

New Proposed Privacy Policy—CCPA Terms Included

Last modified: March 9, 2020

Privacy Policy for K12PaymentCenter

EMS LINQ, Inc. (“We” or “us”) understands the importance of your privacy and we take our responsibility to protect your privacy seriously. This **Privacy Policy** (the “**Policy**”) applies to information that we collect from you through the use of our services, including **K12PaymentCenter.com**. The **Policy** also applies to any information that we collect from you through our corporate websites, direct communications and inquiries, or any other manner.

Please read the terms of the Policy carefully before using our services or our websites. By using our services or our websites, you agree to the terms of this Policy and to our collection, use, storage and disclosure of your information as described below. If you do not agree to the terms and practices described in this Policy, you may choose not to use our services or our websites. Your use of our Services or our websites is also subject to any other applicable Terms of Services or other agreements provided to you. If you have any questions about the policy, please email us at privacy@linq.com.

As a service provider to schools, school districts and other institutions (collectively “**Organizations**”), we acknowledge that these **Organizations** have their own privacy policies relating to the information that they collect or that EMS LINQ collects in the course of providing the **Organizations** with our services. This **Policy** does not apply to these **Organizations** and we do not control them or their activities. In addition, EMS LINQ may use the services of other third-party companies in the course of providing services to customers (such as WorldPay, Plaid, Thawte, Rackspace, IP Commerce Inc., and ScanAlert Inc). These companies also have their own privacy policies relating to the information they collect. This **Policy** does not apply to these companies and we do not control them or their activities.

K12PaymentCenter Services and Privacy Practices

Through [K12PaymentCenter.com](https://www.k12paymentcenter.com), EMS LINQ, Inc. provides payment products and services for parents, schools and school districts. These products and services include payment card processing, eCheck processing, point of sale equipment management, merchant accounting and funds transfer. In the course of our payment processing functions, we routinely collect and retain personal information about our customers, including parents, students, schools and school districts. For our customers, information about disclosures, transfers and other processing of personal information (including FERPA-regulated information) as part of our payment processing processes, is provided in the documentation we provide during our [K12PaymentCenter.com](https://www.k12paymentcenter.com) onboarding process. This information is outside the scope of this **Policy**, which relates only to information that we collect through the site itself.

Our website is not intended for children under 13 years of age. No one under age 13 may provide any personal information to or on the website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this website. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us.

Personal Information We May Collect About You

When you register at [K12PaymentCenter.com](https://www.k12paymentcenter.com), subject to your consent, we may ask for and collect the following personal information:

- **Registration, profile and contact information:** Identifiers including name and contact details including email address, telephone number and postal address;
- **Organizational or Process Information:** Information to be used in payment processing including school district, user type and student information;
- **Login Information:** Information protected against security breaches such as your username and password, which may be used to log into [K12PaymentCenter.com](https://www.k12paymentcenter.com);
- **Payment Information:** Information regarding financial services including your billing address and credit card information;
- **Log File Information—Internet, IP or Device Identifiers:** Internet/electronic activity information including information internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, and date/time stamp.
- **Cookies and Related Information:** Cookies or text files that are used to uniquely identify the user's browser or to store settings. [K12PaymentCenter.com](https://www.k12paymentcenter.com) uses cookies in several ways, including those that are necessary to maintain the functionality of the site. If you reject cookies, you may not be able to use all the features of [K12PaymentCenter.com](https://www.k12paymentcenter.com). On some sites, we use cookies to help us to target advertisements, with references to anonymous identifiers and not personal information.
- **Location Information:** Information regarding location such as geolocation;
- **Support Inquiry Information:** Information you provide if you report a problem or support issue with our services;
- **Correspondent Information:** Records of any correspondence we have with you and the information provided there.

How We Use the Personal Information We Collect

In addition to the uses described above, and subject to any applicable laws, we may use the information we collect about you (including personal information) in the following ways:

- To operate, maintain and provide you with the business services for which you have registered;
- To set up and manage your login information and protect the security of your login information;
- To connect you regarding an inquiry, question or request made about our products or services;
- To maintain and monitor website or database hosting and maintenance;
- To maintain internal recordkeeping;
- To detect security incidents and to protect against any fraudulent or malicious activity, and to prosecute any responsible parties for that activity;
- To maintain the quality of our services and improve or enhance our services;
- To perform internal or technological research and development;
- To contact you by email, based on your consent for such contact as defined by the terms of service;
- To contact you for direct marketing, based on your consent for such contact as defined by the terms of service;
- To meet compliance requirements of all applicable laws and/or regulations, as permitted by such laws and regulations.

How We Disclose or Share the Personal Information We Collect

EMS LINQ, Inc. does not rent, sell or share your personal information to any third parties. When the information we collect is aggregated, anonymized or otherwise does not identify you in any way, we

may use that information for any purpose or share it with third parties, in accordance with all applicable laws.

In addition to the above, we may share your information with the following entities:

- Other business units of **EMS LINQ, Inc.** or any companies owned by **EMS LINQ, Inc.**, subject to the same terms of this Policy;
- Any service providers or third-party companies that are used to support the business processes related to the services you agree to on registration with [K12PaymentCenter.com](https://www.k12paymentcenter.com);
- Regulators including state and federal agencies, card payment networks, issuing banks and other parties in order to comply with laws, regulations and industry standards related to business transaction processing, and any contractual obligations that may be required to provide the services of [K12PaymentCenter.com](https://www.k12paymentcenter.com) as agreed on your registration;
- Law enforcement, courts and other relevant parties in response to a court order or a request for cooperation from any government agency; to establish or exercise our legal rights or to defend legal claims; as otherwise required or permitted by applicable laws and/or regulations; when we believe that disclosure is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing;
- In the event **EMS LINQ, Inc.** goes through a business transition in connection with any merger, acquisition or business transaction involving sale, transfer, financing, divestiture or disclosure of all or a portion of our business assets to another company, your personally identifiable information will likely be among the assets transferred; you will be notified via email and with prominent notice on our Web site for 30 days of any such change in ownership or control of your personal information;
- Any other parties for purposes that are disclosed to you at the time that you provide the information, or to enforce our Terms of Service as provided to you.

Your Responsibilities and Choices on Use of Your Information

Subject to your consent if required by applicable law, we will collect and process your personal information as necessary to set up and administer your sign up to, and use of, the log in facility available on our Sites and Apps. We will use “cookies” to “remember” the machine or other device you use to access our Sites and Apps. Please remember that if we contact you, we will never ask you for your password in an unsolicited email, message or phone call. If you choose to use the log in facility available on our Sites, you are required to adhere to the following security procedures in relation to your username (currently, your email address) and password, which are referred to as “login information”:

- Keep your login information secret and secure at all times and do not disclose it to any other person or allow any other person to use it;
- Do not write down or record in any form your login information or store it on any software, including a password save feature;
- Destroy any notice from us concerning your login information as soon as you have read and understood it;
- Should you become aware or have reason to suspect that your login information has been lost or disclosed to, or seen or accessed by someone other than yourself, immediately notify **EMS LINQ, Inc.** and [K12PaymentCenter.com](https://www.k12paymentcenter.com) at the email address above.

We will strive to provide you with choices regarding the personal information you have provided. If you ever receive emails that are not related to the services you have registered to receive with [K12PaymentCenter.com](https://www.k12paymentcenter.com) you can stop receiving those emails by clicking the “Unsubscribe” link in the

emails. We commit to promptly processing these unsubscribe emails. You may also contact us directly at privacy@ling.com for questions about reviewing, modifying or deleting your personal information, but removing or not providing certain information may limit your use of the K12PaymentCenter services.

The security of your personal information is important to us. When you enter sensitive information (such as credit card number and/or student numbers) on our "**Manage Students**" and "**Make Payment**" forms, we encrypt that information using 128-bit encryption over secure socket layer technology (SSL). If you have any questions about security on our website, you can email us at ContactUs@K12PaymentCenter.com.

California Resident Rights and Personal Information

Some consumers, including residents of the state of California, may have certain rights regarding their personal information, subject to certain exclusions and the type of business processes involved in the services provided to the users. These rights may include the following:

Right to Access

Consumers have the right to **request access to personal information**. They can make this request for free, twice per year.

On receiving an access request, EMS LINQ, Inc. must provide the necessary information **in a portable and easily accessible format**, normally **within 45 days** of the request.

When providing information under the right of access, we will include:

- The **categories of personal information** the business collects about the consumer;
- The categories of **sources** of the consumer's personal information;
- The **business or commercial purpose** for collecting or selling the consumer's personal information;
- The categories of any **third parties** with whom the business shares the consumer's personal information;
- The **specific pieces of personal information** collected about the consumer.

EMS LINQ, Inc. does not sell your personal information, but if any information was sold, the consumer also can request access to the following information:

- The categories of personal information the business **collects** about the consumer;
- The categories of personal information the business has **sold** about the consumer;
- The categories of any **third parties** to whom the business sold the consumer's personal information;
- A list of which categories of personal information the business sold to **each third party**;
- The categories of personal information the business **discloses about the consumer for business purposes**.

Right of Deletion

The consumer has a right to request the deletion of personal information that the business holds on the consumer.

However, this right does not apply where the business needs to retain the personal information in order to do any of the following:

- Provide goods or services to the consumer;
- Detect or resolve issues security or functionality-related issues;

- Comply with the law;
- Conduct research in the public interest;
- Safeguard the right to free speech;
- Carry out any actions for internal purposes that the consumer might reasonably expect.

Right to Non-Discrimination

The consumer has **the right not to be discriminated against for having exercised their rights under any applicable legislation, such as the California Consumer Privacy Act**. In particular, the business may not:

- Deny the consumer goods or services;
- Charge the consumer different prices for goods or services, whether through denying benefits or imposing penalties;
- Provide the consumer with a different level or quality of goods or services to the consumer;
- Threaten the consumer with any of the above.

Exercising Your Rights

To request access to your personal information or request deletion, please submit a verifiable consumer request through one of the following methods:

- Toll-free line: 800.541.8999
- Email: privacy@k12paymentcenter.com

Only you or a person authorized to act on your behalf may make a consumer request related to your personal information.

You may only request a copy of your data twice within a 12-month period. The request must:

- Provide sufficient information to allow us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail to allow us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

Our goal is to respond to a verifiable consumer request within 45 days of its receipt. If we require more time, we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option. Any disclosures we provide will cover only the 12-month period preceding the request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. We will provide your personal information in a format that is readily useable and should allow you to transmit the information without hindrance.

We will not charge a fee to process or respond to your request unless it is excessive or repetitive. If we determine that the request warrants a fee, we will provide you with the basis for that decision and a cost estimate before completing your request.

Changes in this Privacy Statement

EMS LINQ, Inc. may update this policy. We will notify you about significant changes in the way we treat personal information by sending a notice to the primary email address specified in your [K12PaymentCenter.com](https://www.k12paymentcenter.com) account or by placing a prominent notice on our site.

Questions and Suggestions

If you have any questions or suggestions regarding our privacy policy, please contact us at:

EMS LINQ, Inc.

2528 Independence Blvd., Suite 200

Wilmington, NC 28412

Email: ContactUs@K12PaymentCenter.com

Telephone: 800.541.8999