

## **PRIVACY POLICY FOR "MENTOR DIGITAL"**

### **including the information on joint responsibility**

#### **Art. 26 para. 2 sentence 2 GDPR**

We look forward to your participation in "MENTOR Digital" and especially to your use of the MENTOR reading app. It goes without saying that we respect and protect your personal data. We therefore collect, process and use personal data exclusively within the framework of the applicable legal regulations, in particular the General Data Protection Regulation (GDPR).

With this data protection declaration we would like to inform you about the data collection, processing and use in connection with "MENTOR Digital", in particular our reading app, and at the same time provide you with the necessary information about joint responsibility in accordance with Art. 26 Para. 2 S. 2 Provide GDPR.

### **1. SCOPE**

- 1.1. This data protection declaration is aimed at all members of MENTOR - Die Leselernhelfer Hessen e.V., who use the MENTOR reading app as part of "MENTOR Digital" (hereinafter also referred to as "the app" for short). The app enables children to read and play together with a mentor via video telephony in order to analyze the reading skills of the respective child, to train in a playful way and thus to improve them sustainably. For this purpose, the child also has the opportunity to read alone in the app and play games that can promote reading skills as part of individual training without a mentor.
- 1.2. This data protection declaration does not apply to any other data processing that is not related to "MENTOR Digital". In this respect, the general data protection information of MENTOR - Die Leselernhelfer Hessen e.V. applies, which can be accessed at <https://www.mentor-hessen.de/datenschutz.html>.

### **2. JOINT RESPONSIBILITY FOR INFORMATION ACCORDING TO ART. 26 ABS. 2 SENTENCE 2 GDPR**

- 2.1. For the purpose of providing "MENTOR Digital", MENTOR - Die Leselernhelfer Hessen e.V. ("MENTOR") and Digi Sapiens - Digital Learning GmbH ("Digi Sapiens") work closely together (hereinafter also the "Cooperation"). This also applies to the processing of your personal data. MENTOR and Digi Sapiens are jointly responsible for the processing of data within the framework of the cooperation, including the provision and operation of the MENTOR reading app within the meaning of Art. 26 GDPR.

The jointly responsible persons within the meaning of Art. 4 No. 7 GDPR are:

#### **MENTOR - Die Leselernhelfer Hessen e.V.**

represented by Mr. Bernd Seelbach

Kurhausstrasse 46

65719 Hofheim am Taunus

Phone: 0173-8929 757

Email: [seelbach@mentor-hessen.de](mailto:seelbach@mentor-hessen.de)

And

**Digi Sapiens - Digital Learning GmbH**

represented by Mr. Daniel Iglesias

Moselstrasse 11

63225 Langen

Phone: 0176-2289 7669

Email: [daniel.iglesias@digi-sapiens.de](mailto:daniel.iglesias@digi-sapiens.de)

(together "those responsible", "the parties" or "we").

- 2.2. The joint responsibility exists with regard to the collection and processing of the personal data of association members (children) and their parents as well as the personal data of mentors (all collectively hereinafter also "the persons concerned") for the purpose of the implementation of the cooperation, including the provision and the Operation of the MENTOR reading app for use by club members and mentors. In the case of participation in "MENTOR Digital", membership in MENTOR is required. This applies to both the participating children and the mentors who volunteer to help the children learn to read. You can contact MENTOR with all questions about "MENTOR Digital" and association membership. Digi Sapiens is responsible for the technology behind "MENTOR Digital", in particular for the provision and operation of the app and all of its functionalities. MENTOR therefore only passes on personal data from your admission form to Digi Sapiens to the extent necessary to use the app (details can be found below in the respective sections on data processing).
- 2.3. As part of their joint responsibility under data protection law, MENTOR and Digi Sapiens have agreed which of them fulfills which obligations under the GDPR. This concerns in particular the exercise of the rights of the data subjects and the fulfillment of the information obligations according to Art. 13, 14 GDPR. This agreement is necessary because when MENTOR saves your personal data in the club database and when Digi Sapiens saves your personal data in the system environment provided by Digi Sapiens, personal data is processed in different process sections and systems that are either operated by MENTOR or Digi Sapiens operated.
- 2.4. The persons responsible have jointly determined the order in which personal data is processed in the individual process sections as follows:

Process section / IT system	Fulfillment of obligations through:
<u>Section 01:</u> Establishment of club membership, recording of new member data from membership applications (paper form or web-based), filing of member data in the club database	MENTOR
<u>Section 02:</u> Implementation of club membership and processing upon termination, especially collection of membership fees, processing of member data in the club database	MENTOR
<u>Section 03:</u> Provision and operation of the MENTOR reading app (including voice recordings), storage of member data in the back end of the app, provision of selected member data in the front end of the app for certain functionalities	Digi Sapiens

<b>Section 04:</b> Implementation of support and maintenance services in relation to the app	Digi Sapiens
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Even if there is a joint responsibility, the parties fulfill the data protection obligations according to their respective responsibilities for the individual process sections, namely

- MENTOR for the processing of personal data in sections 01 and 02, and
- Digi Sapiens for the processing of the personal data in sections 03 and 04.

The responsible parties have agreed that the information in accordance with Art. 13, 14 GDPR should be made available to the data subjects uniformly with this data protection declaration. MENTOR and Digi Sapiens send each other all the information required for this from their respective area of responsibility and support each other.

In addition, those responsible inform each other immediately about the rights asserted by you as the data subject, and provide each other with all the information necessary to answer requests for information and other data subject inquiries.

**You can assert your rights as a data subject with both MENTOR and DigiSapiens.** You will generally receive your information or answer from:

**MENTOR - Die Leselernhelfer Hessen e.V.**  
Kurhausstrasse 46, 65719 Hofheim am Taunus  
Telephone: 0173-8929 757, email: [seelbach@mentor-hessen.de](mailto:seelbach@mentor-hessen.de)

**MENTOR is therefore your central point of contact for asserting your rights as the data subject when processing data** (explanations in section 9 of this data protection declaration).

### **3. DATA PROCESSING FOR PARTICIPATION IN "MENTOR DIGITAL"**

- 3.1.** To participate in "MENTOR Digital" you need to be a member of the MENTOR association. To register for the association, MENTOR provides special membership applications in paper form or to be filled out online and sent online, both for the participating children and for the mentors. If you fill out the application for membership in paper form and send it to MENTOR, your personal data will be manually transferred to the association database. If you opt for a web-based registration and online transmission via the website [www.mentor-hessen.de](http://www.mentor-hessen.de), your personal data will be transmitted via the "Contao" content management system used by MENTOR and transferred to the club database. The details are explained in section 3.4.
- 3.2.** To register children for participation in "MENTOR Digital", the following data from children and their parents are collected and processed:
  - Master data and contact details of the child and the parents (name, address, telephone number, email), pseudonym / user name of the child in the app;

- Information on asylum applications and / or transfer payments from parents (only required for sponsored membership);
- Information on membership (regular or subsidized), possibly SEPA direct debit mandate (including payment data), approval of the association's statutes;
- Gender and date of birth of the children, information on school, class and (optional) hobbies;
- Information on the child's technical equipment (PC / laptop / smartphone with webcam, W-LAN access);
- Information on reading skills and possible learning disabilities of the child;
- Availability of the child for reading lessons with mentors.

With regard to the children's data, the legal basis for this data processing is the consent of their parents or legal representatives in accordance with Article 6 (1) (a) GDPR, which is given by ticking the corresponding field in the application for admission and signing or sending it.

The processing of the personal data of parents who do not become members of the association themselves is necessary to safeguard our legitimate interests. Our legitimate interests are to be able to contact the parents of the participating children and to be able to become a member of the association, which in particular includes the collection of membership fees. In the event that the parents are asylum seekers and / or receive transfer payments, we - and also the parents themselves - have an interest in us being able to process this information in order to be able to offer and implement a sponsored, ie free membership . Without knowing these circumstances we would not be able to do this. It is also not evident that any conflicting interests of the parents or legal representatives prevail if they voluntarily register their child with "MENTOR Digital" in order to be able to use the support offered by the association for the benefit of their child. The associated data processing is therefore based on Art. 6 Paragraph 1 lit. f GDPR.

**3.3.** To register the mentors for participation in "MENTOR Digital", the following data is collected and processed:

- Master data and contact details (name, address, telephone number, email), pseudonym / user name of the mentor in the app;
- Gender and date of birth of the mentor;
- Information on membership in MENTOR, date of entry, possibly name of the coordinator, participation in "MENTOR Digital";
- Information on the extended police clearance certificate (Section 30a (1) No. 2a BZRG);
- Information on the technical equipment (PC / laptop / smartphone with webcam, W-LAN access);
- Information on foreign languages spoken;
- The mentor's availability times for reading lessons with children, number of children being looked after, preferred level of supervision.

The legal basis for this data processing is Article 6 Paragraph 1 lit. b GDPR. If mentors register with "MENTOR Digital" solely for the purpose of volunteering to support children in learning to read, this is exactly the content of association membership. Accordingly, the processing of the personal data of the mentors required for this is necessary in order to be able to carry out and process the association membership. With

regard to the information from an extended police clearance certificate, data processing is necessary to fulfill a legal obligation to which we are subject, as the mentors are voluntarily supervised, supervised, educated or trained minors. The legal basis for this data processing is therefore Art. 6 Paragraph 1 lit. c GDPR in conjunction with Section 30a Paragraph 1 No. 2a BZRG.

**3.4.** Participation in "MENTOR Digital" can basically come about in two ways, whereby the data processing described below takes place:

**3.4.1 School-supported registration (only for families / children):**

- a. Schools send potential members to a parent information folder with registration documents and separate questionnaires for sponsored membership. Die Unterlagen werden durch Eltern händisch ausgefüllt und über das Kind an die Schule und von dieser wiederum an MENTOR weitergeleitet.
- b. MENTOR uses the data to create funding applications and submit them to the sponsors, to transfer the necessary data to the association database, to set up direct debit if necessary, to specify a suitable mentor for the child and to transfer the necessary data to the app's system environment.
- c. In the event that the application shows that the child does not have a suitable infrastructure, Digi Sapiens or one of its contracted service providers will set up a rental tablet and send it to the schools with the assigned mentor along with the membership certificate and information about the first joint reading appointment to be passed on to the child. In addition, the aforementioned information is also sent to a stored e-mail address of the parents or legal guardians.
- d. If no loaner device is required, a membership certificate, username and password including a download link for the app or URL for the browser version, as well as information on the first joint reading appointment with the assigned mentor will be sent to the schools to be passed on to the child. In addition, the aforementioned information is also sent to a stored e-mail address of the parents or legal guardians.

**3.4.2 By registering yourself on the website [www.mentor-hessen.de](http://www.mentor-hessen.de) (for families / children or mentors):**

**For families / children:**

- a. Interested parents / legal guardians fill out the corresponding form on [www.mentor-hessen.de](http://www.mentor-hessen.de).
- b. The data will be used by MENTOR to pre-fill the application form for participation in "MENTOR Digital" and any necessary applications for a sponsored membership (automated) and to send it to parents by email or post (if no printer and / or scanner is available) To send signature. A fully digital process is also planned from Q4 2021.
- c. After receipt of the signed documents by e-mail or post, MENTOR forwards funding applications to the relevant sponsors, transfers the necessary data to the as-

sociation's database, sets up direct debit if necessary, determines a suitable mentor for the child and transfers the necessary data to the System environment of the app.

- d. In the event that the application reveals that the child does not have a suitable infrastructure, Digi Sapiens or one of its contracted service providers will set up a rental tablet and send it to the assigned mentor by post, including a membership certificate and information about the first joint reading appointment the family. In addition, the aforementioned information is also sent to a stored email address of the parents or legal guardians
- e. If a loaner is not required, a membership certificate, username and password including a download link for the app or URL for the browser version as well as information on the first joint reading appointment with the assigned mentor are sent to the email address of the parents or legal guardian.

#### **For Mentors:**

- a. Interested mentors fill out the corresponding form on [www.mentor-hessen.de](http://www.mentor-hessen.de).
- b. A MENTOR coordinator will contact the mentor using the contact details provided and will conduct an introductory meeting.
- c. The coordinator decides, if necessary with the involvement of the board, on the admission of the candidate..
- d. In the negative case, a rejection will be made without giving reasons.
- e. In the positive case, the candidate receives a pre-filled membership application for signature by e-mail and is asked to sign it and return it by e-mail (no longer required from Q3 2021, then handwritten applications are no longer required) and to present an extended police clearance certificate as soon as possible. If this contains relevant entries, it will be rejected.
- f. The corresponding data are transmitted (automatically) by MENTOR to the club database and the system environment of the MENTOR reading app and access data is generated for the mentor.
- g. The mentor receives the membership certificate including access data for the app via email from MENTOR.
- h. If the mentor is assigned a child to read together, he will receive an email notification of the first appointment.

## **4. DATA PROCESSING WHEN USING THE MENTOR READING APP**

- 4.1** When downloading and installing the app, we collect and process the personal data required for the download. If you download and install the app via the common platforms (such as Apple AppStore and Google PlayStore), the operator of the platform through which you obtain the respective app (for example Apple, Inc. for the AppStore and Google Ireland Limited for the Google PlayStore) personal data required for the download. This data includes in particular your name, your e-mail address and your postcode, time of download, IP address and the individual device code of your termi-

nal device (so-called IMEI). This collection and processing of your personal data is basically carried out solely by the respective platform operator without our involvement in the data processing or any influence on it. In this respect, the data protection provisions of the operator of the platform, which can be viewed on the platform concerned, apply.

- 4.2** When the app is started and used, a connection is automatically established to the servers we use in order to provide the app technically, to call up current content and to collect data on usage behavior. Information that your device transmits to us is logged here. This includes the user name and password, the IP address of the device you are using, data on the operating system used, the device used, the time of use or the time of the download, the length of time spent on functions, data volumes used, and errors and crashes. The processing of this data is necessary in order to be able to provide the app with its functionalities at all. In particular, your IP address must be saved for the duration of the session. We generally do not combine this data with other data from other sources.

The legal basis of this data processing to enable the use of the app is Article 6 (1) (f) GDPR, whereby our legitimate interest is the provision of a functional and secure app. We reserve the right to check this data retrospectively if we become aware of specific indications of illegal use. This check is carried out exclusively to detect and prevent unlawful use of our app on the basis of Art. 6 Para. 1 S. 1 lit.f GDPR. Our legitimate interest is to ensure the security of our offer and the prevention of improper use. After the parents, when registering their children, gave their express consent that the children may also use the app to learn to read, it is not evident that the children's conflicting interests in relation to this data processing prevail..

- 4.3** When you use the reading app, some of the data that you provided to us when you registered for "MENTOR Digital", i.e. the application for admission, or that the app itself collects, is processed. This involves the following data, which are required to enable the smooth and functional use of the reading app: surname, first name, user name in the app (pseudonym), password (encrypted), age and grade level of the child and telephone number and parents' email address.

In order to initially coordinate the interactions between children and mentors, the following data are still processed:

- The child's date of birth;
- Gender;
- Time availability;
- Name and zip code of the child's school;
- The respective technical equipment;
- Assignment of children and mentors;
- Assessment of reading ability by the parents at the beginning of the app use and by the mentor at different times during the use;
- Role of the mentor (mentor only or also coordinator);

- Address of the mentor;
- Mentoring relationships;
- Foreign languages spoken by the mentor.

Furthermore, data on the joint reading sessions of the respective mentor with the child and on solo reading sessions of the child are recorded. These include the work read, the number of pages read, any information on the child's accent or dialect, the total length of the session, the child's reading time, the time spent playing and voice recordings, if such were made (see section 4.4 below).

With the help of this data, the reading behavior of the child can be evaluated by parents and mentors and, in particular, progress in the reading ability of the child can be determined. In addition, this data processing is used to evaluate the reading operation for the purposes of the association in accordance with our statutes and for the purposes of research into the suitability and efficiency of reading apps to improve the reading skills of children. To this end, we work closely with the University of Basel, Goethe University Frankfurt am Main and TU Darmstadt, who are scientifically accompanying "MENTOR Digital" as a pilot project. However, all data processed for research purposes is anonymized before it is passed on to the universities and evaluated there.

The use of the app includes video calls between the child and the respective mentor, because joint reading sessions can only be carried out in the form of video calls. Image and sound data are transmitted. However, the video data is never recorded or saved. If necessary, voice recordings can be made as described in section 4.4.

The legal basis for this data processing with regard to the children's data is the consent of their parents or legal representatives in accordance with Article 6 (1) (a) GDPR, which is granted by ticking the corresponding field in the application for admission and signing or sending it.

The processing of the parents' personal data within the app (name, telephone number and email address only) is necessary to safeguard legitimate interests. Our legitimate interest is to enable the mentors to contact the parents whose children they look after in reading sessions. This should not only be in the interests of the mentors, but above all also of the parents or legal representatives themselves. It is also not evident that any conflicting interests of the parents or legal representatives outweigh any other interests if they voluntarily register their child with "MENTOR Digital" in order to be able to use the reading app, the main functionality of which is the interactivity between child and mentor. The associated data processing is based on Art. 6 Para. 1 lit. f GDPR

The legal basis for processing the mentors' data is Article 6 (1) (b) GDPR. The data processing serves here to realize the purpose of the association laid down in the statutes of MENTOR, namely the promotion of children's reading skills. Since "MENTOR Digital" is supposed to do this via the MENTOR reading app and the mentors register for this very purpose, the data processing within the app is also necessary..

- 4.4** The text read by the child can be recorded as a sound file within the app at the instigation of the mentor. These voice recordings are used to better understand and assess the development of reading performance over time. In a solo reading session,



the read passages can also be recorded independently in order to enable the respective mentor to listen to and assess them at a later point in time.

The following data is also collected and processed with the voice recording:

- Username in the app (pseudonym) of the child
- Upload date and time;
- Gender;
- Age;
- Grade level;
- Dialect typical of the state;
- Native accent.

With the help of these voice recordings, a Digi Sapiens software solution is also trained ("Artificial Intelligence"). For this purpose, the voice recordings are anonymized and then transferred to a separate Digi Sapiens server environment to which only Digi Sapiens has access. There, the voice recordings are anonymized, but evaluated taking into account the metadata listed above (i.e. without user names / pseudonyms) in order to develop intelligent software that can be used within the reading app in the future. The artificial intelligence that is created in this way is to be used in the future to support mentors in assessing and promoting a child's reading skills and thereby making the children's learning success even more targeted and thus faster.

The legal basis for the preparation, individual evaluation and anonymization (for the purpose of further general evaluation) of the children's voice recordings is in turn the consent of their parents or legal representatives in accordance with Art. 6 Para. 1 lit. Signature or dispatch is granted.

In principle, no voice recordings are made of mentor voices. Exceptions are mentors who explicitly consent to closer academic support. The mentors' "interventions", i.e. their suggestions for improvement, are recorded and forwarded to researchers without personal data. The mentors concerned sign a separate agreement for this.

## **5. COOKIES, AUTOMATED DECISION-MAKING**

The MENTOR reading app does not currently use cookies. There is also no automated decision-making including profiling in accordance with Art. 22 Para. 1 and 4 GDPR.

## **6. DISCLOSURE OF PERSONAL DATA TO THIRD PARTIES**

**6.1** A transfer of personal data to third parties takes place - unless otherwise stated in this data protection declaration - without your express consent only if this is necessary for the provision of our services (e.g. for the technical provision of the offer). Accordingly, the data is passed on to such service providers (such as technical service providers) to safeguard our legitimate interests in accordance with Art. 6 (1) (f) GDPR, namely to be able to provide our app at all and to provide web-based admission forms for participation to be able to offer to "MENTOR Digital". Of course, before passing on personal data, we ensure that the respective service provider has taken appropriate technical and organizational measures to ensure the security of the data.

**6.2** We store the data we collect when using the app with the help of third-party services. We use the services of ABASS GmbH, Moselstrasse 11, 63225 Langen, with whom

we have concluded a contract for order processing in accordance with Art. 28 GDPR. In addition, we have commissioned HostEurope GmbH, Hansestraße 111, 51149 Cologne, as a processor in accordance with Art. 28 GDPR for the content management system "Contao", which enables online registrations for "MENTOR Digital" via the website [www.mentor-hessen.de](http://www.mentor-hessen.de) are made possible.

**6.3** As already explained under Section 4.3, we are scientifically supported in the pilot project of "MENTOR Digital" by various universities, in particular the University of Basel. This is used to research the suitability, effectiveness and efficiency of the MENTOR reading app to improve children's reading skills, especially in comparison to conventional, non-digital methods. In addition, general research goals in the field of digital reading research, didactics and learning psychology are also pursued. For this purpose, the participating universities are granted access to the personal data from the use of the app. However, all data processed for research purposes is anonymized before it is passed on to or disclosed to the universities and the evaluation there. The universities do not have access to real names or contact details at any time. As explained under section 4.3, this transfer only takes place with the consent of the parents or with regard to the mentors for the purpose of realizing the goals of the statutes as part of the association membership.

**6.4** In addition, we will not pass on your personal data to third parties unless you have expressly consented to the transfer (Art. 6 Para. 1 lit. a GDPR) and we are not entitled or obliged to pass it on due to legal provisions or court orders is. In the latter case, the transmission is carried out by us to fulfill a legal obligation in accordance with Art. 6 Paragraph 1 lit. c GDPR.

## **7. STORAGE, DURATION OF STORAGE AND DELETION OF DATA**

**7.1** We process your personal data for as long as it is necessary to achieve the processing purposes, required by a legal obligation to store the data or necessary for other reasons. The data will then be deleted in accordance with the statutory provisions. The personal data of association members (or, in the case of children, their parents) are deleted immediately, especially when the member leaves the association, unless there are statutory retention requirements.

**7.2** We keep data that we continue to store for legal reasons for as long as required by law. After a statutory retention period has expired, the data will be deleted immediately, provided that the deletion does not conflict with other reasons within the meaning of Art. 17 Para.

**7.3** The anonymized voice recordings used for the AI training and other anonymized app data are automatically deleted after five years..

## **8. DATA SECURITY**

Of course, we have taken appropriate technical and organizational measures to protect personal data against unintentional loss, damage, unauthorized access or unauthorized changes. In particular, the data is only transmitted by us internally and externally in encrypted form, which primarily concerns the web-based transmission of the completed application forms. Passwords are of course stored in encrypted form. The video connection between the Mentor is also encrypted from device to device without any detours via third-party servers. We also take the following (non-exhaustive list) of measures:

- Authentication with JWT (JSON Web Token)
- Server-side authorization through customized middleware functions
- Built-in measures against "script injection attacks"
- Code revisions with GIT
- Hotfix updates possible at any time
- No use of cookies
- No active tracking by third parties

## **9. YOUR RIGHTS AS A DATA SUBJECT**

### **9.1 Right to object**

You have the right, for reasons that arise from your particular situation, to object at any time to data processing based on Art. 6 Para. 1 lit. f GDPR, unless we can prove compelling reasons worthy of protection that Your interests prevail, or the processing serves to assert, exercise or defend legal claims.

### **9.2 Right to information**

You have the right at any time to request the personal data relating to you stored by us, the processing purposes, their origin, which transfer to which recipients or categories of recipients, the storage period and the data subject rights available to you free of charge from us in writing or in electronic form..

### **9.3 Right to correction, deletion and / or restriction of data processing**

You also have the right to request the correction of incorrect data, the deletion and / or, under the legal requirements, the restriction of the processing of the personal data stored about you at any time. The right to erasure exists only if there is no statutory retention obligation for us or if there are no other reasons within the meaning of Art. 17 Para. 3 GDPR that prevent the deletion. Insofar as this includes personal data that is required for the use of the app, the deletion or restriction of the processing of this data can only take place when you no longer use the app.

### **9.4 Right to data portability**

If you provide data that concerns you and we process this data on the basis of your consent or to fulfill the contract, you can request that you receive this data from us in a structured, common and machine-readable format or that we transfer this data to another person responsible, as far as this is technically possible (so-called right to data portability).

### **9.5 Right to withdraw consent**

You can freely withdraw any consent you have given to the use of personal data at any time with effect for the future.

### **9.6 Right of appeal to a supervisory authority**

You can also lodge a complaint with a supervisory authority against data processing by us that, in your opinion, violates the statutory provisions .

## **10. REVISION OF THIS PRIVACY POLICY**

We reserve the right to check and revise this data protection declaration from time to time, as far as this is indicated e.g. due to new technical developments or changes in case law or in our offer from "MENTOR Digital". It is therefore advisable to read the provisions of this data protection declaration from time to time to ensure that you know how we collect, process and use personal data.

Status: January 2021