

CAPS Platform Privacy Policy

Effective: July 1, 2025

The College Sports Commission (referred to in this policy as “we”, “our”, “us”, or the “CSC”) respects the privacy of our users and is committed to protecting such privacy through our compliance with this Privacy Policy.

This Privacy Policy, which supplements the CSC Privacy Policy available at <https://www.collegesportscommission.org/privacy-policy> (the “CSC Privacy Policy”), is applicable to the Cap Management Platform (the “CAPS Platform”) and any services it may offer (the “Services”), and applies solely to the information we collect on the CAPS Platform. This Privacy Policy does not, therefore, apply to information collected offline or through any website operated by any third party (including your institution), even if such website is linked to or accessible from the CAPS Platform. The purpose of this Privacy Policy is to disclose to you what Personal Information (as defined below) we may collect through your access to and use of the CAPS Platform, how we may collect such information, with whom we may share it, and certain other matters related to such information.

By using the CAPS Platform, you consent to the policies and practices described in this Privacy Policy and the CSC Privacy Policy¹.

- **Information we collect and the sources from which we collect it**

We collect, process and maintain several types of information, some of which may constitute Personal Information, from and about users of the CAPS Platform or Services. “Personal Information” means any information that identifies, relates to, describes, is reasonably capable of being associated with or could reasonably be linked, directly or indirectly, with a particular person, but does not include any information that is publicly available or that is aggregated or de-identified.

The type of Personal Information we collect depends on how you choose to interact with the CAPS Platform or Services; for example, if you utilize the CAPS Platform chat feature for customer service and support, we and third parties acting on our behalf will collect the content of your communications submitted through the chat, including any Personal

¹ **Note to LBi:** To hyperlink to CSC privacy policy.

Information you may provide in connection therewith. As a general matter, we may collect the following categories of Personal Information about you in connection with your use of the CAPS Platform, including:

- Any Personal Information you or the institution you are associated with enters into the CAPS Platform, such as your name, login information and email address, job title and the institution and teams you are associated with;
- Personal Information collected automatically (e.g., via cookies, tracking pixels) regarding how the CAPS Platform is accessed and used, such as device and browser type, geolocation data, operating system, IP address or other device ID, click patterns, access times, the reading history and other analytics related to how you use and view the content we have provided via the CAPS Platform, and other general activity information as part of our fraud-prevention programs;
- Personal Information created when you communicate through the CAPS Platform's online chat feature, including the content of such communications, any interactions and the time/date of the communications; or
- Any other Personal Information you voluntarily provide through the CAPS Platform.

- **What we use the information for**

All Personal Information collected on the CAPS Platform will be used in accordance with this Privacy Policy, and will be utilized to provide the Services and the CAPS Platform, including but not limited to:

- Verifying your identity and eligibility to use the CAPS Platform;
- Operating the CAPS Platform and providing the Services
- Contacting you for administrative purposes such as account recovery or to notify you of changes to the CAPS Platform, our policies or our Services;
- Responding to your inquiries, performing quality control or otherwise providing customer service and support (including through the CAPS Platform chat feature) which may include investigating and responding to complaints;
- Disclosing Personal Information to the institution or team you are associated with, and any other authorized operators or administrators of the CAPS Platform;
- Generating and sharing aggregated user reports or Personal Information to your institution team, Conferences, other authorized operators, administrators, arbitrators, or enforcement parties, and additional third parties as needed, including as may be required in discovery in any future arbitration proceeding;
- Gathering detailed reports to assist in potential enforcement processes;

- Conducting analytics and research on your Personal Information to develop and improve the CAPS Platform and our Services; or
- For any other purpose we may describe to you when you provide such information or for which we have your express consent.

Additionally, we may use non-Personal Information (including aggregated data) about your use of the CAPS Platform without restriction to understand and analyze the usage metrics, trends and preferences of our users; to monitor, analyze the effectiveness of or otherwise improve the CAPS Platform or our Services, and to improve fraud detection and information security.

- **With whom we share your Personal Information**

In order to deliver the Services and the CAPS Platform, we may partner with additional third parties and share your Personal Information, as applicable, with them. Third parties we partner with may include but are not limited to the following list, which we reserve the right to update at any time. Users are subject to each of the following third parties' privacy policies independently and are responsible for reading and understanding each policy independently. We are not responsible for any third-party misuse or use misaligned with published privacy policies:

- NCAA: for correlating Student-athlete IDs;
- LBi Software: an authorized operator and administrator of the CAPS Platform;
- Amazon Web Services: used for hosting and data storage;
- HubSpot, EnablX, and Inflectiv: used for providing help center, ticketing, and customer service and support (including via the CAPS Platform chat functionality); and
- DataDog: used to compile analytics on the usability and operation of the CAPS Platform.

We may disclose your Personal Information to additional third parties in other circumstances including but not limited to the following:

- To our third-party service providers, including fraud screening providers, customer service and support providers, analytics providers, and other third-party service providers to provide website development, hosting, maintenance, accounting, legal, advisory and other services for us;
- To third parties as permitted or required to do so by applicable law or regulation or in the good-faith belief that such action is necessary to take precautions

- against liability (e.g., to comply with various reporting obligations; to protect ourselves and our other users from fraudulent, abusive, or unlawful uses or activity; to protect the security or integrity of the CAPS Platform; to investigate and defend ourselves against any third-party claims or allegations; to assist government enforcement agencies; to comply with state and federal laws; or in response to a court order, judicial or other government subpoena or warrant);
- To an investor, buyer or other successor in the event of a divestiture, merger, consolidation, or asset sale, whether as a going concern or in the unlikely event of a bankruptcy or similar proceeding; and
 - To any other third party in any way we may describe to you when you provide such information, to fulfill any other purposes for which you provide such information or for any other purpose with your consent or at your direction.

*Chat Services.*² As noted above, in connection with our customer service and support initiatives, we use third party artificial intelligence (“AI”) and other tools and services to provide chat functionality via the CAPS Platform to help use, analyze, process or generate content based on the information you provide. By using the CAPS Platform chat feature, you acknowledge and agree that (i) you are interacting with a digital assistant and not a human and (ii) we may disclose limited Personal Information (e.g., the content of your communications) via such third party AI tools for purposes such as customer support, data analysis or service improvement. We encourage you not to provide any sensitive Personal Information when communicating with our chatbot or other third party customer service provided through the CAPS Platform; however, should you provide such information please note that this third party AI tool is bound by our third party providers’ own privacy policies and terms of services, which govern how such information is used and protected.

Additionally, we may disclose aggregated, non-Personal Information about our users, and information that cannot independently be used to identify any individual, without restriction.

- **How we protect your information**

² **Note to LBi:** In the chat feature, we should include the following language with a deep link to this section of the Privacy Policy:

By proceeding with this chat, you acknowledge and agree that you’re communicating with an AI-powered digital assistant, and this chat may be monitored or retained by CSC and its vendors to help improve and personalize the CAPS Platform and our Services. For more information, please see our [Privacy Policy](#).

Although we will do our best to protect your Personal Information, we cannot guarantee the security of your data transmitted via the CAPS Platform as any digital transmission of information involves some risk. We implement appropriate technical and organizational measures that are designed to protect your Personal Information from unauthorized access, disclosure, alteration, or destruction, including by securely storing your data in a relational database on AWS, with protection behind a Virtual Private Cloud and Security Group; however, you are also responsible for keeping your Personal Information secure.

We also cannot guarantee that your information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. We are not responsible for circumvention of any privacy settings or security measures contained on the CAPS Platform. Even after removal, copies of information that you have posted may remain viewable in cached and archived pages or if other users have copied or stored such information.

- **How long we will retain your information**

We retain information as long as it is reasonably necessary to provide the CAPS Platform or our Services, and for other purposes including to comply with the law, prevent fraud, resolve disputes, troubleshoot problems, assist with any investigation, defend against legal claims, exercise our legal rights or enforce other agreements.

- **Your rights**

You may decline to share certain information with us, in which case we may not be able to provide to you some of the features and functionality of the CAPS Platform or certain of our Services.

You also have the right to request a copy of your Personal Information stored by the CAPS Platform or its third party service providers or request its deletion, and we will provide such information after verifying your qualifications. However, under certain circumstances, we may not be able to honor your deletion request, including when it is necessary to comply with legal requirements and obligations. To request a copy of or the deletion of your Personal Information stored by the CAPS Platform, please email us info@collegesportscommission.org.

Tracking Technologies. As noted above, when you access and use the CAPS Platform, we may automatically receive and record certain information from your computer, web browser or mobile device that may constitute Personal Information (as further described above). For example, when you use the CAPS Platform, we may send one or more cookies

(which are small text files containing a string of alphanumeric characters) to your computer or mobile device to recognize your web browser, help analyze our web page flow, customize our content, measure promotional effectiveness, and/or promote trust and safety.

Please note that if your browser permits, you may configure your browser to refuse or delete cookies, or to alert you when cookies are being sent. Please consult the corresponding instructions of the manufacturer for more detailed information on the actual procedure. If you choose to turn off cookies, however, some parts of the CAPS Platform may not function properly. Even if you block or delete cookies, not all of the tracking that we have described in this Privacy Policy will stop, as there are certain tracking cookies that are necessary for the functionality of the CAPS Platform.

Notice to California Residents.

- *Shine the Light.* Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to obtain certain information about the types of personal information that companies with whom they have an established business relationship (and that are not otherwise exempt) have shared with third parties for direct marketing purposes during the preceding calendar year, including the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. We do not share your personal information with any third parties for their direct marketing purposes.
- *Do Not Track.* Third parties such as analytics and widget providers may collect information, including Personal Information, about your online activities over time and across different websites when you access or use the CAPS Platform or any Services. Currently, various browsers offer a “Do Not Track” option, but there is no standard for how “Do Not Track” should work on commercial websites. Due to lack of such standards, the CAPS Platform does not respond to “Do Not Track” consumer browser settings.

Notice to Nevada Residents. If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties. Please note that we do not currently sell your personal information as sales are defined in Nevada Revised Statutes Chapter 603A and therefore do not offer a right to opt-out.

- **Changes and updates to this Privacy Policy**

We reserve the right to update this Privacy Policy at any time. We will notify you of any changes by posting the new Privacy Policy on the CAPS Platform and indicating at the top when it was last updated. Please revisit this page periodically to stay aware of any changes to this Privacy Policy. If you disagree with our Privacy Policy modifications, you may choose not to use or access the CAPS Platform.

- **Our contact information**

Please contact us with any questions or comments about this Privacy Policy by e-mail at info@collegesportscommission.org.