



Privacy Policy

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Last Modified: March 26, 2019

This privacy policy (the “Privacy Policy”) describes how 2U, Inc. (“2U,” “we,” or “us”), collects, uses, and discloses information from and about you when you visit and use 2u.com (the “Website”), as well as your ability to control certain uses of that information. It also describes certain data protection rights which apply, subject to applicable law, including a right to object to some of the processing which 2U carries out. More information about your rights, and how to exercise them, is set out in “*Accessing and Managing Your Personal Information*” below.

2U respects your privacy and is committed to protecting it through our compliance with this Privacy Policy. By accessing or otherwise using the Website, you agree to the terms and



disclosure of your information in accordance with this Privacy Policy, where such agreement is permitted by applicable law.

We regularly review our compliance with this Privacy Policy. Whenever we receive a formal complaint, we make best efforts to contact the person who made the complaint to attempt to resolve his or her concerns. If you have any questions about the use of your information, or the contents of this Privacy Policy, please contact us at privacy@2U.com [External link](#).

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Collection of Information

Information You Provide

2U collects information from you when you choose to provide it to us. For example, we collect your information when you submit a form requesting information about the Program or



provide information to us through the Website. The information we collect includes personal information – such as your name, address, e-mail address, telephone number, prior educational background information, application content (such as transcripts, essays, and recommendations), and the content of any communications that we exchange – and non-personal information. In some cases, we require your personal information in order to perform a contract or to comply with a legal obligation.

Information Automatically Collected

When you visit the Website or interact with e-mails that we send to you, we passively collect information from you, including your internet protocol address (“IP address”), browser type, operating system, device identifier, device model, software version, or mobile or ISP carrier information. We also use cookies and other technologies to collect information about your visit to the Website, such as the date and time of your visit, the information you searched to find the Website, or your activity on the Website. “Cookies” are small files which may be stored on your computer during your use of the



your browser) and persistent cookies (which stay on your computer until you delete them or after a specified expiry date) to understand more about your activity on the Website. Please see 2U's Cookie Policy for details about how we use cookies and other tracking technologies and how you can control the cookies set on your browser.

Tracking Options and California Do Not Track Disclosures.

You may adjust your browser or operating system settings to limit tracking or to decline cookies. If you choose to limit tracking or decline cookies, however, you may be unable to access certain areas of the Website. Check the "Help" menu of your browser or operating system to learn how to change your tracking settings or Cookie preferences. [Learn More About The Use Of Cookies Or Other Tracking Technologies External Link](#) and your choices regarding the use of information collected this way by certain Service Providers (as defined below). On your mobile device, you can adjust your privacy and advertising settings to limit tracking for advertising or control whether you receive more relevant advertising. Note that our



Policy for more information or to opt out.

Information Collected from Other Sources

Where permitted by law, we collect or receive information about you from other sources with which you interact (e.g., Facebook or LinkedIn), companies that are our partners, or other entities within the 2U family of companies to update or supplement the information that you provide or that we collect automatically. We use this information to help us maintain the accuracy of the information we collect, to target our communications so that we can inform you of products, services or other offers that may be of interest to you, and for internal business analysis or other business purposes.

Our Combination of Your Information

We combine the information we receive from and about you via the Website and from third parties to help us tailor our communications to you and to improve the Website.

Failure to Provide Personal Information



the Website (for example, to register for and complete a Program). You will need to ensure that personal information submitted to us is accurate and up-to-date. For example, we need a current email address to communicate with you about the Program in which you are enrolled.

Children's Privacy

We do not direct the Website to, nor do we knowingly collect any personal information from, children under the age of 16.

How We Use Your Information

Legal Basis for Collecting and Processing Personal Information

We process personal information for the following purposes:

- To fulfill a contract or take steps linked to a contract. This includes:
- Providing our services, including the set up and management of accounts and profiles;
- Verifying your identity;
- Taking payments;
- Communicating with you.
- To conduct 2U's business and pursue our legitimate interests in marketing our business, ensuring that we conduct our business in line with our objectives, improving and developing our products



requested and responding to any comments or complaints you may send us;

- personalizing your experience on the Website and in any Program in which you choose to enroll and to help us to better respond to your individual needs;
- using information we collect through your use of the Website to deliver advertising that is targeted for groups of individuals with similar interests or characteristics through services offered by third party Service Providers, such as Facebook Custom Audiences or other similar business tools;
- developing new products or services or conducting analysis to enhance current products and services;
- reviewing the usage and operations of the Website and to analyze and improve the Website (we continually strive to improve the Website based on the information and feedback we receive from you);
- contacting you for legitimate business purposes;
- using personal information to invite individuals to take part in market research;
- where consent is not required by applicable law, for direct marketing purposes;
- protecting the security and functionality of the Website, including:
- If you provide a credit or debit card as payment, using third parties to check the validity of the sort code or routing number, account number and card number you submit in order to prevent fraud (see “How We Disclose Your Information” below);



- Using personal information you provide to investigate any complaints received from you or from others about our Website or our products and services.

We conduct balancing tests for the data processing we carry out on the basis of our legitimate interests, which we have described above. For more details on the balancing test we have carried out, please contact us at privacy@2u.com. You may also have the right to object to our use of your personal data on the basis of our legitimate interests as described at the start of this policy.

- Where you give us consent. This includes:
- where consent is required by applicable law, sending you direct marketing in relation to our relevant products and services, or other products and services provided by 2U and the 2U family of companies;
- on other occasions where we ask you for consent, using the data for the purpose which we explain at that time.
- For purposes which are required by law. This includes:
- in response to requests by government or law enforcement authorities conducting an investigation;
- using personal information in connection with legal claims, compliance, regulatory and investigative purposes as necessary, including disclosure of such information in connection with legal process or litigation.



permitted by law, this Privacy Policy does not limit our use or disclosure of de-identified aggregate, pseudonymous, or anonymous information, and we reserve the right to use and disclose such information to our partners, advertisers, and other third parties in our discretion.

We also use information about you for reasons not described in this Privacy Policy where the reason is compatible with the purpose for which we originally collected your information and where such use is lawful.

How We Disclose Your Information

2U shares your information with other entities or individuals in the following limited circumstances:

- **The School:** We share your information with the School in order to process your information (such as your application materials) and/or to fulfill our contracted responsibilities to the School. Once 2U shares your application materials (or, if you are a recommender, your recommendation) with the School, 2U does not maintain control over the School's use of your application (or recommendation). We also share de-identified aggregate, pseudonymous, or anonymous information with the School for their own research and analytics purposes. The School's use of your information will be subject to its privacy policy.



provide you with information about other educational programs.

- **Service Providers:** We share your information with third parties that provide business, professional, or technical support functions for us. In particular, we use third-party providers for website hosting, maintenance, marketing services, courier services, certification services, business operations, payment services, and identity verification services (“Service Providers”). These Service Providers are only given access to your information to the extent necessary to process your information and/or provide services to 2U, and they are prohibited from using or sharing your information for any other purposes. Where permitted by law, 2U discloses limited information about you to Service Providers to serve relevant advertising on third party platforms to you or to other audiences.
- **Your Employer:** We share your information with your employer, in the event that the employer is paying for your Program. Information disclosed in this case shall include Program performance information, unless otherwise expressly agreed in writing with 2U.
- **Legal Matters; Safety:** We access or share your information to satisfy any applicable law, regulation, legal process, or governmental request; in connection with an investigation on matters related to public safety; as permitted by law; or otherwise as required by law. We disclose your information to protect the security of the Program, the Website, servers, network systems, and databases. We also disclose your information as necessary if we believe that there has been a violation of our



- **Fraud; Security:** We access and disclose your information to detect, prevent, or otherwise address fraud, security or other technical issues.
- **Consent; Other:** We share information with third parties when we have your consent, or otherwise as described to you at the point of collection.
- **Sale or Transfer of Business or Assets:** 2U may sell or purchase assets during the normal course of our business. If another entity acquires us or any of our assets, information we have collected about you may be transferred to such entity. In addition, if any bankruptcy or reorganization proceeding is brought by or against us, such information may be considered an asset of ours and may be sold or transferred to third parties. Should such a sale or transfer occur, we will use reasonable efforts to try to require that the transferee use your information in a manner that is consistent with this Privacy Policy.
- **International Transfers:** We transfer personal information from the European Economic Area (“EEA”) to other countries, including the United States and South Africa. Where information is transferred outside the EEA to a third party in a country that is not subject to an adequacy decision by the EU Commission, data is adequately protected by Standard Contractual Clauses, an appropriate Privacy Shield certification or a vendor’s Processor Binding Corporate Rules. A copy of the relevant mechanism can be provided for your review on request to privacy@2u.com [External link](#) .

For California Residents: If you do not want 2U to disclose your information to



for their direct marketing purposes, you may opt out of such disclosure by contacting us at privacy@2U.com [External link](#) .

Information Security and Data Retention

We are committed to protecting the security of your information. We maintain what we believe to be appropriate physical, electronic, and managerial procedures to safeguard and secure your information and to prevent unauthorized access, maintain accuracy, and ensure appropriate use of your information. The accuracy, safety, and security of your information also depend on you. Where we have given you (or where you have chosen) a password for access to certain parts of the Website, you are responsible for keeping this password confidential. We ask that you not share your password with anyone. Even though we do our best to protect your information, the transmission of information via the internet is not completely secure, and we cannot guarantee our security measures. We are not responsible for any unauthorized access to or acquisition of your information.



We retain your personal information for as long as we have a relationship with you. We also may retain your personal information for longer period of time which enables us to:

- Maintain business records for analysis and/or audit purposes;
- Comply with record retention requirements under the law;
- Defend or bring any existing or potential legal claims;
- Deal with any complaints regarding the services;
- Enforce our commercial agreements;
- Support our legitimate interests, as described in this Privacy Policy.

Accessing and Managing Your Personal Information

If you have created an application, you may access and/or update your personal information through your user profile.

In some instances, you may be eligible to (a) ask us for a copy of your personal information; (b) correct, delete, or restrict processing of your personal information; and/or (c) obtain the personal information you provide to us in a structured, machine readable format. In addition, you may have the



Your rights regarding your personal information may be limited in certain circumstances, for example, if fulfilling your request would reveal personal information about another person or would infringe the rights of a third party (including our rights), or if you ask us to delete information which we are required by law to keep or have compelling legitimate interests in keeping. We will inform you of the relevant exemption upon which we rely when responding to any request you make.

Our use of certain personal information is necessary for us to provide information to you about the Program or to provide services to you through the Website or otherwise. If you choose not to provide this personal information or request that 2U delete or restrict the processing of this personal information, you may not be able to participate in the Program, and we may not be able to provide you with other services, including those provided through the Website or advertised about the Program.

If you believe your rights regarding your personal information have been infringed upon, please contact us as



unresolved concerns, you also have a right to lodge a complaint with the applicable data protection authorities.

If you wish to access or delete your information as described in this section, please fill out 2U's Data Request Form [External Link](#) .

Additional Information

Education Records.

You may have specific rights relating to the disclosure of any personal information that you provide to us and/or education records that we may create about you under the Family Education Rights & Privacy Act ("FERPA"), or other relevant law or regulation. You also may have specific rights under FERPA related to accessing and/or updating your personal information. Certain records may be excluded from education records made available for inspection (within the bounds of the law and our confidentiality undertakings with third parties). You may also request amendment of education records that you believe are inaccurate, misleading or in violation of your rights. If you would like to inspect and review your education records, you may submit a



Public Forums, Publicly Available Content.

Any information you may disclose through the Website, such as on message boards, in chat rooms, or on other public areas on the Website, may be viewed by others, such as your classmates and learning facilitators.

Please exercise caution when disclosing personal information in these public areas. You are responsible for ensuring the accuracy of all information submitted to the Website, and you agree to only publish or share information about a third party with the third party's consent.

Your content may be made available, and may be accessed, viewed, stored, collected, or used by other users of the Website, such as your classmates and learning facilitators, subject to your restrictions and the Terms Of Use. If you do not want 2U to store metadata associated with your content, please remove the metadata before uploading your content.

Third-Party Content, Links, and Plug-Ins.

The Website may also offer you the ability to interact with plugins from social media sites, which may allow us



how people are using the Website, how to improve the effectiveness of the Website, our services and related content, to help us or those third parties serve more targeted advertising to you across the Internet, and to allow “Like” buttons and “Share” buttons to work. In some cases, we may know that you clicked on a social plugin, such as a Twitter Follow button, or receive other information from the social media sites. Similarly, if you have previously provided personal information to a third party operating a plug-in on our Website, then such third party may recognize you on our Website. Your use of social network plugins is subject to each social media site’s privacy policy, which may be different from ours. As with linked websites, we have no control over the information that is collected, stored, or used by social network plugins.

Changes to this Privacy Policy.

We review this Privacy Policy from time to time and reserve the right to make changes to this Privacy Policy at any time. If we do make material changes, we will give notice via the Website features or by otherwise contacting you.



You may direct any questions or concerns regarding this Privacy Policy to us at privacy@2U.com [External link](#) .

You may also have the right to file a complaint with the data protection authority in the European Union country in which you live, if applicable. To make a data subject request to delete or access the data 2U has about you, use 2U's Data Request Form [External Link](#) .

For the purposes of EU data protection law, you can find a list of 2U data controllers [A List Of 2U Data Controllers Here](#).

For the purposes Article 27 of the General Data Protection Regulation, the representative within the European Union for 2U data controllers not established in the European Union is 2U (UK) LTD C/o Skadden, Arps, Slate, Meagher & Flom (UK) Llp 40 Bank Street, Canary Wharf, London, United Kingdom, E14 5DS, +44 20 3457 5774, privacy@2U.com [External link](#) .

The relevant data controller will be charged with making decisions regarding the purposes and methods of processing of data under the terms of this Privacy Policy.



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