

Terms of Service and Privacy Policy  
Effective Date: January 1, 2021

This website is owned and operated by Rachel DeAlto LLC (the "Company", "we", or "us"), a New Jersey Limited Liability Company. This Terms of Service and Privacy Policy describes the practices that apply to the information ("Personal Information") that we collect from individuals online or offline ("you") with respect to the relatable Assessment ("Assessment").

We will not collect or transfer your Personal Information without your knowledge. We inform you of such collection and transfer through this Privacy Policy and Consent Agreement and other disclosures we make available on the Sites. We collect Personal Information only for specific, explicit, and legitimate purposes, and refrain from further processing that Personal Information in any manner that is incompatible with those purposes (subject to our reasonable archive, backup, and research practices). "Personal Information" means any information, recorded in any form, about an identified individual, or an individual whose identity may be inferred from the information. Personal Information includes, for example, name, email address, mailing address, telephone number, billing information, account information, and other information incidental to use of the Assessment.

**By creating an account and submitting Personal Information within the Assessment, you agree to the practices described in this Privacy Policy, and you agree that we may collect, use, disclose, store, transmit, and/or process such Personal Information in accordance with this Privacy Policy or as required by law.**

If you reside in a country or territory that restricts the transfer of Personal Information out of that country or territory, you agree to the transfer, storage, and processing of your Personal Information to countries that may not have data protection laws that provide the same level of protection as those that exist in your country of residence.

Children are not permitted to use the Sites. Should we discover that a Child has sent Personal Information directly to us, we will use that information only to respond directly to that Child to inform him/her that we will not continue to process his/her Personal Information.

We collect only such Personal Information as necessary to (i) provide our Products or Services to you; (ii) inform you about our Products and Services; (iii) continue our research in the field; and (iv) improve our Sites, Products or Services, and your experience interacting with us. "Products or Services" means the products or services promoted, sold, available for sale, or available for use on the sites, such as our Assessments, Reports, and supplemental materials.

While the Company may disclose your Personal Information for certain business purposes set forth below, the Company does not sell your Personal Information to third parties. If you complete an Assessment we collect the Respondent's name, email address, contact information, Assessment responses, Session Data, and other information you may choose to provide or associate with your account. In some cases, we ask questions to which the response is optional (such as demographic questions), and these questions are identified as such. In some instances, these optional demographic questions may involve collection of special categories of Personal Information, such as information regarding your racial or ethnic origin. We collect this optional demographic data in order to produce statistics of the type described in our technical product manuals, and to produce validity data to statistically evaluate the fairness, validity, and reliability of our Assessments. This information assists in

ensuring our Assessments remain ethical and neutral, and are fair in terms of differing nationalities, races, and cultures, in support of our commitments to diversity, equity, and inclusion. You are free not to respond to these optional questions. For all optional questions, our legal basis for processing your Personal Information is your explicit, informed consent.

We use the responses to Assessments to score the Assessments and to generate Reports and other data related to the Respondents to those Assessments. We sometimes combine data from multiple Respondents (for example, in team reports). We may also combine Respondent data with our general research data, or compare or associate Respondent data with other Respondent data. Certain subsets of this data are made available to our Customers (ie. Business owners, team leaders, organizations purchasing bulk access to the Assessment), but your Personal Information is only shared with a Customer if you complete an Assessment that has been purchased or sponsored by that Customer. If you take an Assessment at the direction of one of our Customers, that Customer will receive from the Company one or more Reports based on the Assessment you took and the responses you provided to that Assessment so that the Customer may properly counsel or advise you or provide you with other services.

We may use email addresses or other contact information to send mailings, newsletters, and other marketing communications. We may also use pixel tags to monitor the open rate of our communications. This helps us understand the effectiveness of the communications that we send. We give you the ability to opt out of marketing communications at any time.

We follow generally-accepted industry standards to protect Personal Information, both during transmission and once we receive it. We use administrative, physical, and technical measures designed to protect Personal Information from unauthorized access, loss, misuse, disclosure, alteration, or destruction. It should be recognized that no method of transmission over the Internet, or method of electronic storage, is fully secure. Therefore, while we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security.

We respect your rights as a data subject. In those instances when we are a data controller, we provide you with the rights described below. In those instances where we are a data processor, we will reasonably assist the data controller in facilitating your ability to exercise the rights below.

**Right of access**—You have the right to obtain confirmation as to whether or not your Personal Information is being processed. If your Personal Information is being processed, you have the right to access your Personal Information and the following information: (a) the purposes of the processing; (b) the categories of Personal Information concerned; (c) the recipients or categories of recipients to whom your Personal Information has been or will be disclosed (including international organizations and recipients in other countries); (d) where possible, the period for which your Personal Information will be stored or the criteria used to determine that period; (e) the existence of your right to request that the data controller rectify or erase your Personal Information, or restrict processing of your Personal Information, or to object to processing of your Personal Information; (f) your right to lodge a complaint with a supervisory authority; (g) the source of your Personal Information (if it was not obtained from you directly); and (h) the existence of any automated decision-making (including profiling) along with meaningful information about the logic of such automated decision-making and its consequences.

**Right to rectification**—You have the right to rectify inaccurate Personal Information concerning you. Taking into account the purposes of the processing, in some instances you will have the right to have

incomplete Personal Information completed by providing supplementary written statements to us.

**Right to erasure**—You have the right to request erasure of your Personal Information when one of the following applies: (a) your Personal Information is no longer needed to achieve the purpose(s) for which it was originally collected or processed; (b) the processing of your Personal Information is based on your consent, you choose to withdraw that consent, and we have no other legal basis for ongoing processing; (c) you object to the processing and we have no overriding legitimate grounds for ongoing processing; (d) your Personal Information has been processed unlawfully; or (e) your Personal Information must be erased for compliance with applicable law. In those instances where you exercise this right against the Company as the data controller, we will accommodate your request to the extent practicable, and to the extent that it does not otherwise conflict with any of our other obligations. We reserve the right to retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our contractual agreements.

**Right to restriction of processing**—You have the right to restrict processing of your Personal Information where one of the following applies: (a) you contest the accuracy of your Personal Information, in which case processing will be restricted for a period allowing the data controller to verify or rectify the accuracy of your Personal Information; (b) processing of your Personal Information is unlawful; (c) processing of your Personal Information is no longer necessary for the purpose(s) for which it was collected or processed but you require it for the establishment, exercise, or defense of legal claims; or (d) you object to the processing, in which case processing will be restricted for a period allowing the controller to demonstrate whether legitimate grounds exist that override your objection.

**Right to opt-out of marketing communications**—If you are receiving marketing communications from us and you wish to unsubscribe, you may do so by clicking on the “unsubscribe” link provided in the communication or by managing your marketing communication preferences on the Site(s).

**Right to Non-Discrimination** – You have the right not to be discriminated against if you choose to exercise your privacy rights. As such, if you choose to exercise your privacy rights the Company will not: (i) deny you goods or services; (ii) charge you different prices or rates; (iii) provide a different level of service; or (iv) suggest that you will be provided with a different level of service. In some cases, the nature of the product or service you receive may differ depending on whether (or to what extent) you choose to provide Personal Information; however, in those cases there is a direct relationship between the product/service and the Personal Information you provide (for example: if you refuse to provide us with your email address, then our products and services that depend on delivering materials to you via email will not operate as intended).

If the Company is the controller of your Personal Information and you wish to exercise any of the rights described above, please contact us with proof of identity at [info@racheldealto.com](mailto:info@racheldealto.com). In general, you can expect a response to your request within 30 days. However, if your request is complex or involves a high volume of data, the Company may inform you that the request could take up to an additional sixty (60) days. In some instances, fees may apply. If the Company is not the controller of your Personal Information, we will ask you to direct your request to the data controller, and the Company will reasonably assist the data controller in facilitating the request.

If you have questions or complaints regarding our Privacy Policy or practices, you should first contact us [info@racheldealto.com](mailto:info@racheldealto.com). We may change this Privacy Policy from time to time. If we make material changes, we will place a prominent notice on the affected Site(s) or we will send you a notice to the email address associated with your account.