

## Cookie Policy

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This Cookie Policy applies to NOCTI and Nocti Business Solutions (NBS). Like most businesses, we employ "cookies" (small files assisting navigation). This policy provides information about our use of cookies. The term "website" includes all NOCTI/NBS websites, platforms, systems, and applications that are used. Please read this cookie policy to understand how and why cookies are used.

Upon your first access to NOCTI/NBS websites, a message will be visible alerting you that cookies are in use. By closing the message or continuing to browse the NOCTI/NBS websites, you acknowledge that you understand and agree to the use of these technologies, as described in this policy.

You do not have to accept cookies and consent can be withdrawn at any time (see "How to Change Cookie Settings"). Browser settings can be changed to refuse or restrict cookies, and you may delete them at any time after they have been placed on your device. If you do not accept or delete NOCTI/NBS cookies, some areas of the websites used by NOCTI/NBS may take more time to load or may not function properly.

### A. What are Cookies?

Cookies are small, usually randomly encoded, text files containing a string of characters that help you navigate through a website. NOCTI/NBS uses cookies on its sites so when you visit the site again, the cookies allow us to recognize your browser. Cookies may store preferences and other information, but they cannot read data from your hard drive or read cookie files created by other sites you may have accessed.

Cookies set by a website owner (in this case, NOCTI/NBS) are called "first party cookies." First-party cookies are required to hold session information as you navigate from page to page within the website. Cookies set by parties other than the website owner are called "third-party cookies". Third-party cookies enable us to provide third-party features or functionality through the NOCTI/NBS websites (e.g., analytics). This Cookie Policy covers the use of cookies by NOCTI/NBS only and not the use of cookies by third parties.

### B. Cookie Types

There are primarily two types of cookies: 1) Session Cookies and 2) Persistent Cookies.

**Session cookies** are temporary cookies that are not permanently stored on your device. They are used as part of the login, authentication, and session management flows of the websites. Certain session cookies are used to understand if a user is a new user or a user returning as part of the same browsing session. These cookies are removed from your browser when you close your browser.

**Persistent cookies** are those placed on your device for a pre-determined length of time when you visit the site. They are used on our websites to understand what areas of our websites are most popular (using Google Analytics) and how users are interacting with the NOCTI/NBS websites.

### C. The Cookies We Use

Cookies are used on the NOCTI/NBS websites to recognize you when you visit our sites, creating an easier navigation experience by saving your preferences, among other things. Our cookies enable us to relate your use of our websites to Personal Data that you may have previously submitted. Traditionally, cookies are also used to deliver content tailored to your interests. At this time, NOCTI/NBS does not use cookies in this manner.

Some cookies are associated with your account and personal information and other cookies are not tied directly to your account but are unique and allow us to review and carry out analytics processing.

Type of Cookie/Purpose	Who Serves These Cookies	How to Refuse
<p><b>Strictly Necessary/ Essential Cookies</b> These are cookies that are required for the operation of certain NOCTI/NBS websites. They include cookies that enable you to log into secure areas of our websites, use a shopping cart, or make use of e-billing. In addition, they are used for the administration of any NOCTI/NBS online assessment.</p>	NOCTI and NBS	These cookies are strictly necessary to deliver the NOCTI/NBS websites and, therefore, cannot be refused. They can be deleted or blocked by using your browser settings, however. (See How to Change Cookie Settings below.)
<p><b>Performance and Functionality Cookies</b> These cookies are used to recognize you when you return to NOCTI/NBS websites. This enables us to personalize certain portions of content and remember your preferences. These cookies are non-essential to the performance of the NOCTI/NBS websites.</p>	NOCTI and NBS	These cookies can be deleted or blocked by using your browser settings. (See How to Change Cookie Settings below.)

Type of Cookie/Purpose	Who Serves These Cookies	How to Refuse
<p><b>Analytical Cookies</b>            These cookies collect information about how users access and move through NOCTI/NBS websites. We use this information to learn how well our websites perform and how individuals are using our websites. Although not currently being used in this fashion, the information may also be used to personalize the NOCTI/NBS websites to your interests.</p>	<p>NOCTI and NBS            Google Universal Analytics</p>	<p>These cookies can be deleted or blocked using your browser settings. (See How to Change Cookie Settings below.)            Quick Link to opt-out:            Google Universal Analytics:  <a href="https://tools.google.com/dlpage/gaoptout">https://tools.google.com/dlpage/gaoptout</a></p>
<p><b>Social Media Cookies</b>            These cookies allow us to integrate social media into NOCTI/NBS websites.</p>	<p>Twitter            YouTube            Facebook            Linked In</p>	<p>These cookies can be deleted or blocked using your browser settings. (See How to Change Cookie Settings below.)             Quick links to opt-out:             Twitter: <a href="https://twitter.com/personalization">https://twitter.com/personalization</a>             YouTube:  <a href="https://support.google.com/ads/answer/2662922?hl=en-GB">https://support.google.com/ads/answer/2662922?hl=en-GB</a>             Facebook:  <a href="https://www.facebook.com/ads/settings">https://www.facebook.com/ads/settings</a>             LinkedIn:  <a href="https://www.linkedin.com/psettings/guest-controls/retargeting-opt-out?trk=">https://www.linkedin.com/psettings/guest-controls/retargeting-opt-out?trk=</a></p>

#### D. How to Change Cookie Settings

When you first access a NOCTI/NBS website, you will receive a message indicating that cookies and similar technologies are being used. By closing this message or continuing to browse the website, you signify that you understand and agree to the use of these technologies, as described in this Cookie Policy.

Most web browsers automatically accept cookies, but you can usually modify your browser settings to decline all cookies, or just certain cookies. You do not have to accept cookies and consent can be withdrawn at any time. Please note, however, that if you choose to block cookies, doing so may prevent certain elements of the NOCTI/NBS websites from functioning.

Since there are many different browsers, we cannot provide instructions for all browsers here. Links to helpful information for some of the most popularly-used browsers are below.

Apple Safari	<a href="https://support.apple.com/kb/PH21411?locale=en_US">https://support.apple.com/kb/PH21411?locale=en_US</a>
Google Chrome	<a href="https://support.google.com/chrome/answer/95647?co=GENIE.Platform%3DDesktop&amp;h1=en">https://support.google.com/chrome/answer/95647?co=GENIE.Platform%3DDesktop&amp;h1=en</a>
Microsoft Edge	<a href="https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy">https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy</a>
Microsoft Internet Explorer	<a href="https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies">https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies</a>
Mozilla Firefox	<a href="https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences">https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences</a>

### **E. Changes to this Cookie Policy**

We will update this Cookie Policy from time to time, so please check back periodically. The provisions contained in this Cookie Policy supersede all previous notices or policies regarding our use of cookies and similar technology on NOCTI/NBS websites. We encourage you to check the NOCTI/NBS websites frequently to understand how NOCTI/NBS is committed to protecting your information and providing you with improved content and navigation in order to enhance your user experience.

### **F. Contact Us**

If you have questions or complaints regarding this Cookie Policy or the NOCTI/NBS websites, please contact [nocti@nocti.org](mailto:nocti@nocti.org). You may also reach us at 800.334.6283 or send a letter to:

NOCTI/NBS  
500 North Bronson Avenue  
Big Rapids, MI 49307

# Privacy Notice

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## Privacy Notice Purpose

Your personal information is important to you and also important to NOCTI/Nocti Business Solutions (NBS). NOCTI/NBS is committed to protect all "Personal Information." Personal Information relates to any information that can be used to 1. Identify you (e.g., name, user name, identification number) or 2. Contact you (e.g., email address). Other types of information that are considered Personal Information include test scores and/or demographic responses when that information is associated with your Personal Information.

For the purposes of this privacy notice, "products and services" refers to NOCTI/NBS services. The terms "we," "us," "NOCTI/NBS," and "our" refer to NOCTI and Nocti Business Solutions. The term "website" includes all NOCTI/NBS websites, platforms, systems, and applications that are used to collect personal information from you. Please read this privacy notice to understand how and why we use your personal information.

## Who We Collect Personal Information From

NOCTI/NBS collects information from a variety of users including:

- Secondary and Post-Secondary Students (Our services are not intended for children 13 years or younger and it is not our policy to intentionally collect or maintain information about anyone under the age of 13.)
- Teachers
- School Administrators
- Test Administrators
- Subject Matter Experts
- Human Resource Professionals
- Individuals seeking employment or promotion

The types of Personal Information collected will vary based on the user.

## What Personal Information We Collect

In general, you are using NOCTI/NBS services for delivery and scoring of assessments, credentials, and certifications which are meant to provide an independent record of achievement that validates an individual's competence in a specific subject area.

We may collect the following categories of information:

- **Contact Information:** This information allows us to communicate with you and may include first name, last name, user name, and email address.
- **Assessment-Related Information:** This may include your identification number, test title, test date, test item responses, demographic responses (optional), and your associated school or business. In some cases, additional information may be required to provide accommodations for assessment administration.
- **Transactional Information:** This may include a record of your NOCTI/NBS-related online activities, order history, support requests, and payment-related information.
- **Website Interaction Information:** When you visit the NOCTI/NBS websites, we may collect information that tracks your IP address and utilizes cookies. Please review our Cookie Policy to learn more.

## Why We Collect and Utilize Your Personal Information

In order to provide you with access to NOCTI/NBS products and services, we must collect information.

For the information you give to us, we will use the information in the following ways:

- To carry out our obligations to deliver the products and services you have ordered including providing customer support for those products and services; and
- To provide information that you may have requested from us.

For the information we collect from you, we will use the information in the following ways:

- To administer our products and services and for internal operations including account set-up and management, troubleshooting, data analysis, testing, research, and survey purposes;
- To ensure internal recordkeeping is accurate;
- To link test results to a specific test taker;
- To associate digital badges to a specific test taker;
- To link certifications to a specific test taker;
- To link demographic responses, if provided, to a test taker;
- To deliver company-specific and system-specific updates; and
- To conduct internal research and development processes.

### **Who We Will Share Your Personal Information With**

Safeguarding the confidentiality of individual personal information is the responsibility of all organizations and individuals who collect, maintain, access, transfer, or use education or training records. Under the Family Educational Rights and Privacy Act (FERPA), 34 CFR § 99.31(a)(1)(i), NOCTI is provided access to students' Personal Information to deliver agreed-upon assessment services to its student testing customers. NOCTI/NBS does not sell Personal Information.

- **Sharing with Certifying Organizations or Agencies:** NOCTI/NBS may share your information with selected third parties including any certifying organization or agency for which the individual has successfully earned a certification but only to the extent to which the test taker has a relationship with the partner and/or authorization is in place to share Personal Information. The certifying organization or agency will receive a limited amount of Personal Information and only the information needed for the sole purpose of administering testing and certification services and generating score reports.
- **Sharing in Business Transactions:** NOCTI/NBS may disclose Personal Information in accordance with applicable law should a situation arise where the sale or transfer of NOCTI/NBS occurs.
- **Sharing in Test Violations:** NOCTI/NBS may share Personal Information with third parties during investigations of test violations which may include security breaches, suspicious test scores, or other test administration anomalies.
- **Sharing in Legal Matters:** NOCTI/NBS may share Personal Information when presented with a legal obligation through judicial order or legal subpoena. This information will be provided to protect the rights, property, and/or safety of NOCTI/NBS, its systems, and customers.

Finally, it is important to note that NOCTI/NBS may use and share information about you that is not personally identifiable. This information may be shared with researchers to conduct statistical studies and analyses related to NOCTI/NBS products and services to help address critical educational issues as a way to contribute information that may lead to a viable solution.

## **How Long We Keep Your Personal Information**

NOCTI/NBS attempts to hold your Personal Information for only as long as necessary to fulfill the purposes of our services. In the case of certification, individual test taker results are kept indefinitely as the results may need to be accessed to confirm competency. The process of linking data (e.g., pre-test and post-test scores) is another reason for keeping Personal Information for periods longer than may be considered normal in the industry.

## **How We Ensure Security of Your Personal Information**

NOCTI/NBS is committed to ensuring protection of your personal information. We follow generally-accepted security industry best practices and standards to protect the personal information submitted to us both during transmission, and once it is received. NOCTI/NBS employs a variety of security technologies and procedures to help protect Personal Information from unauthorized access and use. NOCTI/NBS security measures are in place to:

- Protect Personal Information against accidental loss;
- Prevent unauthorized access, use, destruction, or disclosure of Personal Information;
- Ensure business continuity and disaster recovery;
- Restrict access to personal information; and
- Train staff on Personal Information security.

## **Where Your Personal Information is Stored**

All Personal Information is stored in an electronic format on systems maintained by NOCTI/NBS in a secure data center facility located within the United States of America.

## **Changes to This Notice**

NOCTI/NBS reserves the right to change this Privacy Notice at any time. Changes will be made to respond to new laws and regulations, to address changes in technology, or for any other business reason that NOCTI/NBS deems necessary. If changes are made, the changes will be effective when the Privacy Notice is published to the website. The last revision date can be found on the bottom of this notice.

## **Contact Us**

Questions, comments, requests, and complaints regarding this Notice and the personal information we store are welcomed. We will attempt to respond to all requests promptly and efficiently.

- Email: [nocti@nocti.org](mailto:nocti@nocti.org)
- Mail: NOCTI/NBS, 500 North Bronson Avenue, Big Rapids, MI 49307
- Phone: 1-800-334-6283

## Special Notice to European Union Citizens and Residents

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This supplemental section of the NOCTI/NBS privacy notice relates to citizens and residents of the European Union (EU) and addresses the additional information required by the EU General Data Protection Regulation (GDPR). This supplemental information and the information provided on the preceding pages explain the procedures related to Personal Information for EU citizens and residents.

### Who Controls Your Personal Information

To adhere to GDPR requirements and other applicable data protection laws, NOCTI/NBS serves as a data processor. Contact information for our organization is listed in the Contact Us section below.

### Lawful Basis for Processing Your Personal Information

NOCTI/NBS must have a lawful basis for processing Personal Information. In most circumstances, you are not required by law to provide any Personal Information to NOCTI/NBS. We do require certain components of Personal Information in order to utilize NOCTI/NBS products and services. If this information is not provided, we are unable to provide the products and services requested.

NOCTI/NBS will process your Personal Information when we have a legal basis for the processing, such as:

- **Needed for Your Purchase:** Personal Information about you is used to assign a user code and password to access the online testing system, the SkillBadge Locker, and the Client Services Center as well as to provide customer support, as needed. This information may also be used for activities related to payment processing and financial management.
- **Required by Law:** Your Personal Information is used to comply with any laws and regulations where we are required to do so.
- **Our Legitimate Interest:** NOCTI/NBS uses your Personal Information for our legitimate interests as identified below. We have reviewed all privacy risks and ensure that your Personal Information protection rights are not affected.
- **Reporting:** We report scores to students and their schools, districts, and states to help measure educational progress and provide certification as appropriate. Scores are reported to test administrators and/or employers in the case of business/industry testing.
- **Training:** We use your Personal Information to train our employees on system functionality and compliance requirements. Your Personal Information may also be used to improve our business processes, improve the integrity of our tests, and for research purposes.
- **Statistical Analysis:** We use your Personal Information to support research related to the testing industry.
- **With Your Consent:** In certain instances, we will rely on your consent to collect and use your Personal Information. Users will be provided with the choice to provide consent. When we collect your consent, NOCTI/NBS identifies why it is needed and how you can change your mind about the consent given in the future. NOCTI/NBS may provide marketing communications.

### Automated Decision Making and Profiling

NOCTI/NBS may use automation as part of its processes related to ordering, fulfilling, administering, and scoring tests. This automation may be associated with other services needed to fulfill your requests.

NOCTI/NBS will not automate any decisions that will significantly affect you unless it is part of a contract, we have your consent, or we are legally required to do so.



On occasion, NOCTI/NBS uses components of your Personal Information for its research activities. The results of our research do not contain any identifiable Personal Information and the results are not used to target or profile any individuals.

## Your Rights

NOCTI/NBS sends marketing communications to its users. You have the right to opt-out of any of our email communications by clicking the "unsubscribe" option at the bottom of any email we send to you. In adhering to the GDPR requirements, if you are a citizen or resident of the EU, you have certain rights to access, correct, and request the removal or restriction of Personal Information as required by law as described below:

- **Access Right:** Provide you with information as to how we process your Personal Information to include details relating to our processing. You also have the right to request a copy of your Personal Information.
- **Right to Rectification:** Promptly correct/update any inaccurate Personal Information we may have about you.
- **Right to Object:** Right to object to processing of any Personal Information related to you.
- **Right to Restriction:** Under certain conditions, be restricted from processing your Personal Information.
- **Right to Erasure:** Under certain circumstances, erase your Personal Information without delay.
- **Right to Data Portability:** Under certain circumstances, provide you with the Personal Information which you provided to us, in a commonly-used format.

In situations where your Personal Information is processed solely on the basis of your consent, you are entitled to withdraw your consent at any time. The exercise of your rights may be limited to certain conditions and require further information from you in order to accurately respond to your request. Our ability to delete Personal Information will be limited in certain cases where NOCTI/NBS is required to retain records such as score reports. To exercise your rights, please refer to the Contact Us section below.

## How Long We Keep Your Personal Information

NOCTI/NBS will retain your Personal Information for a period of time that meets the purposes set forth above and/or for any additional period of time that may be required or permitted by law. To request that NOCTI/NBS delete your Personal Information, you must contact us via the information in the Contact Us section below. Unless we are required by law or have a valid interest in retaining your information, it will be deleted within 30 days of your request.

## Changes to This Notice

NOCTI/NBS reserves the right to change this Privacy Notice at any time. Changes will be made to respond to new laws and regulations, to address changes in technology, or for any other business reason that NOCTI/NBS deems necessary. If changes are made, the changes will be effective when published to the website. The last revision date can be found on the bottom of this Privacy Notice.

## Contact Us

Questions, comments, requests, and complaints regarding this Privacy Notice and the personal information we store are welcomed. We will attempt to respond to all requests promptly and efficiently.

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- Mail: NOCTI/NBS, 500 North Bronson Avenue, Big Rapids, MI 49307
- Phone: 1-800-334-6283

# Rules of Use

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Rules of use are based upon common sense for the use of shared equipment and upon the NOCTI/Nocti Business Solutions Security Policy. Failure to abide by the rules of use will be considered a security breach and may result in rescinded access, fines or other actions causing limits to access and/or use.

1. NOCTI/Nocti Business Solutions online services are provided only for use by NOCTI and Nocti Business Solutions authorized site coordinators.
2. Access to NOCTI/Nocti Business Solutions online services is restricted to authorized sites and requires user identification (i.e., site code, user code) and password.
3. Site codes, user codes, and passwords are assigned only to authorized sites and must not be shared in any way with unauthorized personnel.
4. When accessing NOCTI/Nocti Business Solutions online services from a shared equipment site, the user must log out of the service and close the browser window before leaving the station.

The NOCTI/Nocti Business Solutions online services are maintained by NOCTI/Nocti Business Solutions for our educational and business clients. Access to and use of the NOCTI/Nocti Business Solutions online services are subject to policies and guidelines for NOCTI/Nocti Business Solutions and all applicable laws. These policies and guidelines may be revised or updated by NOCTI/Nocti Business Solutions at any time.