

PLEASE READ THIS POLICY CAREFULLY BEFORE DOWNLOADING THE APP OR USING THE SERVICES OFFERED BY THE UNIVERSITY OF COLORADO DENVER | ANSCHUTZ MEDICAL CAMPUS VIA THE VOXSCHOLAR (“VoxScholar”) MOBILE APPLICATION

**Effective Date: May 21, 2018**

The University of Colorado Denver | Anschutz Medical Campus (hereinafter “CU Anschutz”) values your privacy and the confidentiality of the information you choose to share. It recognizes the numerous laws that govern the collection, storage, transfer, use and access to personally identifiable information. This statement pertains only to data collected via the CU Anschutz mobile application, VoxScholar (“App”), and does not apply to any other websites or mobile applications that are created and maintained by CU Anschutz, the University of Colorado, or any other CU Anschutz faculty, staff, or students using resources available within a university domain.

This Privacy Policy governs the App and all the software applications and online services incorporated within the App (the “App Services”).

This Privacy Policy describes our policies and procedures regarding the collection, use, and disclosure of information, including personally identifiable information (defined below) made available by users of the App. The use of the App is governed by the Google Assistant API Terms of Service (“Terms of Service”) available at: <https://developers.google.com/assistant/sdk/terms-of-service>.

## **HOW DOES CU ANSCHUTZ COLLECT YOUR INFORMATION?**

The information we collect may be “personally identifiable” or “PII” (meaning it can be used to specifically identify you as a unique person) or “non-personally identifiable” (meaning it can’t be used to specifically identify you). We use both types of information, and combinations of both types. We will use or store information within the United States.

- 1. Information you provide:** When you access the App, we collect any information you choose to provide to us through your use of the Google Assistant and the App. For instance, if you register for an account via Google Assistant to use the App, the App will collect some personally identifiable information, including but not limited to:
  - First name;
  - Last name;
  - Geographic information;
  - Email address.

If you submit a comment to email us directly, we will collect all information you provide in that communication.

- 2. Meta Data:** The App is a voice application and, as such, we collect non-personally identifying information about your use of the App and any associated App Services. The App Services collects non-personally identifiable information about you while you use and navigate the App Services, including:
  - Your IP address;
  - Questions that you asked the App;
  - The sequence of questions that you have asked the App;

- Type of mobile device you use; and
- Technical information about your device, operating system, peripherals, and App software.

The App will collect and use meta-level data generated during the creation of your content, uses, and while modeling and predicting user engagement with App content. This information is non-personally identifiable.

## HOW DOES CU ANSCHUTZ USE YOUR INFORMATION?

We may use or disclose any of your information, whether it is personally identifiable or not, for the following purposes:

- To provide you with the App Services;
- To respond to your requests or questions;
- To deliver to you any administrative notices, alerts, and communications relevant to the your use of the App Services;
- To communicate with you concerning your account for an informational, as opposed to promotional, purpose, for instance, to send you system alert messages to let you know about temporary or permanent changes to our services including planned outages, new features offered, version updates, point releases, major releases, abuse warnings, or changes to our Privacy Policy;
- For any educational purposes associated with your enrolled student status at the CU Anschutz campus; and
- As outlined in any Institutional Review Board (“IRB”) approved informed consent document, if you choose to participate in any current or future research study incorporating the use of the App and sign the informed consent document. Consent for participation in an IRB-approved study is completely voluntary and separate from your use of the App, and will not have any impact on your status as a student, employee, staff, or faculty member at the University, if applicable.

We use the following specific types of information as described below:

- 1. Information in a Case or Collection:** Information in a case or collection, including personally identifiable information, is made available to CU Anschutz and Google Assistant.
- 2. Non-Identifiable Data, including Log Data and Meta Data:** Log data, meta data, and other data (collectively, “Use Data”) allow us to create a better, more efficient user experience. Use Data helps the App remember various settings and features you have selected, such as the last topic you asked about, or the order of elements in a case, so we can customize present and future topics to your needs. Additionally, we analyze the conversation pathway, and the performance models the App generates to continuously improve the helpfulness of the App and the user experience. The App may compile, synthesize, and analyze any non-personally identifiable data, including Use Data, or information resulting from a user’s use of the App (“Blind Data”). To the extent any Blind Data are created by the App, that Blind Data will be solely owned by CU Anschutz for any lawful purpose without a duty of accounting to you as the user. The Blind Data are used only in an aggregated form without specifically identifying the source of the Blind Data.

Further, we may disclose Use Data or non-personally identifiable information such as usage statistics of our App Services for our own internal development purposes.

### **HOW LONG WILL YOU KEEP MY INFORMATION?**

We will retain your personally identifiable information and your Use Data for as long as your account is active, or as needed to provide you with the App Services. All personally identifiable data, including data associated with an IRB-approved research study, or any student data protected under the Family Education Rights and Privacy Act, will be retained in accordance with CU Anschutz data retention policy.

We may maintain and use your Use Data and other non-identifiable data indefinitely. If you wish to cancel your account or request that we no longer use your information to provide you with App Services, you may delete your account at support@voxscholar.com. We may retain and use your personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. Consistent with these requirements, we will delete your information quickly upon request.

### **HOW DOES CU ANSCHUTZ DISCLOSE YOUR INFORMATION?**

CU Anschutz does not and will not sell, rent, or share your personally identifiable information that you provide or that we collect to any third party, for any reason, except as set forth in this Privacy Policy.

CU Anschutz does not disclose any of your information with third parties other than as follows: (i) to the extent necessary to comply with applicable law and our legal obligations, such as to comply with a subpoena or similar legal process; (ii) when CU Anschutz believes in good faith that disclosure is necessary to protect its rights, your safety or the safety of others; (iii) with third party vendors, consultants and other service providers who work for us and need access to your information to do that work; (iv) to investigate fraud, or respond to a government request; (v) in connection with or during negotiation of any merger, financing, acquisition, or dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets to another company. CU Anschutz does not access your contact information or address book within your device.

Because CU Anschutz is a state institution, some information collected from the App may be subject to the Colorado Open Records Act (C.R.S. 24-72-201 et.seq.)

### **HOW DO YOU OPT-OUT?**

You may opt-out of providing further information to CU Anschutz at any time by uninstalling the App using the standard uninstall processes available on your mobile device or via the applicable Application marketplace or store. Opting out of certain types of information collected may limit your ability to use certain features or functionality within the App. **YOU ACKNOWLEDGE AND AGREE THAT UNINSTALLING THE APP WILL NOT REMOVE YOUR INFORMATION FROM CU ANSCHUTZ'S SERVERS WITHOUT A SEPARATE REQUEST AND YOU GRANT CU ANSCHUTZ A ROYALTY-FREE, UNLIMITED RIGHT AND LICENSE TO MAINTAIN SUCH INFORMATION ON OUR SERVERS AND IN OUR ARCHIVES UNTIL YOU REQUEST DELETION IN ACCORDANCE WITH THIS SECTION.**

If you are a participant in an IRB-approved research study using the App, and no longer wish to participate in said research study, you may discontinue your participation in that research study by contacting the Principle Investigator of said IRB-approved study, as outlined in the informed consent document. Deleting the App will not be sufficient notice to un-enroll in any IRB-approved study you have consented to participate in.

### **WHAT ABOUT THIRD PARTY TRACKING OR ADVERTISING?**

CU Anschutz, via the App, uses trusted third party companies to help us provide you with a better service. For instance, the App uses a third party hosting provider to provide, in combination with CU Anschutz, a portion of the necessary hardware, software, networking, storage, and related technology required to run the App Services. A majority of the information you provide and we collect is stored by the third party. Use Data is collected by Google Assistant, and governed by Google Assistant Terms of Use and Privacy Policy. Google provides us with App analytics and reporting. Every time that you access the App, Google Assistant collects and stores non-identifiable technical and navigational information, such as computer browser type, Internet protocol address, questions asked, and average time spent on the App.

CU Anschutz is not responsible for the content or privacy statements of the Google Assistant app or the content of any third-party websites or mobile applications. If you are asked to supply personal information to those websites or mobile applications, we suggest you read carefully through the privacy statements of those websites or mobile applications.

### **WHAT ABOUT CHILDREN?**

The App is intended for adults and young adults age 13 and over, and they not intended for persons under the age of 13. Any child under the age of 13 should not register to use the App, or provide any Personal Information. It is not CU Anschutz's desire or intent through the App to collect and store any personal information from any person CU Anschutz actually knows to be under the age of 13. If CU Anschutz is made aware of collecting information of a child under the age of 13, CU Anschutz will delete this information.

### **WHAT ABOUT STUDENT DATA?**

In general, the Family Education Rights and Privacy Act ("FERPA") prohibits the release of students' educational records. However, the University of Colorado may release student directory information or student educational records if allowed or required by FERPA. For more information about FERPA contact your campus registrar's office.

### **WHAT ABOUT SECURITY?**

CU Anschutz takes commercially reasonable steps to help protect your information against loss, misuse, and unauthorized access, or disclosure. **HOWEVER, CU ANSCHUTZ EXPRESSLY DISCLAIMS ANY REPRESENTATION OR WARRANTY, WHETHER EXPRESS OR IMPLIED, WITH RESPECT TO ENSURING, GUARANTEEING OR OTHERWISE OFFERING ANY DEFINITIVE PROMISE OF SECURITY IN CONNECTION WITH YOUR INFORMATION.**

### **WHAT ARE YOU CONSENTING TO?**

By using the App, you are consenting to the use and processing of your information as set forth in this Privacy Policy, all of which activities are taking place within the United States. If you reside outside of the U.S., your information will be transferred to the U.S., and processed and stored there under U.S. privacy standards. By using the App and providing information to us, you expressly consent to such transfer to, and processing in, the U.S.

### **WILL THIS POLICY CHANGE?**

CU Anschutz reserves the right to revise this Privacy Policy in its discretion by posting the revised version on the App. If the changes are material (as determined by us in our sole, but reasonable discretion), we will give you reasonable advance notice and an opportunity to review the changes before they become effective. If you do not agree to the revised terms and conditions of the Privacy Policy, your sole and exclusive remedy is to stop using the App. Your continued use of the App after any revision to this Privacy Policy (or delivery to you of notice of the change, if applicable) constitutes your binding acceptance of the revised Privacy Policy. The Privacy Policy will be identified as of the most recent date of revision. You should visit this notice regularly to ensure your continued acceptance of these terms.

### **WHO SHOULD YOU CONTACT WITH QUESTIONS?**

If you have any questions about this Privacy Policy, our policies, and practices concerning the App, your rights under this Policy, and your dealings with the App, you can contact a representative at [som.academy@ucdenver.edu](mailto:som.academy@ucdenver.edu)