



Privacy Policy for the H Layer Credentialing Site

H Layer Credentialing (H LAYER) is committed to protecting your privacy. H LAYER has created this policy regarding how H LAYER (owned and operated by Certification Management Group) (referred to herein as “H LAYER” or “we” or “us” or “our”) may collect, use, secure and disclose personal information about you. Individuals that register for the Security Awareness and Culture Professional (“SACP”) Exam (the “SACP Exam”), that apply for or inquire about the SACP credential through our website, or otherwise interact with the H LAYER Credentialing website, any of our related applications or mobile apps (collectively the “Site”) are collectively referred to in this agreement as “users” or individually as “you” or “your”. By using the Site, you acknowledge that you have read and understand the data practices described in this Privacy Policy. Your use of the Site is also subject to our [Terms and Conditions](#).

Collection of Your Personal Information

H LAYER collects personal information, such as name, email address, mailing address, and/or phone number or other information that can be used to identify you individually (collectively referred to as “Personal Information”). We may collect Personal Information from your visit to our site and as follows:

- Account: during account creation and maintenance
- Exam Registration: when you register for the Security Awareness and Culture Professional (“SACP”) Exam (the “SACP Exam”)
- Credentialing Applications and Inquiries: When you apply for or inquire about the SACP credential
- Newsletter: newsletter subscriber information
- Marketing: Consent to receive marketing communications from us
- Surveys: Respond to a survey that we or our service providers may send to you
- Payment: payment card information to register for an exam, credentialing requirements, or other related products or services that require payment from you
- Disability Accommodations Requests: If you request disability accommodations you are required to complete the [Accommodations Request Form](#) available on the website and provide the requested information. Send Accommodations Request Form securely to H LAYER or encrypted to certification@thelayer.com.



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- **Customer Service:** If you contact H LAYER, we or our Site providers may collect Personal Information to verify your identity and we may also record conversations and communications with you regarding your inquiry and retain them in accordance with our data retention policies for our legitimate business purposes.
- **Order Processing:** If you register for an exam or order a product or service on our Site, we (or our service provider) will collect your name and financial information such as credit card information to process the order.

Automatic Information: H LAYER receives and stores certain types of information whenever you interact with the Site. For example, like many websites, H LAYER uses “cookies” to store your login information. Other examples of information collected and analyzed include the Internet protocol (IP) address used to connect your computer to the Internet, login info, e-mail address, password, computer, and connection information such as browser type and version, operating system and platform, purchase history, the full Uniform Resource Locators (URL) clickstream to, through, and from our website, including date and time, cookie number, and products you viewed or searched for. See the cookie section below for more information. H LAYER does not link IP addresses to Personal Information on its Site; however, we reserve the right to link IP addresses and other information supplied by the Internet Site Provider (ISP) to Personal Information in order to protect the integrity of our system and for security purposes.

Website Analytics: We use Google Analytics to help us measure traffic and usage trends for the Site and understand more about the demographics of our users. You can opt out of Google Analytics by following the instructions for the Google Analytics Opt Out Browser Add-On here: <https://tools.google.com/dlpage/gaoptout>. You can also visit that page to learn more about Google’s privacy practices.

At Pearson VUE Test Centers: the following Personal Information is collected from individuals taking the SACP exam at Pearson VUE Test Centers when you check in and/or during an exam session. H LAYER does not receive this information from Pearson VUE unless there is a testing or other incident needing involvement by H LAYER, a government order or a legal action related to the test or test session.

- Create a Pearson Vue account
- Palm vein pattern scan
- Government issued photo id



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- CCTV audio and video recording
- Digital photo
- Digital signature

Use of Your Personal Information

When you provide your Personal Information to us, we (or our service providers) may use it for the following purposes:

- Account: your account creation and administration
- Examination: exam registration, delivery, scoring and reporting
- Accommodations: disability accommodation reviews and administration
- Customer Service: if you contact us about an exam, credentialing, our products or services or other matters
- Research: Surveys, Research and Reporting
- Operations: Website Operations and Security
- Information Sharing: To provide you with information, products or services that you request from us
- Financials: To perform contracts, billing and collections
- Marketing: To contact you about our own and third parties' products and Sites that may be of interest to you if you have opted in to receive these communications from us
- Test Security: H LAYER (or its service providers such as Pearson VUE) may use CCTV (audio and video monitoring), Artificial Intelligence, and/or test center administrators/live proctors to verify test takers identity, ensure fairness and testing integrity, and detect testing irregularities during a testing session.
- Legal Claims, Fraud Prevention and Protection: to enforce or protect the rights, property or safety of us, parents, test takers, certificate holders, students, our members or others



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- **Government Requests:** To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- **Other Uses:** In any other way we may describe when you provide the information to us and we have a legal basis to process the information.
- **Aggregated and deidentified information:** We may use information which has been de-identified and/or aggregated for product development, research, analytics and other purposes, including for the purpose of analyzing, improving, or marketing H LAYER exams, products and Sites.

Marketing: We do not sell your Personal Information to any direct marketing associations, third-party affiliates, or any other party. We may use your information to contact you about our own and third-parties' products and services that may be of interest to you. We may use your information to request your participation in product development research, focus groups, and other similar types of activities, and retain your personal information during those activities for our analysis. You can withdraw your consent/unsubscribe from these communications at any time by contacting info@thelayer.com or by clicking on the unsubscribe link in our emails. Note that we will still send you email related to any orders, registrations or other transactions with us. Our service providers also provide us with reporting on email open, click, and unsubscribe rates and similar information) related to individuals that have opted in to receive marketing communications from us.

Sharing of Your Personal Information

H LAYER is committed to the privacy of your information and only discloses Personal Information in limited circumstances with your consent, or when we have a lawful basis to do so, or as required by applicable law, and as more fully described below:

- **Service Providers:** To vetted and trusted contractors and Site providers that we use to support our business and provide our exams, credentialing, products and services to you; and who are bound by contractual obligations to keep Personal Information confidential and secure and use it only for the purposes for which we disclose it to them. Site providers include but are not limited to and may change from time to time: NCS Pearson, Inc. (dba Pearson VUE), WordPress, Active Campaign, Access Ally, Credly, and Blue Host.
- **Order Processing:** We use a third-party payment service provider to process payments for test applications/registrations and other purchases. This provider is certified as PCI-DSS compliant to secure payment card data. H LAYER does not collect, use, retain, or store, your financial information except to provide services requiring payment that you request.



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- **Surveys and Research:** we use third parties to help us administer surveys and compile research and reporting, including job information surveys and analysis.
- **Events:** We may disclose information to event and conference service providers to support your registration and conference experience.
- **Fraud, Security or Technical Issues:** we may disclose information to detect, prevent or otherwise address fraud, security, or technical issues.
- **Social Media:** we may disclose data to the respective social media provider if you click on the social media icons on our website. If you choose to do so, your data is sent to them and you are subject to their privacy and other policies.
- **Government Requests:** To comply with any court order, law or legal process, including to respond to any government or regulatory request.
- **Legal Claims:** If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of H LAYER, our customers or others.
- **Aggregated and Deidentified Information:** In certain situations, H LAYER may share aggregated and deidentified information with our service providers and authorized third parties to improve our assessments, products, Sites or offerings. If we disclose information to authorized third parties or service providers to conduct research or assist in understanding the usage, viewing, and demographic patterns for certain exams, content, products, services, promotions, and/or functionality on our Site, such data will be aggregated and/or anonymized to avoid identification of a specific individual.
- **Change of Business:** In the event that H LAYER is involved in a merger, acquisition, bankruptcy, change of control, or any form of sale or transfer of some or all of our assets, your Personal Information may be transferred or disclosed in connection with such business transaction. In any such instance, the acquirer will be contractually required to honor the practices in this Privacy Policy.
- **Confirmation of Security Awareness and Culture Professional (SACP) Certification Information:** When requested to confirm if an individual has a SACP Certification, H LAYER, either through telephone, email responses or postal mail may provide 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.



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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 applicable regulatory body.

- H LAYER Ethics and Disciplinary Disclosures: H LAYER may release to certain federal and state licensing and credentialing bodies and governmental regulatory agencies, or may publish on the Site, details of a current or former individual's SACP 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 of credentials, or actions taken by H LAYER, or on its behalf, against certain individuals or entities.

Cookies and Similar Technologies

We use cookies on the Site. Unless you adjust your browser settings to refuse cookies, we (and third parties) will drop cookies when you interact with us.

What are cookies? Cookies are small pieces of text sent to your web browser by a website you visit. A cookie file is stored in your web browser and allows H LAYER operating the Site or a third-party to recognize you and make your next visit easier and the Site more useful to you. Cookies can be "persistent" or "session" cookies. Persistent cookies remain on your personal computer or mobile device when you go offline, while session cookies are deleted as soon as you close your web browser.

We may also use similar technologies, such as pixel tags and web beacons. These are tiny graphic images placed on website pages or in some of our email that allows us to determine whether an individual has performed a specific action. When an individual accesses these pages, opens or clicks on an email the pixel tags and web beacons generate a notice of that action. These tools, in addition to and similar to cookies, allow us to measure responses to our communications and improve our web pages and promotions.

How H LAYER Technologies uses cookies and similar technologies. When you use and access the Site, we may place a number of cookies or similar technologies.

We use cookies or similar technologies for the following purposes: to enable certain functions of the Site and for Site Performance; to provide analytics; to store your preferences; for social media websites; and for security and fraud prevention. We use both session and persistent cookies on the Site and we use different types of cookies to run the Site as described more fully below.



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The types of cookies we use are:

- **Strictly Necessary Cookies:** These cookies are necessary for the Site to function and cannot be switched off in our systems. They are usually only set in response to actions made by you which amount to a request for the service, such as setting your privacy preferences, logging in or filling in forms. You can set your browser to block or alert you about these cookies, but some parts of the site will not then work.
- **Functional Cookies:** These cookies enable the Site to provide enhanced functionality and personalization. They may be set by us or by third party service providers. If you do not allow these cookies then some or all of these Site may not function properly.
- **Social Media Cookies:** These cookies are set by a range of social media services that we have added to the Site (usually an icon) to enable you to share our content with your friends and networks. They are capable of tracking your browser across other sites and building up a profile of your interests. This may impact the content and messages you see on other websites you visit. If you do not allow these cookies you may not be able to use or see these sharing tools.

These social media providers may target ads to you if you use these icons and go to their websites or apps. Please read their policies for details about they use your information.

- **Performance Cookies:** These cookies allow us to count visits and traffic sources so we can measure and improve the performance of our Sites. They help us to know which pages are the most and least popular and see how visitors move around the site. All information these cookies collect is aggregated and therefore anonymous. If you do not allow these cookies we will not know when you have visited our site, and will not be able to monitor its performance.
- **Targeting Cookies:** We receive audience-based data (such as pixel traffic and conversion data) from social media platform providers (including Google, Facebook, LinkedIn, Twitter), our service providers, advertising partners, and others based on information such as IP addresses. They may be used by those companies to build a profile of your interests and show you relevant advertisements on other sites. They do not store directly Personal Information, but are based on uniquely identifying your browser and internet device. If you do not allow these cookies, you will experience less targeted advertising.



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What are your choices regarding cookies and similar technologies?

You have the right to decide whether to accept or reject cookies. The H LAYER Cookie Notice and Consent and instructions for configuring and/or disabling cookies will pop-up the first time an individual accesses the H LAYER website and will allow the individual to opt-in and configure cookies preferences. A users' cookie preferences will be saved and users have the ability to change their cookie preferences at any time.

Please note, however, that if you delete cookies or refuse to accept them, you might not be able to use all of the features we offer, you may not be able to store your preferences, and some of our pages might not display properly.

In addition, you may set preferences with specific services. We've listed some below:

- **Google Analytics:** You can opt-out of the Google Analytics Advertising Features we use by indicating your preference using the [Google Analytics User Deletion Tool here](#). Google also provides a complete privacy policy and instructions on [opting-out of Google Analytics here](#). Note that Google's opt-out mechanism is specific to Google activities and does not affect the activities of other ad networks or analytics providers that we may use.
- **Twitter:** <https://help.twitter.com/en/safety-and-security/privacy-controls-for-tailored-ads>
- **Facebook:** You should see a link to the opt-out when you select "Why am I seeing this?" when using Facebook. You can also select "Hide all from this advertiser" within Facebook to stop seeing our ads. More information can be found at [About the Ads You See From Facebook](#)
- **LinkedIn:** <https://www.linkedin.com/help/linkedin/answer/62931/manage-advertising-preferences>

You can learn more about cookies and opt out of cookies for targeted ads at the following third-party websites:

- AllAboutCookies: <http://www.allaboutcookies.org>
- Network Advertising Initiative: <http://www.networkadvertising.org/>
- [EU-based Your Online Choices](#) and the [Digital Advertising Alliance of Canada site](#)

Please note that opting out of receiving targeted advertising through NAI's and DAA's online resources will only opt out a user from receiving interest-based ads on that specific browser or device, but you may still receive interest-based ads on their other devices. You must opt out on each browser or device you use.

YouTube: We may use the YouTube Site to display videos related to our Sites. YouTube uses tracking technologies, which may be present in the videos embedded on YouTube, which may collect information from your browser when you view the video, including device identifiers and/or cookie IDs. This information is collected directly and automatically by YouTube and its



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partners; however, H LAYER Technologies does not participate in these data transmissions. We do not provide any Personal Information, such as usernames, to YouTube. Google owns YouTube. You can learn more about Google's practices and control your settings on the Site at Google Policies <https://policies.google.com/technologies/partner-sites>.

CHOICES ABOUT YOUR PERSONAL INFORMATION

At H LAYER, we strive to provide you with choices regarding the Personal Information you provide to us. We use Personal Information as needed for the purposes for which it was collected and where we have a lawful basis for processing your Personal Information. If you discover that Personal Information or other information pertaining to you is inaccurate, incomplete, or out-of-date, you can make changes to your information in your account, if you are a member, or you can contact us as provided below. Generally, we indicate when you have the option to provide Personal Information and you can decide if you want to provide that optional information.

INDIVIDUAL REQUESTS

You can review your Personal Information by logging into your account at <https://portal.thehlayer.com>.

You may also send us an e-mail at info@thehlayer.com to request access to, correct or delete Personal Information that you have provided to us subject to applicable limitations. We may not accommodate a request to change or delete information if we believe the change would violate any law or legal requirement or cause the information to be incorrect, if there is a pending investigation, legal claim or action, or where we have a legitimate business purpose for retaining the information.

We may not be able to delete information in all instances, such as information retained in technical support logs and other business records. We will not be required to delete any information which has been aggregated, de-identified or disassociated with personal identifiers such that it can no longer be used to reasonably identify a particular individual.

Please remember that many of your rights are not absolute. In some circumstances H LAYER is not legally required to comply with your request because of its legitimate business purposes, relevant legal requirements or obligations which require us to retain your Personal Information.

Security of Personal Information; Retention

H LAYER implements a variety of security measures to maintain the security of your Personal Information when you register for an exam, apply for a credential, make an inquiry, or



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otherwise provide your Personal Information to us.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to our Site.

For those with an account, you are responsible for keeping your login information confidential and not disclosing to others.

In the event of a security incident involving your Personal Information, we may use your Personal Information such as your email to notify you of such incident.

Retention: We will retain your information for as long as your account is active or as is reasonably necessary for our operational purposes. For example, we may retain certain data as necessary to prevent fraud or future abuse, for recordkeeping or other legitimate business purposes, or if required by law. We may also retain information which has been de-identified or aggregated such that it can no longer reasonably identify a particular individual. All retained Personal Information will remain subject to the terms of this Privacy Policy. We will retain exam scores consistent with our retention policy.

CALIFORNIA RESIDENTS' NOTICES

CCPA: It is our understanding that H LAYER is not subject to the California Consumer Privacy Act (CCPA) currently as it does not fall within the law's scope. However, please rest assured that H LAYER does not sell your Personal Information and we strive to provide clear notices of our privacy practices at the time of collection.

SHINE THE LIGHT LAW: California law (California Civil Code Section 1798.83) "Shine the Light Law" permits residents of California to opt out of our disclosures of Personal Information to third parties for marketing purposes at any time. H LAYER will not disclose Personal Information to third parties for marketing without giving you notice and getting your consent. Please note this opt-out does not prohibit disclosures for nonmarketing purposes. You can opt out for free by contacting us at info@thelayer.com, by phone 888-807-0375, or

720 S. Colorado Boulevard
Suite 750 North
Denver, Colorado 80246.

DO NOT TRACK: Some website and platform browsers may be able to send a "do not track" signal to websites. This website *does not* respond to do not track signals or similar mechanisms and requests.



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Rights of Data Subjects in Europe

As a Data Subject as defined by the European Union’s General Data Protection Regulation (“GDPR”), you have the right to obtain confirmation as to whether or not your personal data (as defined in the GDPR) is being processed, and, if it is, to access that personal data and the following information: the purposes of the processing; the categories of personal data concerned; the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations; and where possible, the period for which the personal data will be retained, or, if not possible, the criteria used to determine that period.

You also have:

- the right to request rectification of personal data
- the right to request erasure of personal data:
- the right to restriction of processing of personal data, or to object to such processing;
- the right to data portability, which is the ability to receive your personal data in a structured, commonly used and machine-readable format and have you the right to transmit those data to another controller without hindrance from us (or have us transmit that data with your permission).
- the right to make a complaint to the relevant Supervisory Authority.

If you need further assistance regarding your rights, please contact us using the contact information provided below and we will consider your request in accordance with applicable law and our lawful bases for processing the personal data. In some instances our ability to grant these rights to you may depend upon our obligations to process personal data for security, safety, fraud prevention reasons, compliance with regulatory or legal requirements, or because processing is necessary to deliver the Site you have requested or where we have a lawful purpose for processing. Where this is the case, we will inform you of specific details in response to your request.

Lawful Bases for Processing: For personal information subject to the European Union General Data Processing Regulations (“GDPR”), we rely on the following legal bases to process the data. These legal bases include:

- The processing is necessary to perform our contractual obligations in our contracts with you (such as to register you for an exam or to provide a product or service to you);
- You have given your prior consent, which you may withdraw at any time (such as for marketing purposes or other purposes we obtain your consent for from time to time);
- The processing is necessary to comply with a legal obligation, a court order or to exercise or defend legal claims;



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- The processing is necessary for the purposes of our legitimate interests, such as in improving, personalizing, and developing our products and Sites, preventing fraud and cheating, and promoting safety and security as described below.

If you have any questions about or would like further information concerning the legal basis on which we collect and use your Personal Information, please contact info@thelayer.com.

Marketing: As described above in this privacy policy, you have the right to withdraw your consent to marketing at any time.

Onward Data Transfers

Personal Information (personal data under GDPR) and information of users located outside of the United States will be transferred to H LAYER, our third-party service providers to facilitate the purpose for which it was collected. H LAYER and our service providers are currently based in the United States. By using the Site and/or sending Personal Information to us or our Site, you understand and acknowledge the transborder and international transmission of any Personal Information that you may choose to provide to us to any country in the world, including countries without an adequate level of data protection. For transfers from the EU to countries not considered adequate by the European Commission including the United States, we have put in place appropriate and suitable safeguards to protect your Personal Information and that the transfer of your Personal Information is in compliance with the requirements and the obligations provided by applicable data protection laws, such as standard contractual clauses adopted by the European Commission as per Articles 45 and 46 of the EU General Data Protection Regulation 2016/679.

Children's Online Privacy Protection Act (“COPPA”) Compliance

H LAYER does not provide exams to or sell products for purchase by children. If you are under 18 years of age, you may use the Site only with involvement of a parent or guardian. Further, H LAYER will not knowingly collect, maintain or use any Personal Information about anyone under 18 years of age. Our Site is directed to individuals who are at least 18 years old or older.

Links to other websites

The Site contains links to other websites. H LAYER is not responsible for the privacy practices of unaffiliated companies, and once you leave the Site, you should read the applicable privacy policy of that organization.



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Assignment

In the event that all or part of our assets are sold or acquired by another party, or in the event of a merger, you grant us the right to assign the Personal Information we have collected from you.

Changes to our Privacy Policy

We may update this Privacy Policy from time to time, so please visit this page periodically and review for changes. We will notify you of material changes to this Privacy Policy by posting a notice on our home page for a reasonable period of time and changing the "Effective Date" above. Your continued use the Site following the posting of changes will constitute your acceptance of the changed terms.

Contacting Us

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

Postal address:

H Layer Credentialing

720 S. Colorado Blvd Suite 750 NorthDenver, CO 80246

By Email:

info@theH LAYER.com

By Phone:

888-807-0375