

Privacy <u>Terms</u>

FLIPGRID PRIVACY POLICY

LAST UPDATED: February 8, 2019

Your privacy and that of your students is important to us:

- We do not use personal information to market or advertise to you or students, nor
 do we permit third parties to do so. Our Flipgrid website and apps do not show
 advertising.
- We do not sell user personal information.

Flipgrid does use your personal information for certain stated purposes, such as providing and improving the service and communicating with Grid Owners (but not Students) about new Flipgrid features and events. Please read the Privacy Policy below, as it describes what information we collect from you, how we use that information, and the legal bases we have to process your information.

This Privacy Policy governs how Flipgrid, Inc., a Microsoft subsidiary, ("Flipgrid," "we," "our," or "us") uses and shares personal information collected by our website at Flipgrid.com, the Flipgrid mobile app, and any associated services (the "Service").

"You" may be a:

- "Grid Owner" (i.e., an adult over the age of 18, a teacher or other School representative that subscribes to the Service with the administrative right to create, invite, manage, moderate or delete a Flipgrid video Grid that may be set up using the Service (a "Grid"));
- a "School" (i.e., an educational institution, organization or other educational business for which one or more Grid Owners offers the Service to Students);
- a "Student" (i.e., a "User" who was invited to use the Service by a teacher or School Grid Owner); or
- a "User" (i.e., any user of the Service, including a Grid Owner).
- 1. Information Flipgrid Collects

Flipgrid may collect personal information from Users as described below.

1.1 Grid Owner Personal Information (Collected from the Grid Owner)

When a Grid Owner creates an account on the Service, we ask you for certain information, such as Grid Owner's first name, last name, email address, password, instruction type, and country. If you are a teacher or a School, we will also collect your School email address and School name to set up an account.

When a Grid Owner posts content (text, images, photographs, videos, messages, comments, or any other kind of content) on the Service, the information contained in the posting, including first name, last name, email address, any audio and image included within any video, will be stored in our Service for purposes of providing the Service.

When a Grid Owner logs into an existing account through their Microsoft or Google account, we may collect first and last name, email address and other information specific to that third party account to authenticate the Grid Owner.

When a Grid Owner provides feedback to a Student, such as replying to a video book report, assessing foreign language skills, encouraging group discussion, or prompting the scientific method, we store the feedback in the Service for purposes of providing the Service.

If a Grid Owner provides us feedback or contacts us via email, we will collect the Grid Owner's name and email address, as well as any other content included in the email for purposes of replying to the Grid Owner and improving the Service.

1.2 Student Personal Information

Grid Owners provide consent for the collection of Student personal information as discussed in Section 6 of this Privacy Policy, below. When a Student posts content (text, images, photographs, videos, messages, comments, links, or any other kind of content) using the Service, the information contained in the posting, including first name, last name, email address, and any audio and image included within any video will be stored in our Service as per the consent provided by the Grid Owners. Depending on the Grid Owner's privacy settings for the Grid, other Users may view and share Student content.

If a Student provides us with feedback or contacts us via email, we will collect the Student's name and email address, as well as any other content included in the email, for purposes of replying to the Student and improving the Service.

1.3 Automatically Collected Information

When a User uses the Service, some information may be automatically collected to help us understand how the Service is being used and how to improve the Service. For example, device type, the device identifier (UDID), the Open Device Identification Number (ODIN), date/time stamps for each visit, browser type, operating system, Internet

Protocol (IP) address, Internet service provider (ISP), referring/exit pages, clickstream data, and domain name are all collected for purposes of administering, tracking usage of, and improving the Service. We may store this information in log files.

Cookies and Similar Technologies

Flipgrid uses cookies (small text files placed on your device) and similar technologies to provide the Service, to help collect data, and to market to Grid Owners. These cookies help us provide the Service. For example, they allow you to log in to secure areas of the Service and help the content of the pages load quickly. We use cookies to provide Users with a more personal, useful, and interactive experience with our Service. We also use web beacons to help deliver cookies and gather usage and performance data. The Service may include web beacons and cookies from third-party service providers.

In addition to the cookies we set, third parties can also set cookies when you visit our sites. For example:

- Companies we hire to provide services on our behalf, such as site analytics, may place cookies when you visit our sites.
- Companies that deliver content, such as videos a Grid Owner links to or embed, place cookies on their own. These companies use the data they process in accordance with their privacy policies, which may enable these companies to collect and combine information about your activities across websites, apps, or online services.

Each User has a variety of tools to control cookies, web beacons, and similar technologies, including browser controls to block and delete cookies and controls from some third-party analytics service providers to opt out of data collection through web beacons and similar technologies. User browser settings and other choices may impact the functionality of the Service.

2. Use of Personal Information

We store and process User personal information in the United States, and we use this information as follows:

- To provide the Service, including updating, securing, troubleshooting, and providing support.
- · To improve and develop the Service.
- To respond to User comments and questions and provide customer service.
- To communicate with Grid Owners about upcoming Microsoft education or Flipgrid events, new Flipgrid features and other news.
- To send the User information including confirmations, technical notices, updates, security alerts, and support and administrative messages.

- · To identify specific Users in our system.
- To facilitate the creation and management of accounts on our Service.
- · To process and deliver orders.
- To comply with applicable laws, including website accessibility laws that may require transcription of audio or other methods to make User content available on the Service.
- · For other purposes with your permission.

Flipgrid does not use your personal information to market or advertise to you (regardless of whether you are a Student or other User). Flipgrid also does not use your personal information to track and target advertisements on third party websites or services.

3. Information We Share

Flipgrid does not sell User personal information. We share personal information we collect on Users (including Students and Grid Owners) when Users create accounts, request support, record videos, share their experiences with us, or otherwise use the Service. We may also share User personal information with vendors, consultants, and other third party service providers who need access to such information to carry out work on our behalf and at our direction. For example, we rely on data center operators and communications vendors to operate our Service or send you notifications.

We may also share User personal information for legal, protection, and safety purposes. For example,

- We may share information to comply with applicable laws.
- We may share information to respond to lawful requests and legal processes.
- We may share information in an emergency, such as protecting the safety of our employees and agents, our Users, or any person.
- We may share information to protect the rights and property of Flipgrid, our agents, employees, customers, and others, including by enforcing our agreements, policies, and terms of use.
- We may disclose or transfer your personal information in connection with the sale, merger, bankruptcy, sale of assets or reorganization, in whole or in part, of our company.

Flipgrid reserves the right to share Users' personal information to respond to duly authorized information requests of governmental authorities or where required by law. Flipgrid reserves the right to use or disclose personal information provided to Flipgrid in response to a lawful request by public authorities, including to meet national security or law enforcement requirements, or if Flipgrid reasonably believes that use or disclosure is necessary to protect Flipgrid's rights and/or to comply with a judicial proceeding, court order, or legal process. In exceptionally rare circumstances where national, state, or

company security is at issue, Flipgrid reserves the right to share our entire database of visitors and clients with appropriate government authorities. If we are going to share User personal information, we strive to provide the User with advance notice by e-mail unless prohibited by law from doing so.

4. Information Users Share

Each Grid and the content submitted to a Grid, such as Topics and videos, will be displayed in the Grid and will be visible to anyone who joins the Grid as administered and permitted by the Grid Owner, subject to the Grid Owner's ability to deactivate or moderate submissions. The Grid Owner, and not Flipgrid, sets the Grid's privacy settings.

Grid Owners choose whether Users are permitted to link to external sites. External sites are governed by their respective privacy policies. Flipgrid leverages Youtube.com's and Vimeo.com's enhanced privacy modes to mark links as 'do not track.'

We may publish comments or feedback from a User about Flipgrid only if we obtain that User's consent.

5. Information Choices and Changes

Users may opt out of providing personal information to the Service at any time by uninstalling the application. Users may also opt out of providing personal information by emailing support@Flipgrid.com to have their account removed or by asking their Grid Owner to remove their content. Flipgrid will stop collecting the User's personal information in these cases, but may still retain the User's personal information as outlined in the "Data Retention" (Section 8) of this Policy (below).

Our communication email regarding events, news and other such topics explain how to opt out of receiving such emails. If a User opts out, we may still send them operational emails that pertain to the User's account and notifications regarding our services.

Users may send requests about their personal information to our contact information in Section 14 below, including to change contact choices, opt out of our sharing with others, and review, update, correct, or delete personal information. Once the User has been authenticated, we will use commercially reasonable efforts to honor these requests. We may retain an archived copy of User records as required by law. Such opt outs may result in disruption or cancellation of the Service or impairment of certain Service functionality.

Users may also contact the Grid Owner and request that the video be removed. If the Grid Owner is not able to remove the video, Users can contact us at support@Flipgrid.com and request that such videos be removed. However, we will only be able to remove the video if (a) the User provided their email address when posting the

video and (b) the User sends the email request to us using that same email address.

Otherwise, we may not be able to remove a posted video. Deletion of a video removes it from the Grid.

Grid Owners have certain options with respect to the privacy settings of their Grids. For example, Grid Owners choose how Users gain access to their Grids and whether those Grids are moderated Parents and Students should send all requests regarding these privacy settings directly to the Grid Owner.

6. COPPA AND STUDENTS

6.1 Notice to Parents and Schools

Under the United States Children's Online Privacy Protection Act ("COPPA"), verifiable parental consent is needed to collect, use, or disclose personal information (e.g., full name and email address) from each User under 13 years old. In accordance with COPPA, a teacher or School Grid Owner may act as the agent of the parent or legal guardian of a Student and provide consent on behalf of the parent for Flipgrid's collection, use, and disclosure of the Student's personal information. By enrolling a Student under 13 to use the Service, the School provides such consent to us and agrees that the Students' activities while on the Service are subject to our Terms. Please see Flipgrid's Teacher Toolkit (https://static.Flipgrid.com/docs/Flipgrid_dos_donts.pdf) and Parent Consent Form (http://static.Flipgrid.com/docs/Flipgrid_consent_form.pdf) for guidelines on how teachers and Schools should provide consent on behalf of parents.

This Privacy Policy does not govern any School's collection, use, or disclosure of a Student User's personal information through the Service, and we are not responsible for any such collection, use, or disclosure. Parents should contact the teacher or School Grid Owner directly to understand the Grid Owner's privacy practices or to request to access, change or delete information collected by the Grid Owner in connection with the Service that cannot otherwise be accessed, changed or deleted as described in this Privacy Policy.

As required under COPPA, parents can make certain choices regarding how their child's information is used. (For more information, see "Parent's Choices Regarding Information on Students Under 13," in Section 6.2 below). Parents should submit these requests to the teacher or School Grid Owners, and the teacher or School Grid Owners, as the parent's agent, must pass those requests to us by emailing support@Flipgrid.com.

6.2 Parent's Choices Regarding Information on Students Under 13

Under COPPA, parents of Students under 13 have certain rights with respect to our collection, use, retention, and disclosure of their Student's information. This includes the

right to review, update, or delete Student information, as well as prohibit our sharing Student information with third parties. Parents can exercise these rights by contacting the Student's Grid Owner, and the Grid Owner should submit these requests, on the parent's behalf, to Flipgrid by emailing support@Flipgrid.com. Notwithstanding any such requests, we may continue to share the Student information for non-Service purposes as described in Section 3, "Information We Share."

A parent should request deletion of the Student's information (such as videos submitted) through the Grid Owner. Upon receiving such requests, the Grid Owner can request deletion of the Student's information by emailing support@Flipgrid.com. This will delete the Student information from our live databases. We will not have any liability whatsoever for any termination of the account or related deletion of the Student information. When we delete personal information, it will be deleted from our active databases but may remain in our archives for up to 30 days.

Schools and Grid Owners should always obtain parental consent for a Student under 13 to use the Service. Please see Flipgrid. Teacher Toolkit (https://static.Flipgrid.com/docs/Flipgrid_dos_donts.pdf) and Parent Consent Form (http://static.Flipgrid.com/docs/Flipgrid_consent_form.pdf) for tips on how to obtain proper consent from parents.

7. INFORMATION SECURITY

We use security technologies and procedures to help protect your personal information from loss, misuse, and unauthorized access, use, disclosure, alteration, and destruction. Our security procedures and practices are consistent with industry standards applicable to our collection and use of personal information. In the event of an unauthorized release, disclosure, or acquisition of User information, Flipgrid will notify affected individuals (either directly or through Grid Owners), as required by applicable law. While we use reasonable efforts to protect your personal information, we cannot guarantee its absolute security.

8. Data Retention

We store the information we collect for as long as you have an Account, or for up to 30 days in our archives when you ask for data to be deleted (as set forth in Section 6, above). Additionally, we retain User information to resolve disputes, enforce our policies, and to comply with the law.

9. How to View, Correct, or Update Personal Information

Grid Owners can update their information by logging into their accounts and visiting the Account Settings tab on the User profile. Parents and Students can correct, edit, or

update Student information by submitting a request to the Grid Owner. If that is not effective, the Student can contact us directly at support@Flipgrid.com.

Residents of the European Economic Area may have additional rights as set forth in Section 11, below.

10. Deleting Grid Owner Account or Content

A Grid Owner may delete his or her own account or content, as well as any content submitted to Flipgrid under that Grid (including videos submitted by Students), by emailing your requests to support@Flipgrid.com. Deleted accounts or account content may be retained by us for up to 30 days to provide customer support and prevent accidental deletion.

11. Personal Information Transferred from the European Economic Area or Switzerland to the United States

The Service is hosted and operated in the United States and is subject to United States law. User personal information is hosted on United States servers. Flipgrid is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC).

Flipgrid adheres to the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States (for more information, see the <u>list</u> of Microsoft U.S. entities or subsidiaries adhering to the Privacy Shield Principles). Microsoft Corporation has certified to the Department of Commerce that Flipgrid is a U.S. subsidiary controlled by Microsoft that adheres to the Privacy Shield Principles. If third-party agents process personal data on our behalf in a manner inconsistent with the principles of either Privacy Shield framework, we remain liable unless we prove we are not responsible for the event giving rise to the damage.

If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, visit the <u>Privacy Shield website</u>.

If you have a question or complaint related to participation by Flipgrid in the EU-U.S. or Swiss-U.S. Privacy Shield, we encourage you to contact us via this web form. For any complaints related to the Privacy Shield frameworks that Microsoft cannot resolve directly, we have chosen to cooperate with the relevant EU Data Protection Authority, or a panel established by the European data protection authorities, for resolving disputes with EU individuals, and with the Swiss Federal Data Protection and Information Commissioner (FDPIC) for resolving disputes with Swiss individuals. Please contact us if

you would like us to direct you to your data protection authority contacts. As further explained in the Privacy Shield Principles, binding arbitration is available to address residual complaints not resolved by other means.

12. RIGHTS OF CALIFORNIA RESIDENTS

12.1 Third Party Disclosures and Other Rights

Flipgrid complies with California's "Shine the Light" law, as applicable. Flipgrid does not share Students' personal information with third party marketers (notably, Flipgrid does not share the personal information of ANY User with third party marketers). If you are a California resident you can request a list of personal information about you we have disclosed to third parties in the preceding calendar year, as well as the names and addresses of those third parties. You may make such a request only once per year, and you don't have to pay for it. To make a request, send an email to support@Flipgrid.com or send a written request to Flipgrid, 251 First Avenue North, Suite 500, Minneapolis, MN 55401.

Flipgrid also complies with California's Digital Protection of Minors Act, as applicable.

12.2 How We Respond to Do Not Track Signals

We do not currently respond to "do not track" signals or other mechanisms that might enable consumers to opt out of tracking on our website.

13. Changes to this Policy

We may make changes to this Privacy Policy from time to time. If we make changes to this Privacy Policy that we believe will materially affect your rights, we will notify you by email about these changes and post a notice to the Service and change the "Last Updated" date above. If you continue to use our service after we provide such notice, you are agreeing to accept these changes. Otherwise, for non-material changes, the Privacy Policy will be updated on the Service. You should consult this Policy regularly for any changes.

14. Contact Information

If you have any questions about this Privacy Policy or wish to contact us, please contact support@Flipgrid.com You can reach Flipgrid by mail at:

Flipgrid

251 First Avenue North

Suite 500

Minneapolis, MN 55401, U.S.A.

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