



## Privacy Policy for the H Layer Credentialing

H Layer Credentialing (H LAYER) is committed to protecting your privacy. H LAYER has created this policy regarding how H LAYER may collect, use, and disclose personal information about you. By using the H LAYER website, you consent to the data practices described in this statement.

### Collection of your Personal Information

Many sections of the web site are open to all users with no information collected or required registration. For these sections, our web server automatically recognizes no information regarding the Web domains or email addresses of the web site visitors. H LAYER collects personally identifiable information, such as name, email address, mailing address, and/or phone number. We collect information from you when you register on our site, place an order, subscribe to our newsletter, respond to a survey or fill out a form.

When ordering or registering on our site, as appropriate, you may be asked to enter your name, email address, mailing address, phone number or credit card information. In the event that you contact us for customer support through the website or by phone, we may also request that you provide additional User Information relevant to the support you have requested. Users are under no obligation to provide such information. However, we cannot guarantee that we can provide customer support in the event that relevant information related to the use of our products or services is withheld. We may retain communications relating to customer support, and/or information drawn from such communications, for statistical and/or reference purposes.

H LAYER may periodically review discussions, postings, transmissions and other information or material on this web site; however, H LAYER is under no duty to do so and assumes no responsibility or liability arising from such matters nor for any error, defamation, libel, slander, omission, obscenity, pornography, or inaccuracy contained in any such discussion, posting or transmission. Furthermore, you are prohibited from posting or transmitting any unlawful, threatening, libelous, defamatory, obscene, pornographic or erroneous material or otherwise violate any law through use of this website. Please keep in mind that if you directly disclose any personal information through H LAYER public discussions, postings or transmissions this information may be collected and used by others. Note: H LAYER does not read or reveal your private online communications with others.



## **Privacy Policy for the H Layer Credentialing**

For your convenience, H LAYER may provide links to various other web sites that may be of interest and related to you. However, H LAYER does not control such web sites and is not responsible for their content nor is it responsible for the accuracy or reliability of any information, data, opinions, advice or statements contained within such web sites. Furthermore, H LAYER's Privacy Policy is only applicable when you are on our web site.

Once you link to another web site, H LAYER encourages you to review the privacy statements of websites you choose to link to from H LAYER so that you can understand how those websites collect, use and share your information. If you decide to access any of the third party web sites linked to this web site, you do so at your own risk. Nonetheless, we seek to protect the integrity of our site and welcome any feedback about these sites. H LAYER reserves the right to terminate any link or linking program at any time.

### **Use of your Personal Information**

H LAYER may collect and use your personal information to operate the H LAYER website and deliver the services you have requested. H LAYER may also use your personally identifiable information to inform you of other products or services available from H LAYER. We may use any of the information we collect to personalize your experience, to improve our website, to improve customer service, to administer promotions or surveys, to send periodic emails and/or to process transactions.

The email address you provide for order processing may be used to send you information and updates pertaining to your order, in addition to receiving occasional company news, updates, related product or service information, etc. Note: If at any time you would like to unsubscribe from receiving future emails, we include detailed unsubscribe instructions at the bottom of each email.

H LAYER does not sell, rent or lease its customer's lists to third parties. H LAYER may share data with trusted partners to help us perform statistical analysis, send you email or postal mail, provide customer support, or arrange for deliveries. Such third parties are prohibited from using your personal information except to provide these services to H LAYER, and they are required to maintain the confidentiality of your information. H LAYER does not discriminate in certification opportunities or practices nor will we disclose personal information in regards to race, color, religion, sex, national origin, age, disability or any other characteristic protected by law.



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H LAYER will disclose your personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (1) conform to the edicts of the law or comply with legal process served on H LAYER or the site; (2) protect and defend the rights or property of H LAYER (including enforcing this agreement); and, (3) act under exigent circumstances to protect the personal safety of users of H LAYER or the public.

### **Release of Security Awareness and Culture Professional (SACP) Certification Information**

H LAYER, either through telephone, email responses or postal mail may provide any of the following information:

1. Whether the person(s) has ever been certified by H LAYER, the date of that certification, and, if not currently certified, the date on which certification lapsed or was otherwise terminated.
2. A "yes" or "no" indication of whether or not any past and/or current public disciplinary actions have occurred against the person(s). The inquiring party will then need to request additional information from the regulatory body.

### **H LAYER Ethics and Disciplinary Disclosure Policy**

H LAYER treats as confidential a SACP's personal information. At H LAYER's discretion, however, and in accordance with disclosure authority maintained by the SACP Certification Department, H LAYER may release to certain federal and state licensing and credentialing bodies and governmental regulatory agencies, or may publish on its website, details of a current or former SACP's disciplinary history, if any, resulting from complaints heard by the SACP Ethics and Disciplinary Council. Similarly, H LAYER reserves the right to divulge to such bodies or agencies, or to publish on its website, information in connection with wrongful use or other actions taken by H LAYER, or on its behalf, against certain individuals or entities.

### **Security of Personal Information**

H LAYER implements a variety of security measures to maintain the safety of your personal information when you place an order or enter, submit, or access your personal information.



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We offer the use of a secure server. All supplied sensitive/credit information is transmitted via Secure Socket Layer (SSL) technology and then encrypted into our Payment gateway providers database only to be accessible by those authorized with special access rights to such systems, and are required to keep the information confidential.

After a transaction, your private information (credit cards, financials, etc.) will neither be stored on our web servers nor accessible via any public facing systems.

No method of safeguarding information is 100% secure. H LAYER has employed physical, electronic and managerial procedures to safeguard the security and integrity of personal information. Personal information is accessible only by staff designated to handle online complaints or requests. All employees and contractors with access to personal information are also bound to adhere to this policy. To protect the security of information supplied by users in order to access restricted areas, users must provide email addresses and passwords to access their information.

### California Online Privacy Protection Act Compliance

Because H LAYER values your privacy we have taken the necessary precautions to be in compliance with the California Online Privacy Protection Act. We therefore will not distribute your personal information to outside parties without your consent. As part of the California Online Privacy Protection Act, all members of H LAYER may make any changes to their information at any time by logging into the member portal and going to the "Manage Your Account" tab and clicking "change your contact information."

### Children's Online Privacy Protection Act Compliance

H LAYER is in compliance with the requirements of COPPA (Children's Online Privacy Protection Act), we do not collect any information from anyone under 13 years of age. Our website, products and services are all directed to people who are at least 13 years old or older.

### Tracking Technologies

**Cookies/Web Beacons.** We automatically receive and store certain types of non-personally identifiable information whenever you interact with us. For example, like many websites, we use "cookies," "web beacons" (also called "clear gifs" or "pixel tags") and embedded scripts to obtain certain types of information when you use or access our Services. "Cookies" are small



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files that we transfer to your computer's hard drive or your web browser memory to enable our systems to recognize your browser and to provide convenience and other features to you. "Web beacons" are tiny graphics with a unique identifier, similar in function to cookies, and may be used to track the online movements of users, when an email has been opened, and to provide other information.

Examples of the information we collect and analyze in this manner include the Internet Protocol (IP) address used to connect your Device to the Internet; computer and connection information such as browser type and version, operating system, and platform; your activities on our Website, including the products you view or searched for, as well as the URL you come from and go to next (whether this URL is on our Website or not); and cookie number. It is important to note that the cookies and web beacons that we use do not contain and are not tied to personally identifiable information about you.

If you are concerned about the storage and use of cookies, you may block or limit the storage of cookies via browser controls or other software (we do not promise that our Services will recognize or work with any such browser controls/software – e.g., see below for Do Not Track options). You may also be able to delete cookies manually from your Device through your internet browser, operating system or other programs. Please note, however, that some portions of our Services will not function properly or be available if you are able and do block and/or delete cookies.

**Preference Based Advertising:** We may work with third parties, including advertising companies and website analysis firms, who use cookies and web beacons to collect non-personally identifiable information when you visit our Website and third party sites. This non-personally identifiable information, collected through cookies and web beacons, is typically used by these third-party advertising companies (i.e., advertising networks) to serve you with advertisements while on third party sites tailored to meet your preferences and needs. If you do not wish to participate in this activity, go to [www.aboutads.info](http://www.aboutads.info) and follow the simple opt-out process.

A couple of important notes about this opt-out tool: (1) it includes all the advertising networks that we may work with, but also many that we do not work with; and (2) it may rely on cookies to ensure that a given advertising network does not collect information about you ("Opt-out Cookies") – an explanation of how Opt-out Cookies work can be found on [www.aboutads.info](http://www.aboutads.info). Therefore, if you use different Device, change web browsers or delete these Opt-out Cookies from your computer, you will need to perform the opt-out task again. In addition, third party



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mobile applications, such as AppChoices (offered by the Digital Advertising Alliance), may allow you to opt out of preference based advertising via your Device.

**Do Not Track Features:** Certain internet browsers may offer you the option of providing notice to websites that you do not wish for your online activities to be tracked for preference based advertising purposes (“DNT Notice”). Some browsers are, by default, set to provide a DNT Notice, whether that reflects your preference. Please note that with respect to our Website, we do not take any action based on browser based DNT Notices. If you do not wish to participate in preference based advertising activities, you should follow the simple opt-out process identified above.

### Changes to our Privacy Policy

H LAYER may occasionally update this Privacy Policy to reflect company and customer feedback. H LAYER encourages you to periodically review this Privacy Policy to be informed of how H LAYER is protecting your information. When such a change is made, we will update when this policy was last modified listed below. Any such change, addition, update or modification will be effective immediately upon posting to the site. This policy was last modified on June 10, 2019.

### To Unsubscribe from H LAYER Email Correspondence

In order to unsubscribe from H LAYER marketing communications, you may click on the "Click Here to Unsubscribe" link located on the bottom of the company's emails. Additionally, you may unsubscribe by contacting H LAYER at 800-653-1785 or emailing [info@theHLayer.com](mailto:info@theHLayer.com)

### Disclaimer

The materials contained in this web site are provided on an "as is" and "as available" basis, without representations or warranties of any kind. H LAYER expressly disclaims all such representations and warranties, either express or implied, including without limitation warranties of title, noninfringement, or implied warranties of merchantability or fitness for a particular purpose. H LAYER does not warrant the accuracy or completeness of the information, text graphics, links or other items contained within these materials. H LAYER may make changes to this web site at any time without notice. While H LAYER strives to keep the information on this web site accurate and current, H LAYER cannot guarantee the accuracy, completeness or timeliness of the information. Information within H LAYER's web site may contain technical



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inaccuracies or typographical errors. H LAYER Reserves the right to make changes, corrections and/or improvements to the information contained within this web site, at any time, without notice.

### **Limitation of Liability**

In no event shall H LAYER nor any party involved in creating, producing or delivering the web site be liable for any damages whatsoever arising out of the use of, or inability to use, the web site, including but not limited to direct, indirect, incidental, special, or consequential damages, even if H LAYER has been advised of the possibility of such damages. Because some jurisdictions prohibit the exclusion or limitation of liability for consequential or incidental damages, the above limitation may not apply to you.

### **Applicable Law**

This web site is controlled by CMG DBA H LAYER in the State of Colorado. As such, U.S. federal laws and the laws of the State of Colorado will govern the Legal Information section, excluding any principles or rules of law that may direct the application of the law of another state. You hereby irrevocably and unconditionally consent to submit to the exclusive jurisdiction of the courts of the State of Colorado, second judicial district, and/or the United States District Court for the District of Colorado, for any litigation arising out of or relating to the use of H LAYER's web site, waive any objection to the venue of any such litigation in the Colorado courts and agree not to plead or claim in any Colorado court that such litigation brought therein has been brought in an inconvenient forum. If any provision of this Legal Information section shall be unlawful, void or for any reason unenforceable, then that provision shall be deemed severable from the Legal Information and shall not affect the validity or enforceability of any remaining provisions.

### **Contacting Us**

If there are any questions regarding this privacy policy, you may contact us using the information below.

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