

## **TY LOUIS CAMPBELL FOUNDATION PRIVACY POLICY**

Ty Louis Campbell Foundation, a 501 (c)(3) corporation (“**TLCF**”), is committed to protecting the privacy and confidentiality of personal information entrusted to us. We have designed this Privacy Policy to answer questions regarding our privacy principles and practices.

### **What is Personal Information?**

This Privacy Policy is applicable to all users (“**Users**”) of the TLCF websites found at [www.thetlcfoundation.org](http://www.thetlcfoundation.org), [www.superty.org](http://www.superty.org) and [www.muddypuddlesproject.org](http://www.muddypuddlesproject.org) (the “**Websites**”), as well as other websites developed by TLCF now or in the future (“**TLCF Sites**”) and TLCF web pages on third party sites such as Facebook and Twitter (“**Third Party Sites**,” and together with the Websites, and the TLCF Sites, the “**Sites**”) and all Users of the Sites who provide personal identifiable information (“**personal information**”). When this Privacy Policy uses the term “personal information”, we mean information that identifies a particular individual, such as the individual’s full or partial name, postal address, email address and telephone numbers. Some jurisdictions may call personal identifiable information “personal data” or “personally identifying information,” and may include opinions about or related to a User within the definition of personal information.

### **What Is the Scope of Our Privacy Policy?**

This Privacy Policy addresses our policies and procedures relating to the personal information of individuals. This Privacy Policy is intended to assist you in understanding TLCF’s policies and procedures relating to our management of personal information and is applicable to TLCF, its successors and assigns, and any affiliates of TLCF. This Privacy Policy is applicable to the personal information of all Users of the Sites. Please note that each Third Party Site has its own privacy policy and terms of service that are not affected by this Privacy Policy or the Terms of Use governing our Website (the “**Terms of Use**”).

### **Personal and Other Information Collected by TLCF**

TLCF collects personal information that is voluntarily provided by you when you explore the Sites, make a donation, use our Services (as defined in the Terms of Use), register for an Event (as defined in the Terms of Use), purchase an item from the Gift Shop, or other areas of the Sites, or communicate with us by mail, telephone or electronically. The type of information we collect and maintain may include:

- Your name, mailing address, and/or email address
- For children – the name, mailing address and/or email address of a parent or legal guardian
- Telephone number
- Gender

- Date of birth
- Purchase history
- Donation and fundraising events and history
- Blog communications and photos
- Complaints you may have about the Sites and any of their content and offerings

This type of information is collected, used and disclosed in accordance with the form of consent required by applicable law and its use is limited to the objectives for which it was collected, as described in this Privacy Policy.

We may collect information through technology for routine system administration purposes, to make our Website more interesting and useful to you, to manage content delivery and for various other purposes related to our foundation. We use this information to understand which areas of our Sites are most appealing or least appealing, or to deliver content that is specific to your country or area of residence.

For instance, when you come to one of our Sites, we may collect your Internet Protocol (“IP”) address. An IP address is associated with the access point through which you enter the Internet and is typically controlled by your Internet Service Provider (“ISP”), your company or your school. Standing alone, your IP address is not personally identifiable. We may use IP addresses to collect information regarding the frequency with which Users visit various part of our Sites, and we may combine IP addresses with personally identifiable information.

TLCF may also collect information that is stored in cookies, and we may associate this information with your personal information. Cookies are small pieces of information stored on your hard drive, not on our Sites. We use cookies for a number of reasons. Cookies also help us to tailor messages that better match your needs and interests, and they allow us to better understand how Users in general use our Sites, which in turn helps us to focus our resources on features that are most popular with our Users. You are always free to decline our cookies if your browser permits, but some parts of our Sites may not work properly if you do.

We may also collect other types of information such as gender, age, number of children, and personal interests, which we may associate with personal information. If you purchase products or services from us, we may retain, for example, credit card information, the type of services or products ordered or purchased, and the date of the order or purchase. You may also provide us photographs or other video materials, which may contain personal information. We may collect personal information when you register on, log on, or visit our Sites. Finally, our Sites may offer message boards, conversation pages, profile pages, blogs fundraising pages, public forums and other features in which you provide us with User Content. If you provide personal information when you use any of these features, that personal information may be publicly posted and otherwise disclosed without limitation as to its use by a third party. Our rules regarding User Content are described in the Terms of Use.

## **Consent**

We reserve the right to collect, use and disclose your personal information without consent where required or permitted by law.

Otherwise, personal information will be collected, used and disclosed in accordance with the form of consent required by applicable law and its use will be limited to the objectives for which it was collected as described herein. The form of your consent can vary from implied consent to express consent, depending upon the circumstances and the sensitivity of the type of information collected. We will rely on implied consent when we can reasonable conclude that you have given your consent by your action (e.g., by giving us your name and contact information so that we may send any Gift Shop items you have ordered or to provide you with any Services) or inaction (e.g., by not exercising an ability to opt-out that is provided to you at the time your contact information is collected). This Privacy Policy identifies the purposes for which your personal information is collected, used and disclosed. Additional consent will be obtained from you should we wish to use or disclose your personal information for any additional purpose.

## **Why Does TLCF Collect Personal Information?**

TLCF collects personal information for the following reasons:

- To provide you with the information, products or services you have requested, including processing your payment or donation;
- To better understand you and to allow us to serve you better through more detailed information, enhanced customer service and directed Ty Louis Campbell Foundation promotional efforts of particular interest;
- To properly investigate and respond to any complaints, questions or concerns you may have about our products or our Websites; and
- To determine your eligibility for our products and services.

If you opt in to receive information, offers, promotions or other consent from TLCF, your information will be used to provide you with offers for TLCF products or information that we believe may interest you and to solicit your opinion on our products, services and information. If you have opted in to receive such information and offers, we may also use your personal information to ensure that your contact information is accurate and up to date.

## **What Kind of Personal Information Does TLCF Disclose, to Whom and Why?**

TLCF may share your personal information with certain TLCF affiliates, and their respective successors and assigns, but only to the extent necessary to fulfill the purposes identified above. In addition to this sharing with affiliates, TLCF may disclose your personal information to third parties as follows:

**1. To Third Parties to Perform Processing and Other Specialized Services:** At times, TLCF may use outside organizations to perform specialized services such as, but not limited to, credit card processing and order fulfillment. These service providers are only given the information needed to perform those services and they are bound contractually to protect the privacy and security of your information and to limit the use of your information to the service being provided.

**2. To Third Parties in the Event of Legal Reasons:** We advise you that we may disclose personal information to the government or other legal or regulatory authorities (i) if so ordered by a court of law, or (ii) for other legal reasons, such as (a) to comply with legal process such as a search warrant, subpoena or court order; (b) to protect TLCF's rights and property; (c) to investigate reports of fraud or of Users sending material using a false email address or Users sending harassing, threatening or abusive messages; (d) to protect against misuse or unauthorized use of our Websites; or (e) in emergencies, such as when we believe someone's physical safety is at risk. In some cases, disclosure to third parties may be required by law to be without notice to you.

**3. To a Third Party in the Event of a Significant Transaction or Other Event:** In the case of any significant transaction or event involving TLCF or any of its affiliated entities such as, by way of example, a sale, merger, amalgamation, financing, re-organization, liquidation, or insolvency, other parties to the transaction and their professional advisors may need to have access to TLCF's various databases as part of the due diligence process. In this event, TLCF would only provide such access under terms of a strict confidentiality agreement. Upon completion of the transaction or event, your personal information would be transferred to TLCF's successor-in-interest.

### **You May Disclose Personal Information on a TLCF Site**

TLCF provides several opportunities on our Website and on Third Party Sites to disclose personal information, such as when you list upcoming fundraising activities on a user page or in connection with your use of other Services provided by TLCF. Our Sites may offer message boards, conversation pages, profile pages, blogs, fundraising pages, public forums and other features in which you provide us with User Content. Your use of these features and your disclosure of personal information with respect to these features is completely voluntary; however, if you provide personal information when you use any of these features, that personal information may be publicly posted and otherwise disclosed without limitation as to its use by a third party.

### **How Long Does TLCF Retain Personal Information?**

We may keep your personal information until we no longer retain it, or until you ask us to delete it, subject to any legal requirements, including statutory retention periods.

## **What Security Measures Does TLCF Have in Place to Safeguard Personal Information?**

TLCF has implemented physical, electronic and administrative measures to protect your information from error, loss or unauthorized access. For example, we use encryption, passwords and firewalls to safeguard the confidentiality of your personal information contained on our computer systems. In addition, our employees and any third parties we use are contractually bound to protect the confidentiality of your information and access is restricted to those with a need to know the information to carry out the identified purpose. From time to time, we review our security procedures to protect our Users' personal information in order to consider appropriate new technology and methods; however, despite our efforts, no security measures are perfect or impenetrable.

## **Where is my Personal Information Located?**

Your personal information may be stored and processed in servers, including those of our authorized third parties, currently located in the United States. These servers shall always be subject to the safeguards described in this Privacy Policy to protect against unauthorized collection, use or disclosure, and you shall be able to access the personal information stored in such servers in accordance with this Privacy Policy.

## **Non-Personal Information**

Non-personal or aggregated information is information that cannot be associated with or traced back to a specific person. When Users browse our Website, for example, we may gather information about the number of Users who are viewing each page so that we can learn what features generate the most interest. We also use this data, both aggregated and personally identifiable, to personalize and enhance your onsite experience by displaying content that we believe will be of interest to you and to deliver content that is specific to your interest. We may disclose anonymous, aggregated information about our Sites to third parties.

## **Links to Third Party Sites**

Users may, through hypertext or other computer "links," gain access to other websites on the Internet which are not operated or monitored by TLCF. TLCF is providing these links to you only as a convenience, and the inclusion of any link does not imply endorsement by TLCF of the website or content linked to. TLCF ASSUMES NO RESPONSIBILITY FOR ANY MATERIAL OUTSIDE OF THE WEBSITE OPERATED BY TLCF AND ITS AFFILIATES, INCLUDING ANY WEBSITE WHICH MAY BE ACCESSED THROUGH A LINK ON A TLCF-OPERATED SITE. Unless otherwise indicated at a TLCF-operated Site, TLCF is not sponsored by or affiliated with the linked website, and trademarks used in connection with linked website are not trademarks of TLCF. TLCF specifically disclaims responsibility for any inadvertent viewing by a minor of any material intended for adults on a website accessed through use of a linked website.

## **How to Control How Your Personal Information is Collected, Used and Disclosed**

You have control over how we collect, use and disclose your personal information. Any comments, questions or changes regarding the collection, use and disclosure of your personal information shall be directed to a TLCF representative, as described below.

You may choose not to receive email from us, even after granting permission, by unsubscribing. Instructions on how to unsubscribe from emails that are not related to processing of your transactions with us are included in each such email.

A request for a copy of the personal information we keep about you, depending on the laws of your country, must be made in writing giving details with which TLCF can identify you. Information will be furnished in accordance with applicable law.

## **Questions, Comments or Accessing or Updating Your Personal Information**

If you have any questions or comments about TLCF's Privacy Policy, would like to advise us how you would like your personal information not to be used or disclosed, or would like to access or update your personal information, please contact our webmaster at [thetlcfoundation@gmail.com](mailto:thetlcfoundation@gmail.com). You can also write to us at Ty Louis Campbell Foundation, 1787 Route 6, Carmel, NY 10512.

Please note that certain information is required by TLCF to process payment and fulfill any orders or donations that you may place through the Website, and if you withdraw your consent to the collection, use or disclosure of your personal information for these purposes, then TLCF will not be able to fulfill your orders or process donations.

## **Acceptance of Privacy Policy/Amendments to Privacy Policy**

This Privacy Policy outlines the information usage practices of TLCF. By accessing, browsing or using this Website or by submitting your personal information to TLCF, you signify your agreement to the terms and conditions of this policy. If you do not agree to this policy, please do not submit your personal information to us. We reserve the right, at our discretion, to change, modify, add or remove portions of this Privacy Policy at any time. If, at some point in the future, there is a material change to our information usage practices that affects your personal information, you will be notified of such change by a conspicuous posting on the Website and will be prompted to elect whether or not you agree to the change. Depending on the changes made, you may be unable to utilize the Website if you choose not to agree to a modification to this Privacy Policy. If any future change affects our payment processing and order fulfillment functions, or if you withhold your consent, we may not be able to continue to process payments or fulfill orders from you. Your acceptance of a revised policy, which may be communicated by clicking to indicate your consent for the continued provision of your personal information to TLCF following the effective date of any changes to this Privacy Policy, shall

mean that you have accepted those changes, subject to your continuing right to notify us at any time as to how you would like us to treat your personal information.

The current version of this Privacy Policy is dated June 12, 2020.

### **Users Outside of the United States**

Our computer systems and some of the computer systems of our third party service providers are currently based in the United States, so your personal data will be processed by us in the United States where data protection and privacy regulations may not offer the same level of protection as in other parts of the world, such as the European Union. As a visitor from outside the United States, by using the Site you agree to this Privacy Policy and you consent to the transfer of all such information to the United States, which may not offer an equivalent level of protection of that required in the European Union or certain other countries, and to the processing of that information as described in this Privacy Policy.

### **Children's Privacy**

**Types of personal information collected:** Under the Children's Online Privacy Protection Act (as amended, "COPPA"), "personal information" is defined as individually identifiable information, such as a first and last name; a home or other physical address, including street name and city or town; an email address; a telephone number; a Social Security number; or persistent identifiers such as customer or processor serial numbers held in a cookie, where the identifier is associated with individually identifiable information. TLCSF may not collect personal information as defined under COPPA. We collect and use only as much information about a child as necessary for the activity, and do not condition participation in any online activity on the disclosure of more personal information than is reasonably necessary. Occasionally, we use cookies to store pertinent User information during a session.

**Use of personal information:** We use the information we collect from children only for internal business purposes, for the child to participate on the Sites, and/or to give credit to children for work they have created. We contact children by email only in response to their requests for information or assistance. TLCF uses cookies solely for the purpose of holding information during online sessions. If, however, a child voluntarily discloses personal information, such as a name or email address, on bulletin boards or in chat areas that are accessible to other Users, then such information could be collected and disclosed by others. TLCF cannot take any responsibility for such collection or disclosure.

**Involvement of parents:** In accordance with the provisions of COPPA, we will notify parents when collecting personal information from children, and will seek parental consent before collecting, using or disclosing certain personal information from children. Parents may review and have deleted their child's personal information and may refuse to permit further collection or use of their child's information by contacting the TLCF representatives listed herein. Parents may consent to our collection and use of their child's personal information without consenting

to the disclosure of that information to others. Parents and legal guardians may contact TLCF as follows:

Ty Louis Campbell Foundation  
1787 Route 6  
Carmel, NY 10512  
[thetlcfoundation@gmail.com](mailto:thetlcfoundation@gmail.com)  
Phone: 845-200-7486