



# Privacy Policy

ClipShout knows that you value your privacy. Your privacy is important to ClipShout, too. Our Privacy Policy explains how information is collected, used, and disclosed by ClipShout, ("We", "Our", or "Us"). Please take a moment to read ClipShout's privacy practices and contact ClipShout with any questions. By accessing or using our Services you acknowledge that you have read this Privacy Policy, and agree to be bound by the terms and conditions described herein, as well as our ClipsShout User Agreement. This privacy policy and our ClipsShout User Agreement ([https://clipshout.com/user\\_agreement](https://clipshout.com/user_agreement)) between you and ClipShout, its subsidiaries, affiliates, and third-party associates ("ClipShout.com").

This Privacy Policy may occasionally be updated. If there are any material changes, including a change to your rights under this Privacy Policy, we will provide notice and request acceptance through the service. By directly agreeing to the changes, or continuing to use ClipShout after the revised Privacy Policy has become effective, you consent to changes in the Privacy Policy. ClipShout encourages you to regularly check the date of this policy and review any changes made since the last time you used the Services.

While using ClipShout, you may interact with Third Party Services, these third parties have their own privacy policies, and We encourage you to carefully review the privacy policies of any

Third Party Services before you access or provide them with personal information.

Effective Date: February 16, 2021

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## **What Kinds of Information Do We Collect?**

In order to provide our services, we collect information. As used in this Privacy Policy, personal information is information that specifically identifies an individual, such as an individual's name, address, telephone number, e-mail address, username, password, IP address, cookie information, and other details. We receive information about you from various sources, including: (i) if you register for the Website and the Services, through your user account on the Services (your "Account"); (ii) your use of the Services generally; and (iii) from third party websites and services. When you use the Services, you are consenting to the collection, transfer, manipulation, storage, disclosure and other uses of your information as described in this Privacy Policy. By accessing or using ClipShout, you acknowledge that you have

read this Privacy Policy, and agree to be bound by the terms and conditions described herein, including ClipShout's User Agreement.

The information We gather enables Us to improve and continue to operate ClipShout. In connection with certain educational aspects of ClipShout, We may request, collect, use, share, and/or display some of your personal information.

## **How Student Data is Collected and Used**

We take our role as stewards of Student Data very seriously. All sections of this Agreement are limited based upon the restrictions on the collection, maintenance, sharing or use of Student Data as set forth in this section.

"Student Data" is any information (in any format) that is directly related to any identifiable current or former student that is actually maintained by a School or would customarily be maintained by a school, and may include "educational records" as defined by the Family Educational Rights and Privacy Act ("FERPA"), as well as any data about an individual under 18 years of age that teachers, schools or school districts ("Schools") or individual students provide to us, whether directly or through a third party service (such as, but not limited to, Google Classroom). While we may need to access Student Data to provide the Services, Schools remain responsible for it. Student Data is also subject to the other provisions of this Privacy Policy. You agree to fulfill any responsibilities under the Family Educational Rights and Privacy Act ("FERPA"), the Protection of Pupil Rights Amendment ("PPRA"), and the Children's Online Privacy and Protection Act ("COPPA"). You also agree that Student Data is subject to the ClipsShout User Agreement and Privacy Policy. We provide the Services under the school official exception of FERPA 34 CFR

Part 99.31(a)(1). The Children's Online Privacy and Protection Act ("COPPA") requires that online service providers obtain clear and verifiable parental consent before collecting personal information from children under 13. You represent and warrant that you have the authority to provide any Student Data, and where necessary, that you have obtained consent on behalf of parents for us to collect, use and share information from students for the purpose of providing the Services to you as described in these Terms of Use and Privacy Policy before allowing children under 13 to access our Services. We recommend that all Schools provide appropriate disclosures to students and parents regarding their use of service providers such as, but not limited to, Clever and that they provide a copy of our Privacy Policy to parents and guardians.

Student Data will only be collected, used, shared and/or retained to fulfill an Educational/School Purposes. "Educational/School Purposes' are services or functions that customarily take place at the direction of the educational institution/agency or their teacher/employee, for which the institutions or agency would otherwise use its own employees, and that aid in the administration or improvement of educational and school activities (e.g., instruction, administration, and development and improvement of products/services intended for educational/school use)." ClipShout only collects, maintains, uses or shares Student Data when it is necessary for Us to facilitate and fulfill Our Educational/School Purposes.

## **We collect information you provide to us.**

For example, we collect information when you create an account, purchase a subscription, participate in public discussions, or otherwise communicate with us.

The types of personal information you may provide includes:

- Contact information (such as name and email address);
- Payment information (including billing address, and bank account information);
- Account log-in credentials (username, password, etc.);
- Profile information (whether you are a student/instructor/ other and what grade you are in/teach);
- User content (user provided content to the Services, such as written comments, discussion questions, or other materials and content)

If you access ClipShout through third party credentials, we may automatically collect certain information, such as your name, and email address. We will use all information available through these third parties in accordance with their policies and your preferences selected. The information we collect from accounts from third parties depends on what information you provide those accounts with and the privacy settings you've set. In the future, ClipShout may integrate with other location-based services. You may also provide us with additional information at your option.

**We also automatically collect information about your interactions with, and use of the Services as well as devices on which the Services are used and accessed.**

#### *Device Information*

ClipShout may collect certain information that your mobile device sends when you use the Services, like a device identifier, user settings, and the operating system of your device, as well as information about your use of the Services while using your mobile device. ClipShout may also use location information to improve the Services for all users. You may stop sharing your

location data by adjusting your mobile device's location services settings. For instructions on changing the relevant settings, please contact your service provider or device manufacturer.

*Information from the use of the service*

Generally, ClipShout automatically collects usage information, such as the number and frequency of visitors to the Website. This includes general usage statistics, including, but not limited to, information such as how often you use ClipShout, how long you visit the website, or when you perform certain actions that ClipShout finds interesting. We may use this data in aggregate form, i.e., as a statistical measure. This type of aggregate data enables Us and third parties authorized by Us to figure out how often individuals use parts of the Services, so that We can analyze and enhance the experience of using ClipShout's services for future users. The aggregate statistics characteristics are also utilized to examine a broader category of people (for example, which video clips are most visited, or seem to be most helpful for a certain grade level). This derived information is anonymized and used to improve and personalize the recommendation services ClipShout provides to you and our other users. All anonymized and/or aggregated data will not be linked to any Student Data of ClipShout's users.

ClipShout may also use data collected from the use of the service as follows:

For all non-student accounts, We may use forms of automated processing to show you personalized content and make recommendations through the web and/or email based on, but not limited to, your usage, subject area, school and country. We may also ask instructors to vet certain content based on their educational field before assigning the videos to students.

For student accounts, We may use profiling or other forms of automated processing to provide your teacher or teachers with analytics on your progress, depending on the videos you have watched and responses to quizzes you have submitted. For Educational / School purposes as described in our Student Data section, We may also recommend videos on student's dashboards based on the student's grade level and selected class subjects on the student's profile. to web browser-based or other do-not-track ("DNT") mechanisms, We do not respond to web browser-based DNT signals at this time.

### *Cookies*

When you use the Service, We may send one or more cookies – small text files containing a string of alphanumeric characters – to your computer. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser, and the cookie may be used by your browser on subsequent visits to the Service. Persistent cookies can be removed. Please review your web browser "Help" file to learn the proper way to modify your cookie settings. Like many services, We use cookies to store temporary user preferences on the website. For example, we store users' web sessions so they don't have to log in every time they visit a new page on the website. When a user joins a live discussion, we use cookies to store a random, temporary ID so they can participate in the discussion in real-time. We use cookies to prevent notices from being displayed that users have dismissed. This is the extent to which we use cookies. We don't use them for any tracking, and we don't use cookies across websites. Please note that if you delete, or choose not to accept, cookies from the Service, you may not be able to utilize the features of the Service to their fullest potential.

# How Do We Use the Information We Collect?

Generally, we use and disclose the information we collect to provide the Services, to communicate with you, to facilitate changes to or transfers of our business, as required by law, or with your consent.

ClipShout's right to use your personal information includes but is not limited to such cases described below:

- 1 To send you important information about ClipShout;
- 2 To personalize the experience of teachers and other non-student profiles;
- 3 To fulfill your requests;
- 4 To process payments;
- 5 To provide customer service;
- 6 To create backups and allow for disaster recovery;
- 7 To comply with legal obligations;
- 8 To troubleshoot our Services or enforce our terms of use and privacy policy;
- 9 To send you account notifications and updates about your Services;
- 10 To encourage feedback;
- 11 To maintain user accounts;
- 12 To detect and protect against error, fraud, malicious activity, or other suspicious or criminal activity;
- 13 To authenticate your identity and access to the Service;
- 14 To de-identify data to create aggregate information which we may use for analytical or educational purposes. In no case will Student Data be used beyond the purposes described in the Student data section above.

## Sharing Content with Third Party Services

We are not in the business of selling or leasing your information: WE DO NOT SELL, LEASE, OR SHARE YOUR PERSONAL INFORMATION TO ANY THIRD PARTY FOR ADVERTISING OR MARKETING PURPOSES! WE DO NOT SHARE PERSONAL INFORMATION EXCEPT AS EXPRESSLY PROVIDED IN THIS POLICY. There are, however, a few limited ways that We share some of the information We collect with others that you should be aware of, as follows:

ClipShout includes features that allow users to communicate in a variety of ways. Any personally identifiable information that you voluntarily choose to share with another user through the Service, or in a publicly accessible area on the Service, such as by sharing User Content with another user, will be available to other users who access that content. Once you make your personal information available in this way, We cannot control how the recipient uses that Content.

## ClipShout's Third Party Service Providers

We work with third party services to provide website development, hosting, and maintenance as well as other services for Us. Only to the extent it is necessary for these service providers to complete their contractual obligations to Us, these third parties may have access to or process limited amounts of your personally identifiable information. Below is a list of the service providers which, subject to their terms of service and privacy policies as linked below, may have access to personal information to process on Our behalf in accordance with Our instructions, Privacy Policy and any other requirements regarding confidentiality, security or integrity:

- Amazon Cloud Platform (hosting Our servers and databases)
- Google Analytics (analytics reporting across Our service)
- Stripe (payment processing)
- WingClips (our affiliate site and content provider)
- Google / Google Classroom (user authentication and video sharing)

We may make certain automatically collected and other aggregate non-personally identifiable information to assist such parties in understanding Our users' interests, habits, and usage patterns for certain programs, content, services, promotions, and/or functionality available through the Service.

ClipShout may feature direct integration with a variety of social networking services such as Twitter or Facebook, enabling users to share the activities tracked by ClipShout with those services. The choice to share data collected by ClipShout with these services is an optional feature of the ClipShout Services. ClipShout will only share information with social networking services that the user chooses to share. Users are responsible for the content they choose to share, and are bound by the respective terms of service and privacy policy for each social networking service. ClipShout has no responsibility to provide or maintain integration with any particular third party service.

## **Who Do We Share Personal Data With?**

ClipShout has the right to disclose, share, or transfer your personal information to others in such cases described below:

- 1 We may share your information when you give Us your consent to do so, for example, when We tell you that the

information you provide will be shared in some way and you provide Us that information.

- 2 We may share your information with social networking services when you give Us your consent to do so with social networking services the user selects.
- 3 We may share your information with our partners, service providers and other entities with which we conduct business, and as otherwise specified in this Privacy Policy for the purposes described in this Privacy Policy. You understand this includes, but is not limited to the use of third-party payment processor(s) for payment, analytics, and other business services. A third party payment processor may collect personal information from you directly or We may share information with the third party for the purpose of completing the payment transaction for services you've purchased on ClipShout. The third party payment processor may collect other identifying information to operate and improve services provided to us, including fraud detection. If you want to have your personal information removed from the third party payment processor please contact the payment processor directly. You can learn more about Stripe and read its privacy policy [here](#).
- 4 We may share your information with employees or contractors of ClipShout, but only to assist them in fulfilling their functions as employees or contractors.
- 5 We may share anonymous aggregated information, including, but not limited to, the information described above, with third parties.
- 6 When it is required to do so by law, such as in response to a subpoena or where a parent requests copies of children's personal information, or in the good-faith belief that such action is necessary to comply with state and federal laws (such as U.S. Copyright law), or in response to a court order, judicial or other government subpoena or warrant, or to

otherwise cooperate with investigative or law enforcement activity.

- 7 In the event that all or a portion of ClipShout or its assets are acquired by or merged with a third party, Student Data that we have collected from student users would be one of the assets transferred to or acquired by that third party. This Privacy Policy will continue to apply to all Student Data, and any acquirer would only be able to handle any Student Data as per this policy (unless you give consent to a new policy). We will provide all student users with notice of an acquisition within a reasonable time, following the completion of such a transaction, by posting on our homepage, and by email to your email address that you provided to us. If you do not consent to the use of your personal information by such a successor company, you may request its deletion from the company. In the unlikely event that ClipShout goes out of business, or files for bankruptcy, we will protect your personal information, and will not sell it to any third party.
- 8 For all other non-student users in connection with any merger, transfer or sale of company assets, financing, acquisition, or similar transaction or circumstance.
- 9 To enforce or apply Our Privacy Policy, our Terms of Use or Our other policies or agreements.

## **Limitations on Data Retention and Account Termination**

We will retain your personal information only for the length of time needed to fulfill the purposes outlined in this privacy policy, unless a longer retention period is required or permitted by law. Any Student Data stored in backups will be kept for a maximum of 7 days, after which the backup data will then be deleted.

## **The Security of Your Information**

We employ administrative, physical, and electronic measures designed to protect your information from unauthorized access. However, despite those efforts, no security measures are perfect or impenetrable, and no method of data transmission can be guaranteed against any interception or other type of misuse.

## **Children and Our Services**

In addition to the data practices described within this Privacy Policy, the Children's Online Privacy Protection Act of 1998 and its rules (collectively, "COPPA") require us to inform parents and legal guardians ("parents") about our practices for collecting, using, and disclosing personal information from children under the age of 13 ("children"). It also requires us to obtain verifiable consent from a child's parent or school for certain collection, use, and disclosure of the child's personal information.

This section notifies parents and schools of:

- The types of information we may collect from children;
- How we use the information we collect as outlined above;
- Our practices for disclosing that information;
- Our practices for notifying and obtaining consent when we collect personal information from children, including how a parent may revoke consent; and
- Information on all operators that collect or maintain information from children through this website.

This section only applies to children under the age of 13 and supplements our general privacy policy shown here. Users under 13 are only permitted to create an account via their school as described below, and are not permitted to create individual accounts outside of their school related account, even with parental permission.

## **Obtaining Consent from Parents for the Collection of Personal Information**

To create an account on the ClipShout Service, ClipShout relies on the student's school as described in the Student Data section below. The school understands and agrees that by facilitating the creation of accounts for children under the age of 13, it has all appropriate rights to student data to (a) provide information about the child (b) consent and agree to follow the Service's Terms of Use, and (c) consent and agree to the Site's practices in collecting and using personal information from children under 13 years of age as specified in the Privacy Policy and this COPPA Notice, including the Student Data provision.

A parent's or guardian's affirmative consent, as evidenced by a completed and signed Consent Form, means that such parent or guardian consents to the collection, use and disclosure of the personally identifiable information of his or her child in accordance with this COPPA Notice, the Privacy Policy, the Terms of Use.

## **Information We Collect from Children**

We may obtain information from the school that creates the child's account, including identifiable information such as first name, last name, date of birth, gender, telephone number, email address, and address. We may also collect or obtain information as described otherwise in this Privacy Policy.

## **Accessing and Correcting Personal Information for Children under 18 and Students**

At any time, all student users, children under the age of 18, their authorized parent/guardian or their school may review the student's personal information maintained by Us, and require Us to correct or delete the personal information, and/or refuse to

permit Us from further collecting or using the personal information.

You can review, change, or delete personal information by:

- Logging into the account and visiting the account's profile page.
- Sending us an email at [contact@clipshout.com](mailto:contact@clipshout.com). To protect your privacy and security, we may require you to take certain steps or provide additional information to verify your identity before we provide any information to make corrections.

## **Your Data Collection Choices**

### **Tracking Technologies**

You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of the Services may then be inaccessible or not function properly.

### **How We Respond to "Do Not Track" Signals**

Do Not Track (DNT) is a privacy preference that users can set if they do not want web services to collect information about their online activity. However, there is currently no universal standard for sending and receiving DNT signals. Due to this lack of universal standard, it would be impossible for Us to promise that We comply with all known and unknown DNT standards.

Therefore, ClipShout does not in any way monitor or respond to DNT signals or other mechanisms that provide a choice regarding

the collection of personally identifiable information about activities over time and across different Websites or online services.

If a universal standard for DNT becomes available We may revisit our DNT Policy.

## **Other Sites**

ClipShout may contain links to other services, apps, and sites not operated by Us (we refer to these as "Other Sites"). Any information you provide on those Other Sites is provided directly to whoever owns that site and is subject to their privacy policy. Our Privacy Policy does not apply to those Other Sites, and We are not responsible for the content you provide to, or the privacy and security practices and policies of, Other Sites.

## **California Residents' Rights**

Notice to California's Residents: California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes during the previous calendar year.

To make such a request, please send an email to [contact@clipshout.com](mailto:contact@clipshout.com) and include the phrase "California Privacy Request" in the subject line, or write us at:



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## Questions

Any information that is collected is subject to Our Privacy Policy in effect at the time such information is collected. We may, however, modify and revise Our Privacy Policy from time to time. In the event of a modification to the Privacy Policy, ClipShout will send a notification to you through email that a change has occurred. It is required that you accept the revised Privacy Policy before continuing to use the Services. By accepting changes to the policy, you are agreeing to be bound by the revised policy.

If you have any questions or requests related to this Privacy Policy, please contact us at [contact@clipshout.com](mailto:contact@clipshout.com).