



# Privacy Policy

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## **Introduction**

EMS LINQ, LLC. (“LINQ”, “we”, “our”, or “us”) cares about your privacy, and we are committed to responsibly handling your personal information. This Privacy Policy explains how LINQ collects, uses, discloses, and protects personal information that we collect from and about you through our Websites and Solutions.

## **Scope and Applicability of this Privacy Policy**

The personal information we collect and how we use it depends on your relationship with us and the context in which you interact with us.

When you visit the publicly-accessible areas of our websites, including <https://linq.com>, <https://www.titank12.com>, <https://www.k12paymentcenter.com>, and any other publicly-available websites, mobile applications, or online services or applications that we provide directly to individuals and that link to this Privacy Policy (collectively, the “Websites”), we determine the personal information we collect, and control the purposes for which it may be used and disclosed. This Privacy Policy details our practices with respect to this personal information.

LINQ provides cloud-based products and services to K-12 schools, school districts, and other educational institutions, including solutions for accounting, finance and HR, enrollment and registration, nutrition and payments, and website hosting and management (collectively, the “Solutions”). We operate the Solutions on behalf of those K-12 schools, school districts, and other educational institutions that subscribe to the Solutions (“Clients”) and we generally collect, use, and disclose personal information collected or received through those Solutions at our Clients’ direction and in accordance with our agreements with them. While this Privacy Policy generally describes the personal information we collect through the Solutions and how we handle that information, we do not control, and this Privacy Policy does not apply to, our clients’ handling of the information they process through our Solutions. If you have questions about the information practices of a client that uses our Solutions, we encourage you to review the Client’s privacy statement or contact them directly.

Unless otherwise expressly indicated in this Privacy Policy, this Privacy Policy does not apply to information that we collect offline, or through other channels or methods.





## **Information We Collect and Receive through the Websites**

When you visit and use the Websites, we may collect various kinds of personal information from and about you and use and disclose that information for our own purposes as described in this section. This section does not apply the personal information we collect or receive through the Solutions we provide to Clients, which is discussed in the [Personal Information We Collect and Receive through Our Solutions](#) section below.

### ***Information You Provide Directly to Us***

When you visit and use the Websites, we may collect personal information you choose to provide to us, such as when you fill out a contact form, open a support ticket, or email us to request information about our Solutions. This personal information may include:

- Contact information, such as your name, email address, and phone number;
- Information about your organization and the state in which you are located; and
- Any other information you choose to submit about yourself or your organization when you communicate with us, such as when you request information about our Solutions, open a support ticket, or use the screen sharing or other remote assistance tools we make available through the Websites.

### ***Information We Collect Automatically***

When you use the Websites, we also may collect certain information automatically about your device and your use of the Websites, such as the following:

- Technical information about your computer, device, hardware, or software you use to access the Websites, such as IP address or other transactional or identifier information for your device (such as device make and model, device ID, information about device operating systems and browsers, mobile network information, or other device or system related specifications);
- Usage information and statistics about your interaction with the Websites, such as the URLs of the pages that you have visited, URLs of referring and exiting pages, page views, time spent on a page, number of clicks, the application you used, how long you used the application and when, and other usage statistics;
- Information that facilitates a safer and more personalized experience, such as user identification information, saved preferences, and device identifiers or other usage information for authentication and fraud prevention purposes; and
- Information about your approximate location, which we may derive from device information such as IP address.

We collect some of this information through cookies and other similar technologies. For more information, please see the [How We Use Cookies and Other Similar Technologies](#) section of this Privacy Policy. We may also permit other parties with whom we work to collect this information when you use the Websites, and these parties may collect this information over time and across different websites.

### ***How We Use Information Collected or Received through the Websites***

We may use the information we collect through the Websites about you in the following ways:

- To maintain, operate, and monitor the Websites; to improve or enhance the Websites; and to perform internal research and development;



- To respond to your inquiries and fulfill your requests;
- To contact you for our marketing purposes and to promote our products and services;
- For our internal business operations, such as conducting, evaluating, updating, and modifying our operations and marketing efforts; conducting research and analysis; enhancing and improving our services; and performing other similar internal business operations, including as described elsewhere in this Privacy Policy;
- To comply with applicable laws and/or regulations; to detect security incidents; to protect against fraudulent or malicious activity (including to prosecute responsible parties);
- To enforce our policies, terms of use, or rights arising from contracts;
- To evaluate or participate in an actual or potential merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, including as part of bankruptcy, liquidation, or similar proceedings; and
- For such other purposes as you may authorize or direct when we collect your information.

We may also use your personal information to create aggregated or anonymized information that does not identify you, and use that information for any purpose or share it with third parties, in accordance with applicable laws.

### ***How We Share Information Collected or Received through the Websites***

Except as set for in this Privacy Policy, we do not trade, share, rent, sell or give away your personal information. We may however disclose personal information we collect through the Websites:

- To our affiliates and subsidiaries.
- To our service providers, contractors, or other third parties we use to support our organization and who are bound to keep the information confidential and use it only for the purposes for which we disclose it to them.
- To comply with law enforcement or other relevant parties in response to a court order, legal process, or to respond to any government or regulatory request.
- To establish or exercise our legal rights or to defend legal claims or to comply with applicable law or regulation.
- To investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing.
- To protect the rights, property, or safety of LINQ or others, and to enforce our policies, Terms of Use, or other legal rights.
- To a buyer or other successor or organization in the event of an actual or potential merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, including as part of bankruptcy, liquidation, or similar proceeding. 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.
- To other parties, and for other purposes, as you may authorize

### **Information We Collect or Receive through Our Solutions**

When you use our Solutions, whether as an employee or contractor of a Client who subscribes to one of our Solutions (an "Authorized User"), or as a student, parent or guardian, or other end user of a Solution (an "End



User”), we may collect or receive personal information from and about you in connection with your use and our operation of the Solution.

This section of our Privacy Policy generally describes the types of personal information we collect and receive through our Solutions, the purposes for which it is used, and how the information is shared.

Please note, however, that we are considered a “Service Provider” of our Clients with respect to the information they process through our Solutions, and our handling of that information is governed by our agreements with them. We do not control how our Clients use or disclose your personal information, and this Privacy Policy does not apply to their handling of that information. If you have questions about the information practices of a Client that uses our Solutions, we encourage you to review the Client’s privacy statement or contact the Client directly.

### ***Information Provided to Us Directly***

The personal information we collect through our Solutions includes information that users submit directly to us, the nature of which depends on the Solutions the Client subscribes to and the user’s relationship with us and with the Client. That information may generally include the following:

- **Client Information.** If you are an employee, contractor, or service provider of a Client and access and use our Solutions as an Authorized User, we may collect personal information such as your name, email address, phone number, login credentials, the name of the Client and the school district with which you are associated, and other information necessary to set up and administer your user account, as well as other information you submit to us when you communicate with us about the Solutions.
- **End User Information.** If you are a student, parent or guardian, or staff member associated with a Client and access and use our Solutions as an End User, we may collect personal information such as your name, email address, phone number, login credentials, the name of the Client and the school district with which you are associated, and other information necessary to set up and administer your user account, as well as other information you submit to us when you use or communicate with us about the Solutions.
- **Client Content.** We collect and receive information that Clients and their Authorized Users and End Users upload to the Solutions or otherwise provide to us in connection with their use of the Solutions (“Client Content”). The types of personal information included in Client Content depend on the Solution and are controlled by the Client, but may include human resources information (for our HR and accounting Solutions), student enrollment and registration information (for our enrollment and registration Solutions), and payment and billing information and information about student activities and meals (for our payment and nutrition Solutions).

### ***Information We Collect Automatically***

When you use the Solutions, we also may collect certain other information automatically about your device and your use of the Solutions, such as the following:

- Technical information about your computer, device, hardware, or software you use to access the Solutions, such as IP address or other transactional or identifier information for your device (such as device make and model, device ID, information about device operating systems and browsers, mobile network information, or other device or system related specifications);



- Usage information and statistics about your interaction with the Solutions, such as the URLs of the pages that you have visited, URLs of referring and exiting pages, page views, time spent on a page, number of clicks, the application you used, how long you used the application and when, and other usage statistics;
- Information that facilitates a safer and more personalized experience, such as user identification information, saved preferences, and device identifiers or other usage information for authentication and fraud prevention purposes; and
- Information about your approximate location, which we may derive from device information such as IP address.

We collect some of this information through cookies and other similar technologies. For more information, please see the [How We Use Cookies and Other Similar Technologies](#) section below.

### ***Information Obtained from Third Parties***

If you use the Solutions as an Authorized User or End User, we may obtain information about you from the Client with whom you are associated, the nature of which will depend on the Solution.

### ***How We Use Information Collected or Received through Our Solutions***

We may use the information we collect through the Solutions for the following purposes:

- **To Operate the Solutions and Otherwise on Our Clients' Behalf.** We use information we collect or receive through the Solutions on behalf of and as authorized by our Clients, in accordance with our agreements with them, to operate, maintain, and provide the Solutions to which they subscribe and to perform services and provide support relating to those Solutions.
- **Client Engagement.** We use contact information of Authorized Users and other contacts at our clients for invoicing, notification of product updates and maintenance, and otherwise to communicate with Authorized Users about the Solutions, including to conduct marketing to promote our products and services.
- **Research and Development.** Consistent with our agreements with Clients, we may use information we collect through the Solutions to improve or enhance the Solutions, and for our own internal research and development.
- **Compliance or Legal Requirements.** We may use information collected through the Solutions to comply with applicable laws and/or regulations; to detect security incidents; to protect against fraudulent or malicious activity (including to prosecute responsible parties); to comply with law enforcement requests.

### ***How We Share Information Collected or Received through Our Solutions***

Except as set for in this Privacy Policy, we do not trade, share, rent, sell or give away your personal information to third parties. We may however disclose personal information we collect through our Solutions:

- To our Clients.
- To our affiliates and subsidiaries.
- To our service providers, contractors, or other third parties we use to support our Solutions.
- When you use our Solutions to make a purchase or complete a payment transaction, we will share your payment and transaction data with payment processors, banks, and other organizations to process transactions and for fraud detection and prevention and anti-money laundering purposes.



- To establish or exercise our legal rights or to defend legal claims or to comply with applicable law or regulation.
- To investigate, prevent, or act regarding actual or suspected illegal activity, fraud, or other wrongdoing.
- To protect the rights, property, or safety of us, our users, or others.
- To a buyer or other successor or organization in the event of an actual or potential merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, including as part of bankruptcy, liquidation, or similar proceeding. 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.
- For such purposes as you may authorize at the time you submit the information, including to any other parties for purposes that are disclosed to you at the time that you provide the information.
- To enforce our policies, Terms of Service, or rights.

We may also use personal information we collected or receive through our Solutions to create aggregated or anonymized information that does not identify you and use that information for any purpose or share it with third parties, in accordance with applicable laws.

### **How We Use Cookies and Other Similar Technologies**

As is true of most websites and online applications, we gather certain information about the use of the Websites and Solutions through cookies and other tracking technologies such as web beacons.

A cookie is a data file that is placed by a website operator on the hard drive of a visitor's computer to their site. Our Websites and Solutions may use first-party cookies (those placed by LINQ) and third-party cookies (those placed by other parties with whom we work) to collect information about your use of the Websites and Solutions.

A web beacon is an electronic image, called a single-pixel (1x1) or clear GIF. Web beacons can recognize certain types of information on a website visitor's computer, such as a visitor's cookie number, time and date of a page view and a description of the page where the web beacon is placed

We may use cookies and web beacons to improve the user experience and facilitate your use of the Websites and Solutions, including by allowing the Websites and Solutions to remember you and your preferences as you browse through different pages, and to allow us to perform site analytics. One of the ways that we do this is using Google Analytics. For more information about how Google Analytics uses and processes data, please visit <https://www.google.com/policies/privacy/partners/>.

We and third parties with whom we work may also place cookies and use web beacons on the Website and Solutions to collect information about your browsing activity over time and across third-party websites and online services and use that information to deliver content relevant to your interests, including our advertisements, on our Websites and Solutions and elsewhere on the internet. We may also use those technologies to understand the usefulness to you of the advertisements and content that has been delivered to you, such as whether you have clicked on an advertisement.

We do not, however, use or disclose information (whether personal information or otherwise) about students that we collect through our Solutions (i) for behavioral targeting of advertisements to students, or (ii) to build a personal profile of a student other than as directed by our clients for their educational or school purposes in connection with their use of our Solutions.



## **Links to Third-Party Websites and Services**

The Websites and Solutions may contain links to other third-party websites and services. These websites and services are not subject to this Privacy Policy. They are not controlled by LINQ and LINQ is not responsible for their content or their privacy policies, which may differ from ours. We have not reviewed and make no representations about the accuracy of information on third-party websites, or about their information handling practices. Visits you make to these websites are at your own risk, and we encourage you to review their privacy policies.

## **Your Choices**

We provide you with certain choices about your information. For example, you may choose not to provide the personal information we request. In some cases, however, if you decide not to provide the information we request, we will not be able to provide the service or information you requested.

Other examples of your choices include:

- You can browse our Websites without registering or directly submitting any information to us. We may, however, collect some limited information automatically, as described above.
- You may opt out of receiving our commercial email messages at any time by using the opt-out mechanism provided in the message.
- You may change your browser settings or take other steps to block, manage, or delete cookies. Our Websites do not currently respond to browser “do not track” signals, so you will need to use your browser settings to effectively manage cookies. In some cases, blocking or disabling cookies may cause the Websites not to work as intended and some features may not be available.
- You may, at any time, request that we update, modify, or delete any inaccuracies in your information by contacting us as described in the “**How to Contact Us**” section of this Privacy Policy.

## **Additional Information for California Residents**

This section of the Privacy Policy applies only to consumers who reside in the State of California (as used in this section, “California resident”, “consumers” or “you”), and to our processing of personal data of a particular consumer or household (“California Personal Information”), and only to the extent we direct the purposes and means of California Personal Information processing and otherwise qualifies as a “business” under the California Consumer Privacy Act of 2018 (“CCPA”). It does not apply to information we collect, disclose, or otherwise process as a “service provider” under CCPA on behalf of our Clients and business partners. In that case, our Client’s privacy policy governs the use of the personal information. Accordingly, this portion of the Privacy Policy only reflects how we collect, use, disclose, or otherwise process personal information for our own purposes, both online and offline.

California Personal Information does not include, and this section does not apply to, information that is subject to exemptions or exclusions under the CCPA, including:

- Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
- Publicly available information from government records;



- Deidentified or aggregated consumer information;
- Personal information relating to California residents with whom we transact or communicate solely in the context of engaging in due diligence regarding, or providing or receiving a product or service to or from, an organization and the California resident is acting as an employee, owner, director, officer, or contractor of the organization; and
- Personal information, emergency contact information, and benefits administration information we collect about a California resident in the course of that California resident acting as our job applicant, our employee, our owner, our director, our officer, our medical staff member, or our contractor to the extent we use that information within the context of that California resident's role as our job applicant, employee, owner, director, officer, medical staff member, or contractor.

### **California Personal Information We Collect**

We have collected the following categories of California Personal Information from consumers in the last 12 months:

- Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)), such as name, address, telephone number, education, employment, employment history. Some personal information included in this category may overlap with other categories.
- Identifiers such as your real name, alias, postal address, zip code, telephone number, email address, or other similar identifiers.
- Unique and online identifiers such as device identifiers, internet protocol addresses, cookie identifiers, beacon identifiers, pixel tags or mobile ad identifiers or similar technology, or other forms of persistent or probabilistic identifiers that can be used to identify a particular consumer or device.
- Commercial information that identifies or could reasonably be linked to you, such as products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- Internet or other electronic network activity information identifies or could reasonably be linked to you, such as browsing history, search history and information regarding an individual's interaction with an internet website, application, or advertisement.
- Geolocation information, such as your specific, real-time physical location or precise movements while you access our sites or apps if you have enabled location services on your device.
- Sensory data, such as audio, electronic, visual, or similar information.
- Professional or employment-related information, such as your employer and job title.
- Inferences drawn from personal information, such as person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, or aptitudes.

### **Sources of California Personal Information**





We obtain the categories of California Personal Information that we collect as indicated above from the following categories of sources:

- Directly from you, including when you provide information to us.
- Indirectly from you, such as through logging and analytics tools, cookies, pixel tags, and other automatic data collection tools that we use on our website.
- From third parties, such as our service providers, other business partners, public sources, data resellers, and third-party websites.

### **Use of California Personal Information**

We may use the categories of California Personal Information listed above that we collect for the business and commercial purposes described in the [Information We Collect and Receive through Our Websites](#) and [Information We Collect and Receive through Our Solutions](#) sections of this Privacy Policy.

### **Sharing California Personal Information**

We may share your California Personal Information with third parties as described in the in the [Information We Collect and Receive through Our Websites](#) and [Information We Collect and Receive through Our Solutions](#) sections of this Privacy Policy. In the preceding 12 months, we may have disclosed the categories of California Personal Information listed above to the categories of third parties identified below for a business purpose:

- Our service providers, affiliates and subsidiaries;
- Other third parties to whom you or your agents direct us to disclose your California Personal Information; and
- Other third parties to protect our legal rights, to comply with legal requirements, as required by law, to carry out a merger, sale, joint venture, or other transaction involving a transfer of our business or assets, or with your prior consent.

In the preceding 12 months, we have not sold California Personal Information. We do not sell your California Personal Information, and we do not have actual knowledge that we sell California Personal Information of consumers under 16 years of age.

### **California Personal Information Rights and Choices**

The CCPA provides consumers with specific rights regarding their California Personal Information. This section describes those rights and explains how to exercise those rights.

- [Access to Specific Information and Data Portability Rights](#). You have the right to request that we disclose certain information to you about our collection, use, and disclosure of your California Personal Information over the past 12 months. If we receive and confirm a verifiable consumer request from you pursuant to the Exercising Access, Data Portability, and Deletion Rights section below, we will disclose one or all of the following depending on the scope of the request:
  - o The categories of California Personal Information we collected about you.



- o The categories of sources for the California Personal Information we collected about you.
  - o Our business or commercial purpose for collecting California Personal Information about you.
  - o The categories of third parties with whom we shared your California Personal Information.
  - o The specific pieces of California Personal Information we collected about you.
  - o If we disclosed your California Personal Information for a business purpose, a list of the disclosures for a business purpose identifying the categories of California Personal Information disclosed to those parties in the preceding 12 months.
- Deletion Request Rights. You have the right to request that we delete your California Personal Information, subject to certain exceptions. Once we receive and confirm your verifiable consumer request pursuant to the Exercising Access, Data Portability, and Deletion Rights section below, we will delete your California Personal Information from our records in accordance with CCPA requirements, unless an exception applies.
  - Exercising Access, Data Portability, and Deletion Rights. To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:
    - o Calling us at 888-GO4-LINQ
    - o Emailing us at [info@linq.com](mailto:info@linq.com)

Only you, or an individual or entity that you authorize to act as your agent, may make a verifiable consumer request related to your California Personal Information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. Your request must provide information sufficient to verify you are the person about whom we collected California Personal Information. In order to verify your request, we may ask you to provide information such as your first and last name, email address, mailing address, telephone number, or any other information necessary to verify your identity. Your request also must include sufficient detail for us to properly understand, evaluate, and respond to it.

You may designate an authorized agent to submit requests on your behalf through a valid power of attorney in certain circumstances or through signed written permission that authorizes the agent to act on your behalf. We may require additional information when requests are submitted through an authorized agent, such as requiring the submission of signed written permission for the agent to act on your behalf, requiring you to verify your identity directly with us, and requiring you to confirm the authorized agent's permission to act on your behalf directly.

We cannot respond to your request or provide you with California Personal Information if we cannot verify your identity or authority to make the request and confirm the California Personal Information relates to you.

Making a verifiable consumer request does not require you to create an account with us. However, if you have a password-protected account with us we consider requests made through that account sufficiently verified when the request relates to California Personal Information associated with that specific account.



Any disclosures we provide will only cover the 12-month period preceding our receipt of the verifiable request. If we cannot fulfill, or are permitted to decline, your request then we will alert you or your authorized representative. For data portability requests, we will select a format to provide your California Personal Information that is readily usable.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision, and we reserve the right to either refuse to act on your request or charge you a reasonable fee to complete your request if it is excessive, repetitive, or manifestly unfounded.

- **Non-Discrimination.** You have a right to not receive discriminatory treatment for exercising your access, data portability, and deletion rights described above. Except to the extent permitted by the CCPA, we will not deny you, or charge you different prices or rates for, goods or services or provide a different level or quality of goods or services for exercising the rights described above.

### **Modifications and updates to this Privacy Policy**

We may update this Privacy Policy to reflect changes in our privacy practices at any time and without notice to you. When we do so, we will update the Effective Date of the Privacy Policy, above. We encourage you to periodically review this Privacy Policy for the latest information about our privacy practices. We will notify you about material changes in the way we treat personal information by sending a notice to the primary email address specified in your account or by placing a prominent notice on our site, and will give you the opportunity to exercise choice before your personal information is used in any manner that is inconsistent with the uses set out in this Privacy Policy at the time we collected the information.

### **How to Contact Us**

If you have any questions or comments regarding this Policy or our privacy practices, please contact us at:

**EMS LINQ, Inc.**  
2528 Independence Blvd., Suite 200  
Wilmington, NC 28412  
Email: [info@linq.com](mailto:info@linq.com)  
Telephone: 888-GO4-LINQ