solutions, we collect your input to questions, technical specifications, and other information about how you use the solution. You are not required to provide PII; however, in order to use certain services, we may need to collect certain PII for that service to function properly or for us to provide you with requested information.

Depending on the product, the PII we collect includes information from the following categories:

1. Name, initials, and personal or business-related contact information
  - a. For our digital learning systems, we collect your name/initials and contact information when you create an account. However, we collect additional PII, or confirm existing PII, if you contact customer service with an issue or question.
2. Education & professional information
  - a. For some digital learning systems, we collect PII related to your position as an educator or student. This includes the state, district, name of school, courses, etc.
3. In some instances, we collect PII from third parties who provide single-sign-on functions via Learning Management Systems or related tools.

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***We automatically collect computer metadata and content to provide, improve, and maintain our products and services.***

When you use our digital learning systems, we automatically collect certain information from you through the use of cookies, web beacons or other tracking mechanisms. This includes information about your experience such as your IP address, operating systems, pages viewed, and time spent.

Third parties also collect information automatically from you across websites and over time through the use of their own cookies, web beacons, and tracking mechanisms. This information is used to enable the functions of the digital learning system, as well as customize, maintain, and improve our digital learning systems. You may disable cookies via your browser or third party mechanisms. However, some features of our digital learning systems may not function properly without them. Third party cookies that we use include Google Analytics and Webtrends.

If you choose to communicate with or receive communications through our services via phone, text, chat, email, or any other platform for technical support, customer service, or other assistance, those interactions may be recorded and monitored to deliver the solution or information requested by you.

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***How do we use PII and on what legal basis?***

As mentioned above, we use your information to provide you with the digital learning solution on behalf of your school, in order to meet our contractual obligation to you or your school with respect to the service. For example, to assist with identifying users across products and providing consistent service and to enable sharing of data between our products and your school's learning management system.

We will also process your PII to meet our legitimate interests, for example to improve the quality of services and products.

Except as described in this notice, we limit the use, collection, and disclosure of your PII to the minimum level necessary to deliver the service or information requested by you or your institution. We do not collect, use, or disclose PII that is not reasonably related to a legitimate business purpose necessary to serve you. Your information may also be used in order to maintain and/or improve our services.

Some of our digital learning solutions will use your previous responses to customize your learning experience. This customization is designed to ensure the best possible learning environment for a student without directly driving any determinative outcome.

Provision of your PII may be necessary in order to use the chosen digital learning solution. Failure to provide us with your PII may preclude you from using the digital learning solution.

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***Do we sell or use your PII to market to you?***

**We will not sell end user PII or use information from educational records for marketing purposes.**

We will not sell PII to other organizations, nor will we market to students using the information from their educational records (education records are defined as records directly related to a student and maintained by an educational agency or institution, or by a party acting for the agency or institution).

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***When do we share your PII with third parties?***

***In general, we only share your PII in order to provide, maintain, or improve our products or services, or respond to legal requests.***

1. Co-branded/Other Web Sites and Features – We may share your PII with third-party business partners for the purpose of providing the service to you. These third-party business partners include cloud service providers, learning management systems (LMS), other educational software providers, etc. These business partners will be given limited access to the PII that is reasonably necessary to deliver the service, and we will require that such third parties follow the same privacy and security practices as MHE.
2. Business Transfer – In the event of a sale, merger or acquisition, we will be able to transfer your PII to a separate entity. We will use commercially reasonable efforts to require this entity to use your PII only for authorized purposes and by authorized persons in a manner consistent with the choices end users have made under this notice, and that security, integrity, and privacy of your PII is maintained.
3. Agents/Service providers – We hire other companies to perform certain business-related functions on our behalf and according to our instructions. For example, we provide your PII to service providers that host our platform data in the cloud (e.g., AWS).
4. Affiliates – McGraw-Hill Education is a global corporation that consists of multiple organizations. We share your PII between organizations within McGraw-Hill Education to provide, maintain, and improve our products and services. A list of the companies within the MHE group is available [here](#).
5. Educational Institutions – As we provide products and services to your school, we share your data with approved individuals at your school, such as administrators or educators.
6. Law Enforcement – In the event that McGraw-Hill Education receives a legal demand for end user data from a law enforcement agency, that request will only be honored if:
  - a. The request complies with all laws and clearly establishes the legal need for disclosure.
  - b. The request is related to a specific investigation and specific user accounts are implicated in that investigation.
  - c. Whenever legally permissible, users shall receive notice that their information is being requested.

MHE reserves the right to disclose to third parties non-personally identifiable information about our users and their use of the MHE services. For example, MHE may disclose aggregate data about the overall patterns or demographics of the users of the MHE products or services.

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***What rights do you have?***

***As a user, you have the rights to access, export, be informed about, rectify, object to the further processing of, restrict the processing of, withdraw consent to the processing of, and erase your PII.***

***If you are a student at an educational institution using an MHE product, you should direct any requests to exercise your data subject rights to the appropriate representative at your institution. If you are an educator or administrator you may reach out to MHE directly on the requests below:***

1. Access and rectification – We strive to ensure that the PII we have about you is accurate and current. You may obtain confirmation as to whether or not PII concerning you exists, regardless of whether PII has already been recorded, and be communicated such information in a readily understandable form.
2. Choice & Objection to processing – With limited exceptions, you may choose to change how we use your PII at any time. However, if the PII is required in order to provide you with the service or process a transaction, you may not be able to opt-out without canceling the transaction or service. You may object, in whole or in part, on legitimate grounds, to the processing of your PII, even where such processing is relevant to the purpose of the collection. Please know that if we do receive a request to objection to the further processing of your information, you may no longer be able to access or use the digital learning solution.
3. Withdraw consent – Your educational institution is responsible for obtaining your consent, where required. MHE obtains consent from your institution to collect, process, and store your PII.
4. Restriction of processing: In specific cases (e.g., if you challenge the accuracy of the PII, while this is being checked), you can request a restriction on the processing of your PII, which can only be processed to file or defend claims.
5. Information – You have the right to be informed a) of the source of the PII; b) of the purposes and methods of the processing; c) of the logic applied to the processing, if processing is carried out with the help of electronic means; d) of the identity of the data controller and data processors; and e) of the entities or categories of entities to whom the PII may be communicated and who may have access to such PII in their capacity as data processor(s) or person(s) in charge of the processing.
6. Data portability – You have the right to export your PII from our systems in a readily accessible file type.
7. Erasure – You may request erasure, anonymization or blocking of a) PII that have been processed unlawfully; b) PII whose retention is unnecessary for the purposes for which it has been collected or subsequently processed. You can obtain certification to the effect that such operations, as well as their contents, have been notified to the entities to whom the data were communicated, unless this requirement proves impossible or involves a manifestly disproportionate effort. Since your educational institution has hired us to manage this information for them, we ask that you or your parent make any request to delete your information directly to your school. Please know that if we do receive a request to delete your information, you may no longer be able to access or use the digital learning solution.

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***How do we protect your PII?***

***Our IT security team has established industry standard security measures to protect your PII from unauthorized access and use.***

MHE takes reasonable precautions to protect your information. When you submit PII via the digital learning system, your information is protected both online and off-line. MHE utilizes reasonable security measures to protect the security and confidentiality of your PII from unauthorized access and use.

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***How long do we retain your data?***

We will retain your data for the minimum amount of time necessary to accomplish the purpose for which it was collected, and thereafter no longer than is permitted under MHE's data retention policies. We will retain and use your data as necessary to comply with our obligations, resolve disputes and enforce agreements.

For information on the retention period that applies, reach out to the Privacy Office by emailing [privacy@mheducation.com](mailto:privacy@mheducation.com) or calling +1-646-766-3199.

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***When do we store, transfer or process PII internationally?***

***McGraw-Hill Education is a global organization. Depending on your location, and the product or service, your information may be stored and processed within secure data centers at one or many of our locations. MHE has committed to meeting the requirements of local data protection laws, including EU law, to the extent required. If your data is stored locally, then your local laws prevail.***

We recognize and acknowledge current data protection laws in the European Union, Switzerland, and around the world. To comply with privacy laws in the European Union, we have implemented appropriate contracts for the international transfer of PII, on the basis of the standard contractual clauses approved by the European Commission and other international models as required by local law, to provide a legal mechanism for transferring data to MHE locations globally. For more information on the aforementioned model contracts and how to obtain a copy of the contract, please contact the Privacy Office at [privacy@mheducation.com](mailto:privacy@mheducation.com) or +1-646-766-3199.