

Student Data Privacy Policy (MySciLEARN)

This privacy policy (this "Privacy Policy") tells you about the information that Scientific Learning Corporation (the "Company," "we" or "our") collects in connection with the operation of its learning platform website myscilearn.com (the "Site"), how the information is used and how you can access and correct certain information that we may collect. For the purposes of this Privacy Policy, "you" and "user" means an employee of a Local Education Agency (which we refer to as a "school" in this Privacy Policy), a service provider, a child who uses a Site, or the parent or guardian of a child who uses a Site, in each case who is accessing the Site through a particular username and password. Accounts for children may be created by their teachers or another entity or affiliate of the school or by a service provider working with a child (an "Authorized Person").

Please note that this Privacy Policy applies only to information collected from you (or, if you were enrolled by a third party, such as a school district, teacher or service provider (each, an "Authorized Person") from such Authorized Person) by the Company via the Site and does not apply to information obtained or disclosed through offline correspondence or personal contacts with the Company's representatives.

This Privacy Policy is effective as of August 9, 2016.

YOUR ACCEPTANCE OF THIS PRIVACY POLICY AND REVISIONS TO THIS PRIVACY POLICY

By using a Site, you agree to this Privacy Policy. If you do not agree to this Privacy Policy, you may not use the Site. The Company reserves the right, in our discretion, to change, modify, add or remove portions of this Privacy Policy from time to time, upon providing you with prior notice. We agree that changes cannot be retroactive. Changes to the Privacy Policy will be made effective upon providing you with thirty (30) days' notice. Notice will be provided by sending you an email at the address we have on file for you with your account.

INFORMATION COLLECTED AND HOW WE USE IT

You always remain in control of the information you provide to the Company. We may collect the types of personally identifiable information about a child that are described in Annex 1 at the end of this Privacy Policy, which an Authorized Person voluntarily submits to us. We collect names and email addresses for people other than children if provided by school personnel or service providers. If you are a school or service provider you may delete any information you submit to us at any time, however deletion of this information will restrict your ability to effectively use the Site.

Parents. If you are the parent of a child who was enrolled by an Authorized Person you may contact the Authorized Person to have your child's information removed.

Children. You must contact the Authorized Person who created your account with regard to any questions or concerns with respect to your information.

We may collect, maintain and use contact information you (or an Authorized Person) have voluntarily submitted so that we can contact you to respond to your comments or requests for information.

DATA SHARING AND TRANSFER

The Company will provide data and the personal identifiable information on individual children and the analysis of results and trends for all children on an aggregate basis to some or all of the following (collectively "Customer"): the child's applicable state education agency, school district, school, teacher or service provider. The Company provides such information as a service to its Customer but it does not control the use of such data after it provides it to the Customer. Consequently, the Company takes no responsibility or liability for the use of such data after it provides it to the Customer.

Scientific Learning Corporation does not provide, sell or lend any personally identifiable information to any third party.

The Company reserves the right to disclose your personally identifiable information based on the good faith belief that such action is necessary or appropriate to: (a) protect and defend the rights or property of the Company, or (b) act in urgent circumstances to protect the safety or security of a child, the public or of users of the Company's services and/or the Site.

Your personal information will generally be stored in the Company's databases, which are located in the United States. Our policy is to ensure that your information is always granted the same level of protection no matter where it is stored. In the event that the Company is involved in a transaction such as a merger, stock purchase or sale, or sale of substantially all of the Company's assets, personal information may be transferred to the other party in such transaction under the same level of security it had before the transaction.

USE OF YOUR PERSONALLY IDENTIFIABLE INFORMATION

The Company stores only the child records provided to us by our Customers. As a custodian of child personally identifiable information, the Company complies with the federal Family Educational Rights and Privacy Act (FERPA) in its handling of a child's records.

Upon our collection of your personally identifiable information, the Company may use such personally identifiable information internally, separately or in combination with pre-existing information, for the following purposes:

- To provide any requested services limited to the educational context in which the information was provided;
- To troubleshoot problems with the Site, or any services, as requested;
- To customize your experience, content or homepage on the Site; or
- To enforce our Terms of Use.

Upon a Customer's request, the Company will delete all personally identifiable child data from its records. The Company may retain aggregate, non-identifying child usage information for the purpose of reporting, analytics, and improving the Company's products and services. Scientific Learning Corporation does not provide, sell or lend any personally identifiable information to any third party.

SECURITY

We take steps to make all information received from you online as secure as reasonably possible against unauthorized access and use.

If we know or have reason to know of a systems security breach by an unauthorized party that results in the disclosure of personally identifiable information or that any of your Information was used for an unauthorized purpose, then we will immediately notify you electronically so that you can take appropriate protective steps. We will also post an additional notice through the Service if a security breach occurs. Depending on where you live or where your schools are located, you may also have a legal right to receive notice of a security breach in writing, and we will provide you with such required written notice in addition to the electronic notice.

ACCESS TO YOUR INFORMATION

We attempt to keep your files complete, up-to-date, and accurate. If you are a school or service provider you may delete any information you submit to us at any time.

Parents. If you are the parent of a child who was enrolled by an Authorized Person you may contact the Authorized Person or us to have your child's information removed.

Children. If you are a child who was enrolled by an Authorized Person you must contact the Authorized Person with regard to any questions or concerns with respect to your information.

CHILDREN'S PRIVACY

The Company is strongly committed to protecting the safety and privacy of children who use the Site. We do not knowingly collect personal information online from children under 13 without consent from the Authorized Person.

The Company's service is directly sold to Local Educational Agencies (school) and, as such, the prior verifiable parental consent as required by COPPA for the collection and use of personally identifiable information for children under the age of 13, is given by the "authorized person" within the school.

The Company acknowledges and agrees that the school's ability to consent for the parent is limited to the educational context – where an operator collects personal information from children for the use and benefit of the school, and for no other commercial purpose. The Company does not use personally identifiable information for any other commercial purpose.

When provided by an Authorized Person, we may receive some or all of the personally identifiable information described in Annex 1 to this Privacy Policy, which the parent, guardian or Authorized Person has voluntarily submitted. The Company will provide this information to its Customer, as described in the "Data Sharing and Transfer" section above, and the Company takes no responsibility or liability for the use of such data after it provides it to the Customer.

Our Fast ForWord Home™ service, which utilizes the Site, allows children to receive support from Authorized Employees and agents of the Company. Any information submitted by children, whether it would be considered personally identifiable information or not, is treated by the Company with the same safeguards as personally identifiable information.

An Authorized Person who has given the Company permission to collect and use a child's personal information can modify, update, correct a child's information or discontinue further collection or use of a

child's information in accordance with the procedures described in the "Access to Your Information" section above.

HIPAA

We do not collect or store "Protected Health Information" within the meaning of the Health Insurance Portability and Accountability Act (HIPAA).

CHOICE AND OPT-OUT PREFERENCES

The Company does not collect your personally identifiable information unless you choose to provide it. If, at any time, you prefer not to receive further e-mail communications from the Company, you will have the ability to unsubscribe from such communications by means of a link or to write to us to opt out. If, at any time, you prefer not to receive any other form of communication from the Company, you will have the ability to unsubscribe from such communications by contacting us at the address below.

QUESTIONS OR COMMENTS

The Company welcomes questions and comments about this Privacy Policy. Questions or comments should be directed to the address below:

Privacy Office
Scientific Learning Corporation
1956 Webster Street, Suite 200
Oakland, CA 94612
privacy@scilearn.com
510-444-3500

Types of Student Information and Data We May Collect in MySciLEARN™

The information listed in the first section below is required to register a student on MySciLEARN. The first name, last name, date of birth, school, username and password establishes an account for an individual student on MySciLEARN and the associated login credentials. The information on grade, ELL and/or Special Education designations are needed to determine the appropriate placement and assessment test form.

- First Name, Last Name
- Date of Birth
- Student Username
- Student Password
- Grade
- Gender
- English Language Learner (yes or no)
- Special Education (yes or no)
- School

The following optional information can be entered for a student while registering but is not required:

- Middle initial
- Student ID
- Parent email
- Race/Ethnicity
- Title 1
- Migrant Student
- Dyslexia
- Down Syndrome
- Phonological Disorder
- Autism
- Asperger's Syndrome
- Expressive Communicative Disorder
- Developmental Delay
- Special Learning Disability
- Attention Deficit Disorder
- Rett's Disorder
- Childhood Disintegrative Disorder
- Receptive Communication Disorder

Student progress information and data is collected primarily for use by school educators and administrators to help students with their learning and reading skills.

- Reading Progress Indicator ("RPI") assessment information (if RPI is used by the customer):
 - Grade Equivalent Scores
 - National Percentile Scores
 - Reading Proficiency Levels – Struggling, Emerging, Proficient, Advanced
 - Gain scores are reported in grade equivalent scores and percentile scores

- Fast ForWord® program
 - Individual exercise progress & results
 - Attendance (date and time that the student worked on the exercises)
 - Participation (amount of time per day working on the exercises)
 - Percentage of exercise content mastered (daily, weekly, monthly)
 - Exercise completion details level by level
 - Number of exercise trials
 - Student errors
- Reading Assistant™ program
 - Participation
 - minutes on RA per week
 - number of reading selections completed per week
 - time usage per session activity
 - Think About It questions score
 - Comprehension quiz score
 - Fluency score - words correct per minute
 - Performance Level – a measure that evaluates both fluency and comprehension performance on a reading selection
 - Reading Level High Score – highest reading level mastered by the student
 - Student Audio recordings
 - Student Errors – words to practice