

I. Introduction

This Privacy Statement provides information on how Development Cubed Software, Inc. dba MarchingOrder collects, uses, and protects personal information collected through our websites and through the provision of our products and services from customers and users (collectively, the “Services”). MarchingOrder provides Services related to graduation, commencement ceremonies, and advanced ticketing, and we are committed to the highest standards of protection for personal data at all times. When we refer to “us,” “we,” “our,” or “MarchingOrder” in this Privacy Statement, we are referring to MarchingOrder and its affiliates. We believe that Privacy is a fundamental right for all individuals. Our clients and their users entrust us with the personal information of both employees and parents, and students. On this basis, we take the responsibility attached to this information very seriously.

How we collect information and how we use information may differ based on our relationship with you as an individual. We have identified below the different relationships we may have with you, and our respective use of information we collect.

II. Customer Data and FERPA Compliance

Data received from Customers and when a customer’s privacy statement/policy governs.

If you are an end-user (parent or student) of our customer (a school or school district) and you are using MarchingOrder products and services through our customer (your school or school district), MarchingOrder may receive information about you from such customer. These disclosures are generally made pursuant to FERPA Section 99.31(a) (1), where MarchingOrder is generally designated Provider as an “other school official” with “legitimate educational interests” for the purposes of disclosing to Provider certain student information of its students or another applicable exemption from FERPA. In these cases, your school or school district’s privacy statement or privacy notice governs the use of any personal information. Our Privacy Statement does not supersede the terms of any agreements between us and your school or school district (our customer), nor does it affect the terms of any agreement between the student and the student’s school or school district.

FERPA Compliance

MarchingOrder, in its role as a vendor to educational agencies and institutions, both public and private entities (“Educational Agencies”), receives disclosures from the Educational Agencies, which include the directory information, personal information, and other data (“Student Data”) contained in student records such as Student ID number, full name, email address, degree(s), applicable honors, GPA as well as information directly from students and parents of students such as a photo and personal message. Only information that is needed for MarchingOrder to perform services, which are outsourced to MarchingOrder by the Educational Agencies, is disclosed to MarchingOrder. These disclosures are authorized by the federal Family Educational Rights and Privacy Act (FERPA). MarchingOrder considers Student Data to be strictly confidential and does not use Student Data for any purpose other than improving and providing our products and services to the Educational Agencies or on the Educational Agencies’ behalf. Our collection, use, and sharing of Student Data is governed by our contracts with the Educational Agencies, the provisions of FERPA, the Children’s Online Privacy Protection Act (COPPA), and other applicable state and federal laws and regulations that relate to the collection and use of personal

information of students. **If you have questions about reviewing, modifying, or deleting personal information of a student provided by Educational Entities, please contact the relevant Educational Agency(ies) directly.**

III. What Information We Collect and How We Use It

The nature of the personal information we collect and how we use it depends on the context in which we collect that personal information. Please see the section below that applies to you. Note that you may fall under multiple categories if you interact with our products, services and website in multiple ways.

A. Customers (Schools and School Districts and their employees).

i. Information We Collect

- a. **Directly from you.** We collect information necessary to provide the educational technology services as directed by you. The information collected from you depends on the specific product and what is needed to integrate with your systems and to set up and maintain accounts. This includes information in the following data categories:
 - Account and Student information: The exact elements will depend on the product and what specific information you as a customer provide to us, but often we receive from you FERPA sanctioned directory information, email addresses, student IDs, GPA, degree(s), applicable honors and metadata. See the section entitled “Customer Data and FERPA Compliance” section for further detail.
 - User Account Information: We also collect account information from your designated product administrators and users affiliated with Customers including usernames, email addresses and titles to initially set up products and services for you.
 - Supplementary Service Information: Depending on your needs as a customer, we may also facilitate financial transactions through a third-party payment platform of students and parents of students in order to provide services. In these instances, MarchingOrder itself will not collect or store any of the financial information.
- b. **Indirectly from you.** We collect device and usage information when you access and use our products and services, including information that your browser or the mobile app sends when you are using it. This data may include your unique device identifier, IP address, your browser type and configuration, the date and time of your use of the product or service and cookie data. Specifically, we and our service providers use cookies and similar technologies such as local storage (HTML5), web beacons, Javascript, and eTags. The purpose of collecting such information is for improvement of our products and services to better meet the needs of our customers and their users. See our [cookie policy](#) for further details on our use of cookies.

- c. **From third parties.** We may receive information from affiliates in our MarchingOrder Group of companies and other third parties. For example, we may receive limited personal information from third-party services that integrate with or complement the MarchingOrder products or services that you have opted into in order to provide you with the best possible user experience.
- ii. How We Use This Information. We use your information to provide you the features and functionality of the MarchingOrder products and services, as well as to communicate directly with you and allow you to communicate with other MarchingOrder users (i.e., students and families). It is necessary for us to use the information in this manner in order to provide you with the services your school or school district has requested pursuant to its agreement with MarchingOrder. We will use your information to provide you with news and information about new products and services. Any such marketing communications from us may be discontinued at any time. See “Marketing.” We may also use de-identified and aggregated information to understand and improve our products and services. We may share general customer contact information with certain Partners as is necessary to offer and provide our products and services to our current and prospective clients. No customer data other than general institution contact information is provided for these purposes. For absolute clarity, we do not provide any student data or personally identifiable information to any Partners for marketing purposes.

- iii. How We Share This Information

We share information to provide the MarchingOrder products and services to you and further improve them. Within MarchingOrder, your information will be accessed only by those who have a need to provide the MarchingOrder products and services. We use vendors to help us provide the MarchingOrder products and services to your school or school district. We may also share this information with third-party vendors that are also used by a Customer and at the Customer’s direction. MarchingOrder does not provide warranties for third party providers and will cooperate with Customer requests to share data with a third-party provider with the understanding the Customer vetted that third party and only at the instruction of the Customer. Third-party analytics tools may also have access to your personal information to help us understand how the MarchingOrder products and services are being used such as Google Analytics. On the MarchingOrder websites there are links to social media sites, such as Instagram and YouTube, when you click on the icons on MarchingOrder’s website some web traffic information is shared with those companies.

B. Students, Parents and Other Guests

This section of our Privacy Statement is provided for informational purposes and describes how parent, student and guest personal information is used when MarchingOrder products and services are provided through a school or school district. How that information is used depends on the school or school district, so please consult your institution’s privacy statement.

- i. Information We Collect

- a. **Information provided to us by a school or school district.** The specific information that is collected from the school or school district depends upon the MarchingOrder product

or service, but in general, this information includes but is not limited to: full name, date of birth, email address, student ID, account credentials, GPA, degree(s) and any applicable honors. MarchingOrder will receive regular updated information to keep account information accurate and up to date. These disclosures will be compliant with FERPA. Please see the “Customer Data and FERPA Compliance” section for more information. **The school or school district decides how this personal information is used.**

- b. **Directly from a parent, student or guest:** Depending on the MarchingOrder products and services your school (or your child’s school) uses, we will collect the following data categories directly for you or the school or school district when we initially set up the products and services for your institution: full name, date of birth, email address, student ID, account credentials, GPA, degree(s), any applicable honors, photos, personal messages and videos uploaded to MarchingOrder. In the case of ceremony guests, MarchingOrder will receive ticketing information, such as full name, email address and phone number. MarchingOrder will receive regular updated information to keep account information accurate and up to date.
- c. **Indirectly from a parent, student or guest:** We collect device and usage information when you access and use MarchingOrder products and services, including information that your browser or the mobile app sends when you are using it. This data may include your unique device identifier, IP address, your browser type and configuration, the date and time of your use of the product or service, and cookie data. Specifically, We and our service providers use cookies and similar technologies such as local storage (HTML5), web beacons, Javascript, and eTags. The purpose of collecting such information is for improvement of our products and services to better meet the needs of our customers and their users. See our [cookie policy](#) for further details on our use of cookies.

ii. How We Use This Information

- a. **On behalf of your school or school district.** We use your information on behalf of and under the instruction of you, or your child’s, school or school district, which is the data controller. We use the information in accordance with our agreement with you, or your child’s, school or school district to operate, maintain, and provide the features and functionality of the MarchingOrder products and services. Your, or your child’s, school or school district determines how the personal information is used and/or shared.
- b. **Supplemental Services.** We may also use your information to provide you the features and functionality of the additional MarchingOrder products and services, such as graduation-related ticketing solutions and product offerings, or similar products and services provided by partners, as well as to communicate directly with you. We may use your information to provide you with news and information about new products and services. Any such marketing communications from us may be discontinued at any time. See “Marketing.” We may also use de-identified and aggregated information to understand and improve our products and services. For absolute clarity, we do not provide any student data or personally identifiable information to any Partners for marketing purposes.

How We Share This Information. We share student information in accordance with our agreement with the school or school district. Generally, this includes the sharing of such information inside and outside MarchingOrder under certain terms. Student information will be accessed inside MarchingOrder only by those who have a need to know to provide the MarchingOrder products and services and improve them. For example, our technical and client support teams may have access to personal information when the MarchingOrder products and services are implemented for your school or school district or when software or other changes are required for support and maintenance purposes. We use vendors to help us provide the MarchingOrder products and services to you (or to your child) on behalf of our school or school district customer. Depending on the school or school district's request, we may also facilitate financial transactions through a third-party payment platform, but MarchingOrder does not collect or retain payment card information. MarchingOrder may also share your information at the school or school district's direction with a third-party with a complementary product that is also involved in the graduation or commencement you relate to.

C. Website Users.

You may visit any MarchingOrder website without having to log in or provide any personal information. If you are on a MarchingOrder website to access a service or product, you may need to log in to make use of the functionality of the particular product.

i. Information We Collect

- a. **Directly from you.** You may voluntarily provide us information when you complete a form or survey on our website or subscribe to our blog or newsletters. This may include some or all of the following categories of information: Name and Role; Job title; Signature; Profession; Social media account name; User name; Telephone Number; Street Address; and Email address. You may also provide information when you register for an account through a MarchingOrder website to log in to use a product or service.
- b. **Indirectly from you.** We collect information about the pages you visit and how you access and use the MarchingOrder websites using cookies, tracking technologies and other third party analytics tools. Specifically, We and our service providers use cookies and similar technologies such as local storage (HTML5), web beacons, Javascript, and eTags on our websites. This information includes information about the devices you use to access the MarchingOrder website including unique device identifiers, IP address, operating system, browser, and cookies. Depending on your device settings, we may also collect information about your geographical location and what websites you may travel from to our website. We use this information to better understand our customers and users, so that we may provide more effective advertising and products. See our [cookie policy](#) for further details on our use of cookies.
- c. **Information from third parties.** We may supplement the information we collect with information from the MarchingOrder affiliates and other third parties that we use to promote our products and services. For example, we may receive information from a third party about how well an online marketing or email campaign performed, or from conference and trade show organizers.

ii. How We Use This Information

- a. **Provision of Services.** We may also use your information to provide you the features and functionality of the certain MarchingOrder products and services that you request, such as graduation-related ticketing solutions and product offerings, as well as to communicate directly with you. We may use your information to provide you with news and information about new products and services. Any such marketing communications from us may be discontinued at any time. See “Marketing.” We may also use de-identified and aggregated information to understand and improve our products and services.
- b. **Improvement of Services.** We use the information collected to provide and improve our website services and our products and to analyze usage information for sales and marketing purposes. We also use the information collected to communicate with you in any manner that you have requested. This analysis is necessary to further our legitimate interest in understanding our users and their interactions with us and our websites to best iterate and improve on our websites and communications, including marketing purposes, and to provide you with content that you have requested. Third party information that we collect from social media may be used to provide you with requested information or our newsletter or contact you regarding our services, opportunities, products, and/or events.

- iii. How We Share This Information. Where we use third-party analytics tools to help us understand how the MarchingOrder websites are used, these parties will have access to some of your personal information. This includes analytics tools such as Google Analytics.

IV. Sharing with Vendors, Partners, and Other Disclosures

- i. Vendors. We engage directly with certain third-party companies to help us provide the MarchingOrder products and services to our customers or to you or to perform work on our behalf (“Vendors”). Our vendors are required to abide by our privacy and security instructions and are contractually restricted from using any personal information they access or receive from us for any purposes other than as needed to perform such services. We may use vendors to help us conduct marketing campaigns and disclose customer contact information necessary for those activities.
- ii. Partners. Your institution may work with third-party companies to provide additional content and functionality which requires access to MarchingOrder products and services (“Partners”) Only with your institution’s permission, will we share information about you, such as your name, email, or student ID, that is required to provide you with access to the products and services that have been requested by your institution. In these cases, these Partners will enter into an agreement regarding the processing of any data at the direction of your institution.
- iii. Other Types of Disclosures. We may also share your information where required under the following circumstances:
 - a. Where permitted by applicable law and by contracts with our customers, we may disclose your information in the course of a corporate transaction such as a merger,

acquisition, sale of assets, or a financing, or pursuant to a bankruptcy, dissolution proceeding or reorganization.

- b. We may need to disclose your information to comply with legal or regulatory requirements and to respond to lawful requests, court orders, and legal processes. Where such disclosures relate to personal data we hold as a data processor on behalf of our customers, we will refer such requests to our customers where permissible.
 - c. We may need to disclose your information to protect and defend the rights, property, or safety of MarchingOrder, our customers, or third parties, including enforcing contracts or policies, or in connection with investigating and preventing fraud or other misuse of our systems.
 - d. We may utilize aggregated or de-identified (anonymized) information that is no longer associated with a person to enhance and promote the MarchingOrder products and services. **MarchingOrder does not rent, sell, or otherwise provide access to student personal data to third parties for marketing or advertising purposes.**
- iv. Marketing. We conduct marketing to promote the MarchingOrder products and services, but do not use or disclose information (whether personal information or otherwise) about students that we collect through the provision of MarchingOrder products and services for targeting of advertisements to students. MarchingOrder may use graduation slides for marketing purposes after they have been displayed by a customer during a ceremony. When we conduct (or sponsor) events, conferences, and webinars, we will collect information about attendees, such as the session they attend and their contact information to provide them information about MarchingOrder products and services and other MarchingOrder information.
- a. **Marketing Preferences and Opt-Out.** Our marketing emails will always include an “unsubscribe” link so that you can change your preferences and opt-out of receiving marketing emails or communications from MarchingOrder. You can also send us email at info@marchingorder.com to unsubscribe. Please note that even if you opt-out of marketing emails, we may still need to contact you with important information about your MarchingOrder account.
- v. Interest-based Advertising. We may use third party advertising tools to collect information about your visits to the MarchingOrder websites to provide targeted advertisements to you based on your browsing history on other websites or on other devices you may use. If you would prefer to not receive personalized ads based on your browser or device usage, you may generally express your opt-out preference to no longer receive tailored advertisements. Please note that you will continue to see advertisements, but they will no longer be tailored to your interests. To learn more or opt-out of interest-based advertising by participating companies in the following consumer choice mechanisms, please visit:
- a. Digital Advertising Alliance (DAA)’s self-regulatory opt-out page (<http://optout.aboutads.info/>) and mobile application-based “AppChoices” download page (<https://youradchoices.com/appchoices>)

- b. European Interactive Digital Advertising Alliance (EDAA)'s consumer opt-out page (<http://youronlinechoices.eu>)
 - c. Network Advertising Initiative (NAI)'s self-regulatory opt-out page (<http://optout.networkadvertising.org/>).
- vi. Google Analytics and Advertising. We also use Google Analytics and other third-party cookies to collect certain information about your visits to our MarchingOrder websites. You can opt-out of third-party cookies from Google Analytics using the [Google Analytics opt-out browser setting add-on](#) or other ad management tools. You can learn more about our use of cookies in our [cookie policy](#) and you can learn about managing your preferences.
- vii. "Do Not Track" Signals. Without a common industry or legal standard for interpreting so-called "Do Not Track" (DNT) signals, MarchingOrder does not respond to browser DNT signals. We will continue to monitor further development of a DNT standard by the privacy community and industry.

V. Children's Privacy

We do not knowingly collect any information from children under the age of 16 unless and until the MarchingOrder customer (school or school district) has provided authorization for a student under 16 to use the MarchingOrder products and services and for us to collect personal information from such student.

Please contact us at support@marchingorder.com if you believe that we have inadvertently collected personal information from a child under 16 without proper consent. This will allow us to delete such information as soon as possible.

VI. Security

MarchingOrder employs a variety of physical, administrative, and technological safeguards that are designed to protect personal information against loss, misuse, and unauthorized access or disclosure. We strive to continuously enhance our technical and operational security measures. Our measures consider the type and sensitivity of the data being collected, used, and stored, and the current state of technology and threats to information. MarchingOrder's security measures include data encryption, firewalls, data use and access limitations for personnel and vendors, and physical access controls to our facilities. MarchingOrder also aligns its privacy and security operations to best practices and relevant international regulations.

VII. Your California Privacy Rights

If you are a California resident, California Civil Code Section 1798.83 allows you to request information on how we disclose personal information to third parties for their direct marketing purposes during the immediately preceding calendar year. You may make one request each year by emailing us at support@marchingorder.com or writing to us (see address below in "CONTACT US").

Please see [HERE](#) for our privacy notice regarding the California Consumer Protection Act (CCPA).

VIII. Links to Other Sites

Our MarchingOrder websites may provide links to third party websites or resources. The information practices of those websites are not covered by this Privacy Statement or any other policies or terms applicable to the MarchingOrder websites or the MarchingOrder products or services. We recommend that you review any terms of use and privacy policy of any linked third-party website, such as social media links, before providing any information.

IX. Changes to This Privacy Statement

We may update this Privacy Statement and its last updated date to reflect changes to our data governance practices. If we propose to make any material changes, we will notify you by means of a notice on this page prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

X. Contact Us

If you have any questions or concerns about your privacy or this Privacy Statement, please Contact Us at by email at support@marchingorder.com or by phone at 888 988 0346.

You may also write to us at:

MarchingOrder
303 W. Joaquin Ave, Suite 230
San Leandro, CA 94577