



Countries: Global	Policy Title: <b>STUDENT PRIVACY NOTICE AND POLICY</b>	Effective Date: March 1, 2020

This Student Privacy Notice and Policy (hereinafter, “Student Notice”) explains the policy on, and procedures related to, the collection, use, and disclosure of Personal Information that is provided to the Lincoln Electric Welding School, or other professional seminars, training, or educational classes operated or funded by the Lincoln Electric Company, or its divisions, affiliates, and subsidiaries (collectively, “Lincoln Electric Welding School,” “us,” or “we”).

### 1. Definitions

For purposes of this Student Notice, the following definitions shall apply:

The term “Data Protection Law” refers to data protection laws, statutes, and regulations applicable to the Lincoln Electric Welding School in the context of our collection, processing, retention, dissemination, disclosure, transfer, disposal, or use of Personal Information.

The term “Personal Information” refers to any information, or a combination of pieces of information, that can reasonably identify an individual, and that is subject to, or otherwise afforded protection under, an applicable Data Protection Law.

### 2. Scope

This Student Notice applies to (i) current and former students of the Lincoln Electric Welding School, (ii) individuals who have registered or otherwise provided information to the Lincoln Electric Welding School, regardless of whether they have attended any education, learning, or training events, and (iii) individuals who otherwise provide information, either directly or indirectly, to the Lincoln Electric Welding School due to their, or their employers, participation in a program administered, facilitated, or funded by the Lincoln Electric Welding School. In addition, this Student Notice applies to all information and data provided to any website or online service operated by, or under the control of the Lincoln Electric Welding School, or a third party acting on our behalf, including the following website: <https://education.lincolnelectric.com/programs/welding-training-for-industry/> (collectively, the “Welding School Websites”). In the event that you access any other website or online service operated by the Lincoln Electric Company, or any other affiliated company, then the privacy policy applicable to such other website or online service (and not this Student Notice) shall apply. For purposes of clarity, any information or data, including cookie or pixel data, transmitted to <https://www.lincolnelectric.com/> will be subject to the Lincoln Electric privacy policy and cookie policy, which may be accessed [here](#).

### 3. Federal and State Funding & Grant Programs

The Lincoln Electric Welding School may administer programs and curriculum that are subject to federal or state regulations based on the disbursement and receipt of a federal or state grant, or our participation in a cooperative agreement, contract, subgrant, or subcontract with a federal or state agency. For example, the Lincoln Electric Welding School participates in the Expanding Community College Apprenticeship Initiative



operated by the American Association of Community Colleges (“AACC”) pursuant to the terms and conditions of a cooperative agreement between the AACC and the U.S. Department of Labor. In the event you participate in such a federal or state program, you hereby acknowledge and agree that your Personal Information will be collected, used, and otherwise processed in accordance with the applicable rules, regulations, and requirements related to the federal or state program and this Student Notice.

#### **4. Collection of Personal Information**

The Lincoln Electric Welding School collects a broad range of Personal Information about its students, student applicants, and program participants and sponsors. We may collect this Personal Information directly from the individual or from a third party, such as the individual’s employer, background check service providers, and other third parties that provide assistance to us in administering our programs and curriculums. Generally, we collect the following categories and types of Personal Information as part of our routine business, curriculum, and program practices and functions:

<b>Personal Information Category</b>	<b>Personal Information Description</b>
Identity Data	Names (first, last), residential address, telephone number, email address, social security number, driver’s license number, passport number, online identifier, internet protocol address, account name or other similar identifiers.
Protected Classifications	Nationality, ethnicity, race, veteran status, date of birth (age), disability, gender.
Online Data	Online browsing history, search history, and information regarding your interaction with the Welding School Websites, or its online applications or advertisements.
Professional/Employment Data	Employment status, name of employer, employer address, and employer, contacts, occupation, professional title, salary and wage-related data, union status and collective bargaining agency, occupation code (O*NET code), dates of apprenticeship, previous employers, weeks worked in twelve month period prior to becoming a registered apprentice.
Education Data	Educational institutions attended, level of education completed, dates attended and completed, Student Records (e.g., grades, attendance, program participation).
Apprenticeship Data	Apprentice identification number, expected completion date, sponsor-related information.

#### **5. Use of Personal Information**

The Lincoln Electric Welding School uses Personal Information for a variety of purposes related to the administration, functionality, and marketing of our educational programs and resources, as well as other legitimate business activities. For example, we may use Personal Information to generate Student Records related to a student’s participation in the Lincoln Electric Welding School; assist us in creating, improving, or providing educational content; conduct statistical analyses on students’ performance; provide you with information about new products, services, newsletters; allow students to purchase and download products, as well as obtain access to our educational programs and resources; provide students with technical support;



disseminate transaction-related communications (e.g., welcome letters, and order confirmations); and, send surveys or marketing communications to inform students of new products, services, or other information that may be of interest. In some circumstances, such as for marketing or promotional services, you may be provided with additional information on how you can elect to receive (or not receive) such information. We also use Personal Information to comply with our own legal, regulatory, and contractual obligations, and to defend our legal and business interests.

## **6. Disclosure of Personal Information**

The Lincoln Electric Welding School retains Personal Information in a confidential manner and does not disclose, sell, or rent Personal Information to any other party, including parents and guardians, except as described in this Student Notice. We may disclose Personal Information in the following circumstances:

- To any individual or entity, when such disclosure is based upon your written consent on our *Authorization for Release of Student Information Form*.
- To administrators and instructors, including teachers and teaching assistants, or other employees at the Lincoln Electric Welding School.
- To federal, state, or local government agencies or officers, including for legal and regulatory compliance related to the execution of programs sponsored or funded by federal or state governments.
- To accrediting agencies carrying out their functions.
- In response to a judicial order or lawfully issued subpoena.
- To security officers, or to law enforcement agencies in the investigation of a specific criminal case.
- To the appropriate person in connection with an emergency, if the knowledge of such information is necessary to protect the health or safety of the student, or other persons.
- To federal or state-funded educational agencies and institutions that request records when a student seeks to enroll, or is already enrolled.
- To service providers who perform on our behalf (e.g., payment processors, website administrators, data storage, and marketing service providers). We seek to ensure that any such service provider is contractually obligated to retain Personal Information in a confidential manner, and to use such Personal Information only in accordance with the direction provided by the Lincoln Electric Welding School.
- To third-parties in connection with a corporate re-organization, merger or amalgamation, or the sale of all, or substantially all, of the Lincoln Electric Welding School's assets, provided that, where appropriate, any party the information is disclosed to is bound by agreements or obligations, and required to use or disclose Personal Information in a manner consistent with the use and disclosure provisions of this Student Notice.

## **7. Retention Policy and Data Localization**

The Lincoln Electric Welding School maintains Student Records (and the Personal Information therein) for Student Records for seven (7) years, unless otherwise required by law or regulation or to defend or protect our legal or business interests. The Lincoln Electric Welding School is located in the United States and the data (including Personal Information) that we collect and process is often transferred to, and retained in, the United States. We do not participate in the U.S. Privacy Shield Frameworks. In some circumstances, the Lincoln Electric Welding School uses third party service providers that retain information and data on our behalf in the United States and in other third countries. Please be aware that information you provide to the Lincoln Electric Welding School may be transferred to the United States or another third country, and that the United States and such other third countries may not provide the same level of data protection as the laws in your country. By continuing to provide us such information you hereby consent to your Personal Information being



transferred to, and stored in, the United States or any other third country outside your country of residence.

## **8. Accessing and Transferring Student Records**

Students may request access to their Student Records generated at the Lincoln Electric Welding School by completing the *Request for Learner Records Form* and submitting it to the Lincoln Electric Welding School. Students may request that their records be sent to a third party by completing the *Authorization for Release of Student Information Form* and submitting it to the Lincoln Electric Welding School. You may request a free copy of your Student Record in person or by using mail or email. To protect your confidentiality, we cannot accept requests made over the phone. Accordingly, in-person requests for access to Student Records can be made at Lincoln Electric Welding School's office between 8:00 a.m. and 4:00 p.m., Monday through Friday, except for federal holidays. One form of government issued photo identification is required. Alternatively, the *Request for Learner Records Form* can be emailed to [weldtraining@lincolnelectric.com](mailto:weldtraining@lincolnelectric.com) (please attach the completed Form to the email as a PDF) or mailed to WTTC c/o Welding School, 22800 Saint Clair Avenue, Cleveland, Ohio 44117. Student Record access forms can be found at <https://education.lincolnelectric.com>.

## **9. Legal Basis for Processing (European Economic Area Only)**

For individuals whose Personal Information is subject to the General Data Protection Regulation ("GDPR"), they are entitled to receive additional notification regarding the legal basis in which the Lincoln Electric Welding School processes their Personal Information. The Lincoln Electric Welding School's processing of Personal Information (as described herein) is authorized by, and justified based upon, the following GDPR provisions, which may overlap and are not mutually exclusive: (1) processing is based on your consent; (2) processing is necessary for our legitimate interests as set forth herein or elsewhere; (3) processing is necessary for the performance of a contract to which you are a party or to undertake measures at your request in preparation for executing such a contract; and (4) processing is required to comply with a legal or statutory obligation in the European Union ("EU") or in an EU Member State.

## **10. Your Rights and Responsibilities**

You are permitted, and hereby agree, to only provide Personal Information to the Lincoln Electric Welding School if such Personal Information is accurate, reliable, and relevant to our relationship and only to the extent such disclosure will not violate any applicable data protection law, statute, or regulation or infringe upon any individual's data privacy rights or privileges. If you provide the Lincoln Electric Welding School with any Personal Information about a third party, you expressly represent that you have the full right and authority to provide the Personal Information to the Lincoln Electric Welding School and will fully reimburse the Lincoln Electric Welding School for any expenses incurred, or damages or liabilities arising, from breaches of any of the terms or conditions set forth in this Student Notice.

Depending on the jurisdiction in which you reside or we operate, you may have certain data protection rights. To exercise any of these data privacy rights, please contact us, or have your authorized agent contact us, in accordance with the instructions below or through the "Contact Us" section listed at the end of this Student Notice. In the event you submit, or your authorized agent submits on your behalf, a data request, you (and your authorized agent) hereby acknowledge and agree, under penalty of perjury, that you are (or the authorized agent of) the consumer whose Personal Information is the subject of the request. We will respond to any data requests within the timeframes required by law, and we may charge a fee to facilitate your request, where permitted by law. The rights afforded under data protection laws are not absolute, and the Lincoln Electric Welding School may be permitted to refrain from undertaking any action or changing its data processing activities, in response to a data request you submit to us.



**Marketing.** You have the right to opt-out of receiving electronic direct marketing communications from us. All electronic direct marketing communications that you may receive from us, such as e-mail messages, will give you an option of not receiving such communications from us in the future. Pursuant to California’s “Shine the Light” law, businesses that share their customers’ Personal Information with third parties for direct marketing (i.e., solicit or induce a purchase, rental, lease, or exchange of products, goods, property, or services directly to individuals by means of the mail, telephone, or electronic mail for their personal, family, or household purposes) must disclose, upon a customer’s request, the names and addresses of third parties who have received Personal Information and the categories of Personal Information revealed. We do not share Personal Information with third parties with whom we have reason to believe use such information for their own direct marketing purposes.

**California Privacy Rights.** Pursuant to the California Consumer Privacy Act of 2018, as amended (“CCPA”), certain California residents may have additional data privacy rights, such as the right to be notified about what Personal Information is collected about you, and our intended use and purpose for collecting your Personal Information. In some circumstances, California residents have the right to know and access the categories or specific pieces of Personal Information we have collected, used, or disclosed about you over the past twelve (12) months; the categories of sources from which the Personal Information is collected; and, the business or commercial purpose for which your Personal Information was collected, used, or disclosed. In addition, certain California residents have the right to request the Lincoln Electric Welding School transfer, to the extent feasible, Personal Information in certain forms and formats. California residents have the right to request that we (and any applicable service provider) delete/erase your Personal Information under certain circumstances. California residents have the right to opt-out of the sale of their Personal Information; however, the Lincoln Electric Welding School does not sell, lease, or rent Personal Information on any individual, including minors, to a third party for profit or other valuable consideration. California residents have the right not to be subject to discrimination for asserting their rights under the CCPA. If you make, or an authorized agent on your behalf makes, any request related to your Personal Information under the CCPA, the Lincoln Electric Welding School will ascertain your identity (and the identity of the authorized agent, to the extent applicable) to the degree of certainty required under the law before addressing your request. The Lincoln Electric Welding School may require you to match at least two or three pieces of Personal Information we have previously collected from you before granting you access to, or erasing, specific pieces, or categories of, Personal Information, or otherwise responding to your request. We may require written documentation that demonstrates a third party is authorized to serve as your agent for the purposes of submitting the requests set forth herein.

**European Economic Area.** To the extent permitted by the GDPR, and applicable EU Member State data protection laws, you may request the following: access to the Personal Information we hold about you; that inaccurate, outdated, or no longer necessary, information be corrected, erased, or restricted; and, that we provide your Personal Information in a format that allows you to transfer it to another entity. You also may withdraw your consent at any time if, and only if, we are solely relying on your consent for the processing of your Personal Information. You may object to our processing of your Personal Information where that processing is based on our legitimate interest. For purposes of clarity, we do not engage in any activity that subjects our students to a decision based solely on automated processing, including profiling, which produces legal effects, or similarly significantly results, impacting them. If you wish to exercise any of these rights, please contact us in accordance with the instructions provided below. If you believe our data processing does not comply with the GDPR or EU Member State law, you may be permitted to lodge a complaint with the competent Data Protection Authority, a list of which can be accessed at: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en). We would however appreciate the chance to address your concerns, so please feel free to contact us regarding any complaint you may have.

**Children’s Privacy.** The Lincoln Electric Welding School and its online services are not directed to anyone



under the age of eighteen, including children under the age of sixteen. If we learn to have collected or received Personal Information from a child under sixteen, without parental consent, or a lawful basis, we will delete that information immediately upon notice.

### **11. Persons with Disabilities**

The Lincoln Electric Welding School strives to ensure that every person has access to information related to our products and services, including this Privacy Policy. Please contact us if you would like this Privacy Policy provided in an alternative format and we will seek to meet your needs.

### **12. Data Security**

Keeping Personal Information confidential and secure is of utmost importance to the Lincoln Electric Welding School. We follow standard industry practices to actively protect the confidentiality, security, and integrity of your Personal Information. For example, our employees are bound by internal confidentiality policies and are subject to disciplinary action for any policy violations. We also work to ensure that our third-party service providers are contractually bound to maintain the privacy of any Personal Information shared with them. However, no information system can be fully secure, so we cannot guarantee the absolute security of your Personal Information. Moreover, we are not responsible for the security of information you transmit to the Welding School Websites over networks that we do not control, including the Internet and wireless networks, and you provide us with any information and data at your own risk. The Lincoln Electric Welding School shall not be liable or otherwise responsible for any data incidents that may compromise the confidentiality, integrity, or security of your Personal Information. The safety and security of your Personal Information also depends on you. Where we have given you (or where you have chosen) a user ID and password to access the Welding School Websites, you are responsible for maintaining the security and confidentiality of those log-on credentials and not revealing them to others. You must contact us immediately if you have to reason to believe that your user ID or password to our Welding School Websites have been compromised.

### **13. Welding School Websites**

The Welding School Websites may also contain third party advertisements which contain embedded hyperlinks to websites operated by third parties. All third party advertising is paid for by the relevant third party advertiser, which you can accept by linking to the third party advertisers, and are not recommendations or endorsements by the Lincoln Electric Welding School. The third party advertiser is solely responsible for any representations or offers made by it, for the delivery of goods or services, and for its data processing.

### **14. Updates and Amendments**

The Lincoln Electric Welding School may update this Student Notice from time to time, and we will, when required by law, notify you of such changes or updates. The updated Student Notice will be posted on our website and your continued provision of Personal Information after we post a revised Student Notice signifies your acceptance of the revised Student Notice.

### **15. DISCLAIMER**

**THIS STUDENT NOTICE DOES NOT FORM, IN FULL OR IN PART, ANY CONTRACT OR OTHER**



AGREEMENT OF EMPLOYMENT BETWEEN YOU AND THE LINCOLN ELECTRIC WELDING SCHOOL AND TO THE EXTENT A CONTRACT OF EMPLOYMENT DOES EXIST BETWEEN YOU AND LINCOLN ELECTRIC WELDING SCHOOL, NOTHING IN THIS STUDENT NOTICE SHALL BE CONSTRUED TO (IN ANY WAY) TERMINATE, SUPERSEDE, UNDERMINE, OR OTHERWISE MODIFY THE STATUS OF THE EMPLOYMENT OR PROFESSIONAL RELATIONSHIP BETWEEN YOU AND THE LINCOLN ELECTRIC WELDING SCHOOL, PURSUANT TO WHICH THE LINCOLN ELECTRIC WELDING SCHOOL MAY TERMINATE THE EMPLOYMENT OR PROFESSIONAL RELATIONSHIP AT ANY TIME, WITH OR WITHOUT CAUSE, AND WITH OR WITHOUT NOTICE. BY PROVIDING YOUR PERSONAL INFORMATION TO THE LINCOLN ELECTRIC WELDING SCHOOL, YOU HEREBY ACKNOWLEDGE AND UNDERSTAND THAT WE MAY COLLECT, PROCESS, AMEND, DISCLOSE, DISPOSE, OR OTHERWISE USE YOUR PERSONAL INFORMATION IN ACCORDANCE WITH THIS STUDENT NOTICE, AND YOU AGREE TO THE TERMS AND CONDITIONS SET FORTH HEREIN.

#### **16. Contact Us**

If you have any questions or concerns with regard to this Student Notice, or would like to exercise a data privacy right or privilege described herein, please contact us at:

The Lincoln Electric Welding School  
22800 Saint Clair Avenue  
Cleveland, Ohio 44117