

LEARN FRESH
PRIVACY NOTICE

Last Modified on September 25, 2020

Please read this privacy policy carefully, as it contains important information on who we are, how and why we collect, store, use, and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities if you have a complaint.

We urge kids to check with their parents before entering information through our software applications, and we recommend that parents discuss any restrictions with their kids about the release of personal information to anyone they don't know. Please see the section below labeled "Children's Privacy" for more information on our privacy practices with regard to children under 13.

1. Who we are

Learn Fresh Education Co. ("Learn Fresh," "We," or "Us") collects, uses, and is responsible for certain personal information about you, in providing you with the "NBA Math Hoops" educational game software (collectively, the "Service").

For those in the European Union, we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as a controller of that personal information for the purposes of those laws.

2. The Personal Information we collect and use

Information collected by us: In providing the Service, we collect the following personal information either automatically or when you voluntarily provide it to us:

Types of data collected	How the data is collected	How we use the data	Our legal basis for collecting the data
Your name and email address ("Contact Information")	When you contact us or sign up for our mailing list	To provide customer and technical support, or to send marketing and promotional messages	Based on your explicit consent, under GDPR Art. 6 (1) (a).
Your first name and last initial, email address, and password ("Account Information")	When you sign up for an account on the Service	To set up an account to access the Service and track pre- and post-test results for educators Note: A user's first name and last initial are not shared with Learn Fresh - they are replaced with a random string of numbers when transmitted to Learn Fresh.	Based on your explicit consent, under GDPR Art. 6 (1) (a).

Grade level, ethnicity, and gender (“Demographic Information”)	When you sign up for an account on the Service	To provide the correct user grade level of the Service, and for internal analytics purposes to improve the Service	Based on our legitimate interest, under GDPR Art. 6 (1) (f).
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Information that is shared with us: When you sign into the Service using a social media or third party sign-in account, such as Facebook or Google sign-in, they may share Account Information and Demographic Information with us for the purposes described above.

Note that if you log into the Service using any third party’s services, you promise that your access and use of such features in connection with the Service will comply with the applicable Terms of Use and Privacy Policy of that third party.

Who we share your personal information with: We share your personal information with certain third parties in operating the Service. This enables us to provide you with the Service in the optimal way.

Some of those third-party recipients may be based outside the European Economic Area — for further information, including how we safeguard your personal data when this occurs, see their individual privacy policies linked to above and the section entitled “Transfer of your Information out of the EEA,” below.

We may share your Account Information and Demographic Information with your teacher or educational institution, for the purposes of organizing and operating the Service in classrooms.

Information may also be anonymized and aggregated, so that it is no longer personally identifiable, and used for various purposes and shared with third parties in that anonymized form.

In addition to the above, we will also share your personal information if we have a good faith belief that (i) access, use, preservation or disclosure of such information is reasonably necessary to satisfy any applicable law, regulation, legal process, such as a court order or subpoena, or a request by law enforcement or governmental authorities, (ii) the action is necessary to detect, prevent, or otherwise address fraud, security or technical issues associated with the Service, or (iii) the action is appropriate to protect Learn Fresh’s or its employees’, clients’, or users’ rights, property, or safety.

We will not share your personal information with any other third party.

How long your Personal Information will be kept: We will keep your Personal Information for the length of time required to provide you with the Service, unless a longer retention period is required or permitted by law. Afterwards, we delete all aforementioned data in our possession within a reasonable timeframe. We do not verify the correctness of personal data that we collect or you provide.

Please note that some data may be retained, if necessary to resolve disputes, enforce our user agreements, and comply with technical and legal requirements and constraints related to the security, integrity, and operation of the Service.

“Do Not Track” Signals: Because there’s not yet a consensus on how companies should respond to web browser-based or other “do not track” mechanisms yet, we do not respond to web browser-based do not track signals.

3. Children’s Privacy

We encourage all parents and guardians to actively participate in and supervise their children’s usage of the Internet and mobile apps. We believe that it’s important to teach children not to give out their real names, addresses, phone numbers, birthdays, and other identifiable information online.

Personal information collected by the Service from children, including Account Information and Demographic Information, is used strictly for internal purposes. We will have the user’s teacher consent to its collection or have the user’s parent or guardian consent via email, which they can revoke at any time.

4. Transfer of your Information out of the EEA

Learn Fresh is based in the United States. No matter where you are located, you consent to the processing, transfer and storage of your information in and to the United States, in accordance with the privacy policies of third parties with whom we share your personal information. The laws of these countries governing data collection and use may not be as comprehensive or protective as the laws of the country where you live.

If you would like further information, please contact us (see “How to contact us” below).

5. EU Residents - Your Rights

Under the laws of the General Data Protection Regulation in the EEA, you have a number of important rights with regard to your personal data.

- By law, you can ask us what information we hold about you, and you can ask us to correct it if it is inaccurate. If we have asked for your consent to process your personal data, you may withdraw that consent at any time.
- If we are processing your personal data for reasons of consent or to fulfill a contract, you can ask us to give you a copy of the information in a machine-readable format so that you can transfer it to another provider.
- If we are processing your personal data for reasons of consent or legitimate interest, you can request that your data be erased.
- You have the right to ask us to stop using your information for a period of time, if you believe we are not doing so lawfully.
- Finally, in some circumstances, you can ask us not to reach decisions affecting you using automated processing or profiling.

If you would like to exercise any of those rights, please email us at info@learnfresh.org. We may ask for additional verification information, such as your username and other information required to be sure that you are the owner of that data.

6. California Residents – Your Rights

If you are a California resident, the California Consumer Privacy Act (CCPA) gives you the following rights:

Right to Know: You can ask us what personal data we hold about you and request a copy of the information. This information includes:

- The categories of personal information we have collected about you.
- The categories of sources from which we collect the personal information.
- The business or commercial purpose for collecting your personal information.
- The categories of third parties with whom we share that information.
- The specific pieces of personal information we have collected about you.

Right to Delete: You can request that your personal information be erased. However, there are some exceptions to this right, in situations where we:

- Need to complete the transaction for which the personal information was collected, provide a good or service that you requested, or that is reasonably anticipated within our ongoing business relationship with the consumer, or to otherwise perform a contract between us.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity.
- Debug to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their right of free speech, or exercise another right provided for by law.
- Need to comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code.
- 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 businesses' deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the consumer has provided informed consent.
- Enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with us.
- Need to comply with a legal obligation.
- Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.

Right to Opt Out: Learn Fresh does not sell any of your personal information for any purposes.

Other Rights: In addition to the rights above, you also have the right not to be discriminated against for exercising any of the rights of California residents listed in this section.

If you would like to exercise any of the rights listed above, please contact us at the addresses below in the section entitled "How to contact us."

7. Keeping your Personal Information secure

We have taken steps to put appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorized way.

For example, we limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorized manner.

Additionally, we use encryption in transit, firewalls, and multi-factor authentication to protect personal information we collect and process.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

8. Resolving Disputes

We hope that we can resolve any questions or concern you raise about our use of your Personal Information. Please contact us via the methods listed below in the section entitled “How to contact us” to let us know about any of your questions or concerns, and we will get back to you to resolve the issue.

If you are an EU citizen, the General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live, or where any alleged infringement of data protection laws occurred.

9. Changes to this Privacy Notice

This privacy notice was last updated on September 25, 2020.

We may update this privacy policy from time to time. When we do, we will inform you via email to the email address you have provided us, or by posting a message about the change on the Service.

10. How to contact us

Please contact us if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact us, you can do so by email to info@learnfresh.org, or by postal mail to 3461 Ringsby Court, Suite 315, Denver, CO 80216.