

INCWEBS, INC dba BUSCONDUCT PRIVACY POLICY

Last updated May 9th, 2023

This Privacy Statement provides information on how Incwebs, Inc. DBA BusConduct collects, uses, and protects personal information. Incwebs supports the most critical processes of student behavior management and we are committed to the highest standards of protection for personal data at all times. When we refer to “us,” “we,” “our,” or “Incwebs” in this Privacy Statement, we are referring to Incwebs and its affiliates. We believe privacy is a fundamental right for all individuals. Our clients entrust us with the personal information of both employees and students. We take the responsibility attached to this information very seriously.

This Privacy Statement governs all the manners in which Incwebs collects personal information. Whether you are a visitor to our websites or applications, this Privacy Statement governs our use of personal information for products and services that we provide directly to you. From time to time we will need to update this Privacy Statement to reflect changes to our Incwebs products and services, the way we operate, or to meet new legal and regulatory requirements.

This Privacy Statement was last updated on May 9th, 2023. You will find the latest version of this Statement at <https://public.busconduct.com/privacy/>. When we update this Statement, we will explain changes as listed directly below.

Information We Collect and How We Use It

The nature of the personal information we collect and how we use it depends on the context in which we collect that personal information. Please see the section below that applies to you.

Website Users. You may visit any Incwebs website without having to log in or provide any personal information. If you are on an Incwebs website to access a service or product, you may need to log in to make use of the functionality of the particular product.

Information We Collect

- **Directly from you.** You may voluntarily provide us information when you complete a form or survey on our website or subscribe to our blog or newsletters. You may also provide information when you register for a demo or create an account through an Incwebs website to log in to use a product or service.
- **Indirectly from you.** We collect information about the pages you visit and how you access and use the Incwebs websites using cookies, tracking technologies

and other third-party analytics tools. This information includes information about the devices you use to access the Incwebs website including unique device identifiers, IP address, operating system, browser, and cookies. Depending on your device settings, we may also collect information about your geographical location. Our use of cookies is limited to improving your experience within our application(s).

- **Information from third parties.** We may supplement the information we collect with information from the Incwebs Group affiliates and other third parties that we use to promote our products and services. For example, we may receive information from a third party about how well an online marketing or email campaign performed, or from conference and trade show organizers.

How We Use This Information

We use the information collected to provide and improve our website services and our products and to analyze usage information for sales and marketing purposes. We may also use the information collected to communicate with you in any manner that you have requested. This analysis is necessary to further our legitimate interest in understanding our users and their interactions with us and our websites to best iterate and improve on our websites and communications, including marketing purposes, and to provide you with content that you have requested.

We keep website usage information for as long as necessary for the purposes described above. Account information is retained until you delete the account and for a limited period thereafter. Where you have provided information in forms, we retain the information as long as it is required, depending on the nature of the request. If you unsubscribe from receiving marketing communications from us, we will keep a record of this to ensure that you do not receive such communications in the future.

We do not share this information.

Customers (Schools and School Districts). If you are a customer of Incwebs, we are providing our products and services directly to your school or school district and we are a “data controller” for purposes of the personal information collected in connection with the customer accounts.

Information We Collect

- **Directly from you.** We collect information necessary to provide the educational technology services as directed by you. The information collected from you depends on the specific product and the information needed to set up and maintain accounts. This includes information in the following data categories:
- **Account information:** The exact elements will depend on the product and what specific information you as a customer provide us, but often we receive from you include pupil records of students and parents of students enrolled in your school or district, such as directory information, email addresses (optional),

phone number (optional), student IDs, account credentials. As noted some of this info is optional and can be excluded at the district's discretion without affecting the core functionality of the application(s). We also collect employee account information including user names, email addresses and schools to initially set up products and services for you.

- **Indirectly from you.** We collect device and usage information when you access and use our products and services, including information that your browser or the mobile app sends when you are using it. This data may include your unique device identifier, IP address, your browser type and configuration, the date and time of your use of the product or service and cookie data.

How We Use This Information

We use your information to provide you the features and functionality of the Incwebs products and services, as well as to communicate directly with you and allow you to communicate with other Incwebs users within your district. It is necessary for us to use your information in this manner in order to provide you with the services your school district has requested pursuant to its agreement with Incwebs.

We may use your information to provide you with news and information about new products and services. Any such marketing communications from us may be discontinued at any time. See Marketing. We may also use de-identified and aggregated information to understand and improve our products and services.

We may share general customer contact information with certain Partners as is necessary to offer and provide our products and services to our current and prospective clients. No customer data other than general institution contact information is provided for these purposes. For absolute clarity, we do not provide any student data or personally identifiable information to any Partners for marketing purposes.

How We Share This Information

We share information to provide the Incwebs products and services to you and further improve them. Within Incwebs, your information will be accessed only by those who have a need to provide the Incwebs products and services. We use vendors to help us provide the Incwebs products and services to your school or school district. For example, if your school or school district uses BusConduct, DataBank, LTD (www.databank.com) provides our cloud hosting facilities.

Student Personal Information

Incwebs is a data processor with respect to student personal information and the Incwebs customer (school or school district) is the data controller. By entering into an agreement with Incwebs to provide products and services, you acknowledge that Incwebs is a data processor with respect to personal information received from you or from a parent in connection with the Incwebs products and services.

Student Personal Data Ownership

All student personal data remains the property of and is solely owned, and thereby controlled, by our Incwebs customers. You grant Incwebs a non-exclusive, royalty free license, to use equipment, software, your data or other material of yours solely for the purpose of providing, maintaining, and supporting you and other licensees with Incwebs products and services.

Incwebs will only use student personal data for the purposes of providing the products and services that you have contracted with us to provide.

Student personal data will not be used for targeted Advertising by Incwebs or any of its affiliates.

Parents and Students

The school or school district decides how your personal information is used.

Incwebs provides behavior management products and services to end-users of a school or school district (our customers) as a “data processor.” The main responsibility of what is known as a “data controller” lies with the school or school district. This also means that the school or school district’s own privacy statement governs the use of student personal information. Incwebs’s customers determine what information we collect through the Incwebs products and services and how it is used, and we process that information according to our customer’s instructions.

This section of our Privacy Statement is provided for informational purposes and describes how parent and student personal information is used when Incwebs products and services are provided through a school or school district. How that information is used depends on the school or school district, so please consult your institution’s privacy statement.

Information We Collect

- **Information provided to us by a school or school district.** The Incwebs products and services integrate with our customer’s systems. The specific information that is collected from the school or school district depends upon the Incwebs product or service, but in general, this information includes but is not limited to: name, age, email address, bus, route, school, student ID, behavior records, and additional records as requested by the school or school district. Incwebs will receive regular updated information to keep account information accurate and up to date.
- **Directly from a parent:** Depending on the Incwebs products and services your school (or your child’s school) uses, we may collect the following data categories directly: sign-off signatures, feedback and additional records as requested by the school or school district.
- **Indirectly from a parent or student:** We collect device and usage information when you access and use Incwebs products and services, including information

that your browser or the mobile app sends when you are using it. This data may include your unique device identifier, IP address, your browser type and configuration, the date and time of your use of the product or service, and cookie data.

How We Use This Information

On behalf of your school or school district. We use your information on behalf of and under the instruction of your child's school or school district, which is the data controller. We use the information in accordance with our agreement with your child's school or school district to operate, maintain, and provide the features and functionality of the Incwebs products and services. Your child's school or school district determines how the personal information is used.

How We Share This Information

We share student information in accordance with our agreement with your (or your child's) school or school district. Generally, this includes the sharing of such information inside and outside Incwebs under certain terms. Student information will be accessed inside Incwebs only by those who have a need to know to provide the Incwebs products and services and improve them. For example, our technical and client support teams may have access to personal information when the Incwebs products and services are implemented for your school or school district or when software or other changes are required for support and maintenance purposes. We use vendors to help us provide the Incwebs products and services to you (or to your child) on behalf of our school or school district customer.

Sharing with Vendors, Partners, and Other Disclosures

Vendors

We engage directly with certain third-party companies to help us provide the Incwebs products and services to our customers or to you or to perform work on our behalf ("Vendors"). Our vendors are required to abide by our privacy and security instructions and are contractually restricted from using any personal information they access or receive from us for any purposes other than as needed to perform such services.

Other Types of Disclosures

We may also share your information where required under the following circumstances:

- We may need to disclose your information to comply with legal or regulatory requirements and to respond to lawful requests, court orders, and legal processes. Where such disclosures relate to personal data we hold as a data processor on behalf of our customers, we will refer such requests to our customers where permissible.

- **Incwebs does not rent, sell, or otherwise provide access to student personal data to third parties for marketing or advertising purposes.**

Marketing

We conduct marketing to promote the Incwebs products and services, but do not use or disclose information (whether personal information or otherwise) about students that we collect through the provision of Incwebs products and services for targeting of advertisements to students.

When we conduct (or sponsor) events, conferences, and webinars, we will collect information about attendees, such as the session they attend and their contact information to provide them information about Incwebs products and services and other Incwebs information.

Marketing Preferences and Opt-Out

Our marketing emails will always include an “unsubscribe” link so that you can change your preferences and opt-out of receiving marketing emails or communications from Incwebs. You can also send us email at info@incwebs.com to unsubscribe.

Please note that even if you opt-out of marketing emails, we may still need to contact you with important information about your Incwebs account.

Children’s Privacy

Our products and services do not interact directly with students, and therefore we collect no information directly from students.

Security

Incwebs employs a variety of physical, administrative, and technological safeguards that are designed to protect personal information against loss, misuse, and unauthorized access or disclosure. We strive to continuously enhance our technical and operational security measures. Our measures consider the type and sensitivity of the data being collected, used, and stored, and the current state of technology and threats to information. Incwebs’s security measures include data encryption, firewalls, data use and access limitations for personnel and vendors, and physical access controls to our facilities. Incwebs also aligns its privacy and security operations to best practices and relevant international regulations.

United States Federal and State Education Privacy Laws

Incwebs, in its role as a vendor to educational agencies and institutions, both public and private entities (“Educational Agencies”), receives disclosures from the Educational Agencies, which include the personal information and other data (“Student Data”) contained in student records as well as directly from parents of students (for certain optional services). Only information that is needed for Incwebs to perform services, which are outsourced to Incwebs by the Educational Agencies, is disclosed to Incwebs. These disclosures are authorized by the federal Family Educational Rights and Privacy Act (FERPA). Incwebs considers Student Data to be strictly confidential and do not use Student Data for any purpose other than improving and providing our products and services to the Educational Agencies or on the Educational Agencies’ behalf. Our collection, use, and sharing of Student Data is governed by our contracts with the Educational Agencies, the provisions of FERPA, the Children’s Online Privacy Protection Act (COPPA), and other applicable state and federal laws and regulations that relate to the collection and use of personal information of students. **If you have questions about reviewing, modifying, or deleting personal information of a student, please contact the relevant Educational Agency(ies) directly.**

Contact Us

If you have any questions or concerns about your privacy or this Privacy Statement, please contact us.

You may write to us at:

Incwebs, Inc. DBA BusConduct
5753 Highway 85 N PMB 8669
Crestview, FL 32536
ATTN: Privacy

For U.S. Educational Agency Customers

Pursuant to state law, the following state specific language is hereby incorporated into this Privacy Statement, provided that Incwebs is providing and/or offering you Incwebs products or services in one of the following states (capitalized terms below which are not otherwise defined in this Privacy Statement are as defined either in the applicable state law or in your Incwebs agreement):

California – Incwebs will not use your data for any purpose beyond the indicated purposes in the Terms of Use, which includes this Privacy Statement. This includes, but is not limited to, Incwebs’s policy to never use PII from a Pupil’s Records to engage in targeted advertising.

Colorado – Incwebs will not use your data for any purpose beyond the indicated purposes in the Terms of Use, which includes this Privacy Statement. Only the

Incwebs employees that have a legitimate interest in accessing your data, will be granted authorization by Incwebs.

Connecticut – Incwebs will not use your data for any purpose beyond the indicated purposes in the Terms of Use, which includes this Privacy Statement. This includes, but is not limited to, Incwebs’s policy to never use any student’s PII to engage in targeted advertising. Incwebs also avers to utilize industry standard security, or better, to ensure the protection of said student PII. Connecticut law shall govern this agreement between you and Incwebs. All terms herein are defined in accordance with Public Act No. 16-189, and in case of any ambiguity or conflict between the terms herein and Public Act No. 16-189, then Public Act No. 16-189 will govern.

Florida – Incwebs will provide notification of a security breach pursuant to requirements as mandated in the Florida Information Protection Act of 2014.

Maryland – Incwebs will not use Covered Information to engage in targeted advertising.

New York – In accordance with New York Education Law § 2-d, Incwebs will comply with and attach to your contract the Parents’ Bill of Rights for Data Privacy and Security, as applicable.

Pennsylvania – Incwebs will provide notification of a security breach pursuant to the requirements of Pennsylvania’s Breach of Personal Information Notification Act.

Washington – Incwebs will provide notice before making material changes to this Privacy Statement.

