



Data Privacy Statement

This Data Privacy Statement describes how Foundry College ("Foundry," "Foundry College" "us," "we," or "our") collects, uses, or distributes "Personal Information" through our online interfaces (e.g., websites, databases and applications) owned and controlled by us, including but not limited to the FORGE (collectively referred to herein as "Site").

Please read this Data Privacy Statement with care. If you do not understand the Data Privacy Statement, or some aspect within the Data Privacy Statement, please feel free to contact us at privacy@foundrycollege.org. Your use of our Site is also governed by our Terms and Conditions. Terms used but not defined in this Privacy Statement can be found in our [Terms and Conditions](#). Foundry College is a Delaware corporation with a principal place of business at 100 Bush St. Suite 1812, San Francisco, CA 94104.

Foundry College reserves the right to regularly update this document. The date of the latest update is included in the footer. If we make a change to this Data Privacy Statement, we will post such changes on our website.

Terms

"Personal Information" means any information about an individual who could be reasonably identified by the information, or who is either directly or indirectly identified by the information. Personal information includes any information relating to an individual's personal identity (e.g. gender, age, income, home address, personal phone number, identification number, location data, an online identifier such as IP address, ethnic background, family status, etc.), health (e.g. health history, health conditions, health services received, etc.), or activities, religious or political views.

This Data Privacy Statement does not apply to any information through which you are not individually identifiable. This includes information collected in aggregate or information that has been de-identified.

"Offerings" means any service available to students via admission, application, registration, enrollment or request. Examples include courses, coaching services, workshops, etc.

What Does this Data Privacy Statement Cover?

This Data Privacy Statement covers information Foundry College collects from you through our Site. In using our Site or participating in our offerings, you may need to submit, or we may collect data from you that includes your Personal information. You are responsible for ensuring the accuracy of all Personal Information you submit to us. Inaccurate information will impede your ability to use our Site and pursue our Offerings. For example, you must establish a Google Account with email address through which we will conduct all official communications. You will also use this email account to access all course offerings.

Consent to Collect and Process Personal Information

By using our site, you are providing Personal Information to us either actively (e.g. through what you directly share with us, visually, orally or in writing, etc.) or passively, through what we collect (e.g. login data, browser data, IP address, etc.) By providing any Personal Information to us or sharing Personal Information with others (including sensitive information) using our Site, you agree to the storage and processing of that Personal Information by us in accordance with this Data Privacy Statement and any applicable agreement you have with us that allows us to store and process Personal Information about you. When you provide information, that information may reside on our or our service providers' systems. You understand and agree that Personal Information collected through our Site may be stored and processed by us as well as our affiliates and service providers, and the laws of the jurisdiction in which the information is stored and processed will apply to its storage and processing.

Foundry College recognizes the following as the legal bases for using your personal information as set out in this Data Privacy Statement:

- using your Personal Information is required to perform our contractual obligations to you (i.e., to comply with the Terms and Conditions of our Site, and/or to comply with our contract to provide Offerings to you, your employer, or other organization that may be providing you with access to our Offerings); or
- using your Personal Information is required for complying with our legal obligations; or using your Personal Information is required for our legitimate interests as well as the legitimate interests of others. Our legitimate interests are:
 - to run, grow and develop our business;
 - to operate our Site and provide our Offerings;
 - to select qualified suppliers;
 - to build relationships with business partners as well as academic institutions;
 - to conduct research, including statistical analyses;
 - to undertake marketing and business development; and
 - to conduct administrative tasks
 - to perform audits and related processes.
- consent, to send you certain communications or where you submit certain information to us, or where required to rely upon consent by local law.

Which of these legal bases applies to a given activity depends on both the type of Personal Information used and the context in which it is being used. We may process your personal information in some cases for marketing purposes.

Data Collection

We may collect personal information from you in the following ways:

General Correspondence

We may collect Personal Information about you if you contact us by email, mail or via social media. We may retain the contents of the correspondence, along with our response. We collect information

automatically using technology when you visit our Sites or social media pages or when you open one of our emails as described in this Data Privacy Statement.

Application & Admissions Process

In applying to Foundry College, and going through the admissions process, you will be required to provide us with Personal Information, including your name, email address, copy of government-issued ID, and other Personal Information.

Admissions, Enrollment and Registration

Upon registration you may be required to provide us additional information that may include your name, email address and other Personal Information. In addition, you will be required to create a Google Account and Gmail address which you must use for all official communications on our Site. You will use your official Gmail address to access courses and course content on our Site (e.g. the FORGE and the Google Student Drive).

You may provide information beyond what is required at registration on our Site. For example you may participate in focus groups or surveys. Providing this additional information is voluntary, but doing so may enable you to gain more benefit from our offerings.

Emails and Updates

You will receive emails including updates regarding our program and offerings if you choose to enroll in one of our Offerings. In order to receive these, you will be required to provide us with Personal Information.

Participation in Offerings

Foundry College offers users the opportunity to participate in Offerings on or through our Site. If you desire to participate in one of our Offerings, you will be asked to provide us with certain information necessary to provide you with the Offering. This information includes, but is not limited to your name, email, and password information but may also include access to your audio and video feeds, Internet connectivity data, or other data commonly used with that Offering.

In addition, if you participate in an offering (e.g. course, workshop or seminar) that is conducted on the FORGE, we require you to provide a profile picture (this can be an avatar) to participate in classes. Others will see the name you provide and your avatar or photo during class. When you speak or post a comment during one of our Offerings, you share information with your comment along with your name with others using the Offering or who have access to the Offering.

All offerings conducted on the FORGE through Foundry College are recorded (audio and visual) and therefore are viewable by anyone with login access to the Student Drive where recordings are hosted. Students are required to have their video feed on during class. The recordings are also transcribed in order to convert audio into text transcription of each class.

If you participate in one of our Offerings, we may collect information regarding your logins, overall attendance, and duration of attendance during class, class participation (e.g. responses to poll questions, chats, participation during breakout groups on shared documents, etc.), assignments, exams and quizzes, or other data commonly used with that Offering.

Surveys

We may receive Personal Information when you provide information in response to a survey we offer.

Technical Support Services

Information collected through the use of our technical support service through tech@foundrycollege.org or through the “help chat” function on the FORGE is intended to help resolve issues as quickly as possible, and to ensure that you can be notified of the progress of any issues that you describe. Disclosing Personal Information to Technical Support Operators is voluntary, but doing so may enhance the user experience and functionality of our Site.

Google Analytics

“Google Analytics,” is a tool that we use to collect information such as how often users visit our webpage, what pages are visited, and what other pages were visited previously. Google Analytics collects the IP address assigned to you on the date you visit the Site. It does not collect your name or other Personal Information. Google Analytics also collects information, such as the type of web browser and operating system you use, your browser resolution, and network location. We do not combine the information collected through the use of Google Analytics with your Personal Information.

Additional Third Party Services

We use third-party service providers to help analyze, develop, optimize and improve our Site and Offerings as well as to facilitate the functioning of our Site and offerings. Sometimes we collect or share data, including Personal Information, as necessary in using these services. In all cases, we only collect, use or share Personal Information with third-parties as necessary for these purposes, and we only use third-party service providers who adhere to strong, FERPA compliant security policies. For a list of our third-party service providers please see our [Service Provider Security Statement](#).

Cookies and Web Beacons

With the exception of our website <https://foundrycollege.org/>, we do not use cookies to track data about our users. We use cookies on our website to enhance the user experience and you can accept, decline, or control these in your settings.

Third-party services that we incorporate into our course offerings or who we have partnered with for our course offerings might use cookies that can make their way into your browser via our Site. For example:

- We use Google documents for student interaction. This may cause Google-based cookies and other artifacts to make their way into your browser.
- We sometimes embed YouTube or Vimeo videos into our lectures. This may cause YouTube or Vimeo cookies and other artifacts to make their way into your browser.
- We sometimes direct users to surveys hosted by Google forms (or potentially other platforms). These could add cookies or other artifacts into your browser.
- Google Analytics plants a permanent cookie on your web browser to identify you as a unique user the next time you visit the our Site. The cookie cannot be used by anyone but Google. Google’s ability to use and share information collected by Google Analytics about your visits to the Site is restricted by the Google Analytics Terms of Use and the Google Privacy Statement.

You can prevent Google Analytics from recognizing you on return visits to the Site by disabling cookies on your browser. Please note that disabling cookies may impede your ability to use the full functionality of our Site.

How We Use Your Personal Information

We collect information about you for the following purposes:

Access

We use Personal Information which you provide to us in order to allow you to access and use the Site and in order to provide any information, products, or Offerings that you request from us.

Technical Support

We may use Personal Information to provide technical support to you, where required, and to ensure the security of our Offerings and the Site.

Product Development and Research

Personal information is used to improve our Site and determine new features to enhance your experience as a user or student in one of our programs.

Student Progress and Coaching

Personal Information (e.g. attendance figures, quiz results, challenges passed, etc.) is used to support you, our students, as you progress through our program. Low attendance and poor performance is flagged so that our coaches and student support team can offer guidance toward improvement.

Updates

We use Personal Information collected when you apply, register or enroll for any of our offerings to send you the messages in connection with the Site or Offerings. We may also archive this information and/or use it for future communications with you, where we are legally entitled to do so.

Offerings

We use the Personal Information that we collect from you when you participate in one of our Offerings through the Site for processing purposes, including but not limited to tracking your attendance, progress, and completion of assignments, courses, workshops, etc.. We may also share your Personal Information and your performance in a given Offering with the faculty (Professor(s) or instructor(s)) who taught it, teaching assistants, instructional designers, or other individuals designated by the instructor or instructors to assist with the creation, modification, or operation of the Offering. We may also use the information generated when taking an Offering to predict your performance in this and future offerings. This enables us to provide you with coaching services that facilitate your success in our program. In some cases, we archive this information and use it for future communications with you, where we are legally entitled to do so.

Non-Production Environments

We use your Personal Information for the purposes of training staff, testing and developing our Site, as well as for the purposes of marketing and advertising. For example, students first and last names and

images (either profile photo or avatar) are used for training and marketing purposes. All students agree to their Personal Information being used for these purposes as a condition of enrollment at Foundry College and to participate in our Offerings. We do not use Personal Information to market or advertise to you on the FORGE.

How We Share Information

In some cases, we may share your information with third parties who are not our partners or service providers. We may share with these third-parties in the following situations:

- We have your written consent to do so; or
- We can reasonably assume that access, use, preservation or disclosure of your Personal Information is necessary to (a) satisfy governmental requests, legal processes or regulations, or any applicable law (b) uphold the terms and conditions of this Data Privacy Statement or any applicable user agreement or agreement with you, (c) investigate potential violations of this Data Privacy Statement or any applicable user agreement or agreement with you, (d) identify, prevent, or address fraud, security or technical issues, or (e) prevent infringement of the rights, property or safety of us, our users or the public as required or permitted by law.

We may also disclose information to our payment processors, auditors, commercial partners, customer support providers, marketing and public relations companies, and operational services providers as necessary in order to provide our Site and Offerings to you.

Mergers, Acquisitions and Reorganizations

Should Foundry College merge with, or be acquired by, another company, you consent to the successor company having access to the information maintained by our Site. In the case of a merger or acquisition, the successor company would continue to be bound by this Data Privacy Statement unless and until it is amended.

Except as part of the sale, merger or reorganization of all, or substantially all, of our assets, we will not sell, trade, or rent your Personal Information to third parties who are not our partners or service providers unless we have your consent.

Information You Share with Others

Offerings on our Site offerings may enable you to share information with or send communications to other users (e.g. classmates) or the general public. Once you share information with or send information to other users, those other users may share your information at their discretion, unless protected by other laws or policies applicable to Foundry College.

Retention and Disposition of Personal Information

Foundry College retains Personal Information only for the length of time necessary for the purposes for which it is collected and processed. This length of time depends on the purposes for which we collect and use it, or as required to comply with applicable laws or to establish, exercise, or defend our legal rights.

In creating our data retention schedule, we ensure adherence to applicable laws and operational best practices. You can access our data retention schedule [here](#).

Communications

We may communicate with you through email or other means available (e.g. on the FORGE). We may send emails that help inform you about features of our Site or other Offerings, and we may also send you service messages related to the function of our Site or our programs. We may send you messages with promotional information directly or on behalf of our partners.

If you sign up for workshops, mailing lists or other marketing initiatives through our Site, employees of Foundry College may contact you with information about our offerings and promotions that may be of interest to you. We may offer conferences, events, Webinars, product trials, contests or other marketing initiatives with certain partners. If you sign up for one of these initiatives, the information you submit upon sign-up is shared with the relevant partner(s).

Protection of Children's Personal Information

Foundry College does not knowingly collect Personal Information from anyone under 13 years of age and no part of our Site is directed to or intended for persons under 13 years of age. Any use or access by anyone under the age of 13 is prohibited. We do record audio and visual data from our courses. Parents of children under 13 years of age acknowledge and expressly consent to the collection of recorded material involving their children, should these children appear on camera during a course lecture or breakout activity. If you are a parent who needs to tend to a child during class, we recommend turning off your camera and audio feed for that interaction. If you do not, that interaction will be recorded. We will take appropriate measures to purge any Personal Data of persons less than 13 years of age that has been collected on our Site without verified parental consent upon learning of the existence of such Personal Data.

Information Security

Foundry College is committed to using operational best practices to ensure the security of your Personal Information and is IKeepSafe certified for FERPA compliance. We take appropriate measures to protect against the unauthorized access, alteration, disclosure or destruction of data. Measures that we take include internal security audits (of data collection, storage, processing practices etc.) as well as strong security measures (e.g. appropriate encryption and physical security measures) to prevent unauthorized access to our systems and storage locations for Personal Information.

We restrict access to Personal Information only to those who need to know that information in order to process it on our behalf, such as Foundry College employees and contractors, who are bound by confidentiality obligations and subject to disciplinary action, up to and including termination, as well as civil action and criminal prosecution, for failing to meet these obligations. All Foundry College all employees and contractors undergo criminal background checks.

While we strive to eliminate risk relating to the misuse of, or unauthorized access to, your Personal Information, we do not guarantee the elimination of these risks and therefore cannot guarantee or warrant the security of any data we receive, collect or store using our or our service providers' systems. In the event of a data breach, in accordance with applicable law, we will disclose to you a statement of the breach *in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, [...], or any measures necessary to determine the scope of the*

breach and restore the reasonable integrity of the data system. Notification of a security breach may be delayed if a law enforcement agency deems disclosure can impede a criminal investigation. Cal. Civ. Code §§ 1798.29, 1798.82

You are responsible for keeping any passwords secret to prevent unauthorized access to and use of our Site and any of our Offerings to which you have access. Please note that many email communications are typically not encrypted and should not be considered secure.

Amending or Deleting Your Personal Information

We offer you the ability to access or correct information we collect during registration or which you have provided in using our Site or Offerings. You may correct this information at any time and as often as necessary by using the features provided within the FORGE and by contacting us directly at privacy@foundrycollege.org. Please note correcting Private Information within the FORGE will only change the appearance of that information on the FORGE. You must contact us directly to update or delete any Personal Information that you have given us or we have collected on our Site. We will respond within a reasonable timeframe of receiving your request or as otherwise required by law.

We may decline to provide you with access to, or to change, your Personal Information if:

- your request is not given to us in writing;
- your request does not provide us with sufficient detail to identify the Personal; Information you seek to access or change;
- we cannot verify your identity to our satisfaction;
- we deem, in our sole discretion, that it would be unreasonable in the circumstances to provide you with access to or to correct your Personal Information;
- as otherwise provided by legislation.

Please be aware that we will retain your Personal Information as long as you have access to our Offerings, or as necessary to comply with our legal obligations, resolve disputes, and enforce this Data Privacy Statement and any applicable contracts we have with you. In addition, as long as you have access to our Offerings, you cannot opt out of receiving service messages from us. If we send communications to you via the carrier service with which you have a mobile communications subscription or otherwise have access, you understand you will pay any service fees associated with your receipt of messages on your mobile device (including text messaging charges).

California residents are entitled to certain privacy rights regarding Personal Information under the California Consumer Privacy Act (CCPA). Please visit our [California Privacy Statement](#) for more information on the CCPA and on how to exercise these rights.

If you would like further information in relation to your rights or would like to exercise any of them, you may contact us via privacy@foundrycollege.org. You can view our retention schedule here: [Administrative Data & Student Records Retention Schedule](#).

How to Contact Us

If you have questions or concerns about this Data Privacy Statement, the data we collect from you, how it is being used, or to report suspected misuse of your information, please contact our Privacy Officer at privacy@foundrycollege.org or write us at:

Foundry College
Attn: Privacy Officer
100 Bush Street
Suite 1812
San Francisco, CA 94101

Changes to this Data Privacy Statement

We regularly review our Data Privacy Statement. We reserve the right to modify or supplement this Data Privacy Statement at any time. If we make a change to this Data Privacy Statement, we will post such changes on our website.