



Policy 9.1 Privacy Policy

The Board of Certification for Emergency Nursing, (collectively “Association,” “BCEN” “we,” “us,” or “our”) respects the privacy of our website visitors, certificants, learners, candidates, and customers, and how personal information and how it is used and shared. This privacy policy (as posted on our website [here](#) and as amended from time to time and effective as of the date posted) (“**Privacy Policy**”) describes the types of information we collect from you or that you may provide when you visit or use our bcen.org website (“**Website**”), purchase our products (“**Products**”), or purchase, or use our services (including, but not limited to, our certification and conferences) (collectively, “**Services**”), and our practices for collecting, using, maintaining, protecting, disclosing, retaining, and transferring that information.

We use the terms “nurse,” “certificant,” “candidate,” “learner” “you,” and “your” to mean any person using our any of our Websites, applications, Products or Services we offer, including our online hosted software platform (“**Platform**”), or when you communicate with us. For information about choices that we offer under this Privacy Policy, please see “Your Choices” below. This Privacy Policy does not apply to the information that you may provide to third parties and others with whom you may share information about yourself.

INFORMATION WE COLLECT ON YOU

Personal Information

Definition of Personal Information: “Personal Information” means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked to, directly or indirectly, a particular individual, consumer, data subject, or household, and is defined as “personally identifiable information,” “personal information,” “personal data,” or similar term under applicable data protection law.

Information you give to us: We collect several categories of Personal Information from and about you as summarized in the following table:

Category	Specific Items of Personal Information
Identifiers	<ul style="list-style-type: none"> • first and last name • username (which may include first and last name) • email address • postal address • zip code • unique personal identifier, e.g.: customer/account name or number • phone number
Demographic	<ul style="list-style-type: none"> • birth date (day and month only)
Biometric information based on characteristics	<ul style="list-style-type: none"> • headshot as part of a driver’s license (only of candidates taking a remote proctored exam)
Commercial information	<ul style="list-style-type: none"> • products/services purchasing history
Internet or other electronic network activity; device information	<ul style="list-style-type: none"> • type and manufacturer of device and its ID/UDID or similar device-specific code • Internet Protocol (IP) address, protocol, and/or sequence information • operating system and platform • Internet service provider or mobile carrier’s name, connection speed, and connection type • browsing, session, interaction, and search history related to our Website • cookies • pixel tags • browser type, language, and version • screen resolution • domain name system requests • Media Access Control (MAC) address of pages you have visited • material and pages viewed • time and date of access to our Website • number of bytes transferred • number of clicks per visit

Category	Specific Items of Personal Information
	<ul style="list-style-type: none"> • date stamp and URL of the last webpage visited before visiting our Website, and URL of the first page visited after leaving our Website • pages viewed, time spent on a page, click-through and clickstream data, queries made, search results selected, comments made • type of service requested • hypertext transfer protocol headers, application client and server banners, and operating system fingerprinting data
Professional or employment information	<ul style="list-style-type: none"> • email address that identifies you (e.g., jane.r.smith@website.com versus <u>jrs@website.com</u>)
Education information that is not publicly available personally identifiable information (pursuant to FERPA)	<ul style="list-style-type: none"> • education records directly related to a student maintained by an educational institution or party acting on its behalf, e.g., school name, grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records

Sensitive Personal Information

We may collect, use, and retain “sensitive” Personal Information as follows, and you specifically consent to our collection and processing of such information for the stated purposes:

Category	Specific Items of Personal Information	Purpose for Use
Identifiers	<ul style="list-style-type: none"> • driver’s license (including photo) or state ID number, passport number 	Verify identity only of candidates taking a remotely proctored exam
Identifiers	<ul style="list-style-type: none"> • name • email • address • phone 	To process applications and track certification; and for communication and marketing initiatives as described above

Category	Specific Items of Personal Information	Purpose for Use
Characteristics of protected classifications under California or federal law	<ul style="list-style-type: none"> racial or ethnic origin, sexual orientation, or sex life, religious or philosophical beliefs, trade union membership (only RN State License number) 	To verify an active license unencumbered
Biometric information based on characteristics	<ul style="list-style-type: none"> image 	Headshot as part of a driver's license (only of candidates taking a remote proctored exam, used only to verify identity, and is deleted within 30 days)

Personal Information does not include information publicly available from government records or information excluded by applicable law. Personal Information also does not include your Personal Information that has been deidentified, pseudonymized, anonymized, aggregated, and/or otherwise processed so as to be unidentifiable in such a way that the data can no longer be attributed to a specific individual (by reasonable means) without the use of additional information, and where such additional information is kept separate and under adequate security to prevent unauthorized re-identification of a specific individual such that one could not, using reasonable efforts, link such information back to a specific individual (collectively, all of the foregoing in this sentence being referred to as **"De-Identified Personal Information"**).

We also may collect Personal Information from you through means other than our Website. This may include offline collection, such as if you submit a paper application, make a payment by check, or call or visit our office. It also may include emails, text messages, or other electronic communications that you send to us separate from our Website or by way of our Service Providers (as defined herein). However, if we combine the Personal Information, we collect from you outside of our Website with Personal Information that is collected through our Website or by another means as described above, the Privacy Policy will apply to the combined information, unless specifically disclosed otherwise.

INFORMATION WE COLLECT AUTOMATICALLY WHEN YOU USE OUR PLATFORM

The information we collect automatically is statistical data and may include Personal Information, and we may maintain it or associate it with Personal Information we collect in other ways or receive from third parties. It helps us to improve our Website and to deliver better and more personalized Products and Services, including, but not limited to, by enabling us to: estimate our audience/visitor size and usage patterns, store information about your preferences, allowing us to customize and improve our Website, speed up your searches, and/or, recognize you when you return to our Website.

Behavioral Tracking. We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services, or associate Personal Information with other information collected in this manner.

Location Analytics. Information such as IP address, device ID and location may be gathered, and we may use it for serving up advertisements or marketing of our Products and Services.

Cookie Notice and Policy.

The technologies we use for automatic data collection may include cookies, local storage cookies, web beacons, pixel tracking, GIF, IP address, and other technologies. Each of these is discussed below.

Browser Cookies

Browser cookies are small files placed on the hard drive of your computer or mobile device. They may contain certain data, including, but not limited to: the name of the server that has placed it there, an identifier in the form of a unique number, and, an expiration date (some cookies only). Browser cookies are managed by the web browser (Internet Explorer, Firefox, Safari, Google Chrome, etc.) on your computer or mobile device. Different types of cookies which have different purposes are used on our Website.

Essential Cookies

Essential cookies are essential to allow you to browse our Website and use its functions. Without them, services such as shopping baskets and electronic invoicing would not be able to work.

Performance Cookies

Performance cookies collect information on the use of our Website, such as which pages are consulted most often. This information enables us to optimize our Website and simplify browsing. Performance cookies also enable our affiliates and partners to find out whether you have accessed one of our Website pages from their

site and whether your visit has led to the use or purchase of a Product or Service from our Website, including the references for the Product or Service purchased. These cookies do not collect any information which could be used to identify you. All the information collected is aggregated, and therefore anonymous.

Analytics Cookies

Functional cookies help perform certain functionalities like sharing the content of the website on social media platforms, collecting feedback, and other third-party features.

Advertisement Cookies

Advertisement cookies are used to provide visitors with customized advertisements based on the pages you visited previously and to analyze the effectiveness of the ad campaigns.

Functionality Cookies

Functionality cookies enable our Website to remember the choices you have made when browsing. For example, we can store your general geographic area (but not precise geolocation) in a cookie so that the Website corresponding to your geographic area is shown. We can also remember your preferences, such as the text size, font, and other customizable aspects of the Website. Functionality cookies also may be able to keep track of the products or videos consulted to avoid repetition. The information collected by these cookies cannot be used to identify you and cannot monitor your browsing activity on sites which do not belong to us. It is possible that you will come across third-party cookies on some pages of sites that are not under our control.

We also use cookies such as functionality cookies to implement tracking technology on our Website. This allows us to display advertising that is tailored to you on our Website, to understand which parts of our content interest you the most, and which Product or Service categories you request. This tracking uses De-Identified Personal Information data. Some of our service providers are allowed to place cookies on our Website. Those companies also may provide you with the option of preventing the use of cookies in the future. For more information, contact the relevant third-party provider.

At any time, you can prevent the use of cookies in the future. You may activate the appropriate setting in your browser to refuse to accept browser cookies. However, if you do, your experience on our Website may be affected; e.g., you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

Local Storage Cookies

Certain features of our Website may use local stored objects to collect and store information about your preferences and navigation to, from and on our

Website. Local storage cookies are not managed by the same browser settings as are used for browser cookies.

Web Beacons. Pages of our Website and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit us, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

Pixel Tracking. In addition to using cookies, the Website may employ “pixel tracking”, a common process which may be used in connection with advertisements on other sites. Pixel tracking involves the use of pixel tags that are not visible to the user and consist of a few lines of computer code. Pixel tracking measures the effectiveness of advertisements and compiles aggregate and specific usage statistics. A “pixel tag” is an invisible tag placed on certain pages of websites that is used to track an individual user’s activity. We may access these pixel tags to identify activity and interests that may allow us to better match our Products, Services, and offers with your interests and needs. For example, if you visit our Website from an advertisement on another website, the pixel tag will allow the advertiser to track that its advertisement brought you to the Website. If you visit our Website, and we link you to another website, we also may be able to determine that you were sent to and/or transacted with a third-party website. This data is collected for use in our marketing, research, and other activities.

GIF. We may use tiny images known as clear GIFs to track behavior of users, including statistics on who opens our emails.

IP Address. Our servers (or those of our service providers) automatically record certain log file information reported from your browser when you access the Website. These server logs may include information such as which pages of the Website you visited, your internet protocol (“IP”) address, browser type, and other information on how you interact with the Website. These log files are generally deleted periodically.

INFORMATION WE COLLECT FROM OTHER SOURCES

We may combine your information with information we collect from third parties or public sources, including analytics providers, advertising networks, and publicly

available sources. We may purchase or be provided with information from third parties which contains your Personal Information.

INDIVIDUALS UNDER THE AGE OF 18

Our Platform is not intended for children under the age of 18. If you are under 18, please do not provide any information to us and instead ask your parent or guardian to do this on your behalf. You must be at least 18 years of age to purchase Products or Services from us. If you are under the age of 18, you must ensure that your parent or guardian purchases the products or services on your behalf.

HOW WE USE THE INFORMATION ABOUT YOU

We may use your information for the following purposes:

- Service Access and Registration: to register you as a new customer when you purchase a product or service from us or create an account on one of our sites in order to access one of our services.
- Sales and Fulfillment: to process and deliver your order; to manage payments, fees, and charges; to collect and recover money owed to us; to provide you with services you have requested from us when we collected the information from you.
- Customer Relationship Management: to contact you about your account, subscription or other order; to provide you with customer service (such as responding to questions, concerns and feedback and contacting you via email, telephone, SMS/text, post, direct message or other similar communication method for this purpose); to notify you of material changes to our terms or this Privacy Policy; to send you service related communications; to ask you to leave a review or take a survey. To notify you about information regarding or changes to our Website, our policies, terms, or any Products or Services we offer or provide, or regarding your account
- Sweepstakes, Contests, Events, Product Trials, Surveys, Awards: to enable you to participate in sweepstakes, contests, product trials, events, awards, surveys, polls, and quizzes and to provide you with any prizes, products, or awards as applicable.
- Business Administration, Systems and Security: to administer and protect our business and our Websites, such as troubleshooting, testing, system maintenance, support, reporting and hosting data; to ensure network and system security and prevent detect, mitigate, and investigate fraud, security breaches and other prohibited or illegal activities; to verify your identity.

- Data Analytics: to measure the performance of our marketing campaigns (for example, analyzing open and click rates); to provide insight and analysis of our customers for ourselves and our business partners.
- Marketing: to provide you with marketing via email, post, telephone, SMS/text, social media, and other digital channels (including Facebook Custom Audiences and Google Custom Match); to make suggestions and recommendations to you about goods and services that could be of interest to you.
- Advertising: to select and deliver advertising and content to you and measure the delivery and effectiveness of such advertising and content.
- Personalization: to personalize content, services and communications and target advertising, as further explained in Personalization and Advertising below.
- Aggregation and Anonymization: to aggregate and anonymize your data, so that we can use it to enable us to sell advertising and monitor the efficacy of our business partnerships.
- We use driver's license or similar ID information, including photograph, to verify identify of candidates who are having their exam remotely proctored.

Personalization and Advertising: We may use your Personal Information to provide you with personalized content, services and communications on our Platform, websites operated by us and/or selected partner websites. We do this by matching, combining or linking the different sources of information we hold about you (e.g., linking your contact or other information with your activity across our Platform or by linking your activity on our Platform across all your devices using your email or social media log-in details) or by creating segments based on various factors such as your age and gender, your device details, or your inferred interests. We work with data management platform providers to assist with this process.

We also may use your Personal Information for retargeting (for example, you could see an advertisement on a partner site such as Facebook for a product that you have recently viewed on our Website).

Text Messaging. Our Services may include sending you Short Message Service (“SMS”) messages, which may deliver up to two messages per day to your wireless device (unless you communicate further with us), but message frequency may vary. We may use your information to contact you about your certifications, purchases, returns (if available), marketing, Website updates, conduct surveys, or informational and service-related communications, including important security updates. You may remove your information by replying “STOP” to the SMS text message you received. After you send the SMS message “STOP” to us, we will send you an SMS message to confirm that you have unsubscribed. Alternatively, you may submit your

request by email to us, including the email address and phone number you registered with us, or by any reasonable means. After this, you will no longer receive SMS messages from us. If you want to join again, just sign up as you did the first time, and we will start sending SMS messages to you again. For help, please reply to a text with HELP. Message and data rates may apply, depending on your cell phone plan. Carriers are not liable for delayed or undelivered messages.

PERSONAL INFORMATION WE DISCLOSE TO THIRD PARTIES

We may or do disclose your Personal Information, in whole or in part, to the following types of third parties, and for one or more of the following purposes:

Type of Third Party	Purpose
Data storage or hosting providers	Secure storage and transmission of your data
Database and software service providers	Management and tracking of your data
Legal and compliance consultants, such as external counsel, external auditors, or tax consultants	Provide professional services to us
Identity management providers	Authentication purposes
Payment solution providers	Secure processing of payments you provide to us
Fulfillment and shipping vendors	Fulfillment and delivery of Products and Services
Survey and research providers	Perform studies on our behalf
Technology providers	Assist in the development and management of our Website
Outbound call center providers	Perform outreach on our behalf regarding our Products and Services
Publishers and learning providers	Develop products on our behalf
Learning technology and online event providers	Delivery and improvement of in-person and virtual events and learning programs and the tracking of your progress
Examination providers	Schedule and deliver credential and designation examinations
Digital credential providers	Deliver digital badges earned through your participation in learning programs
Our volunteers or committee members	Perform various functions on our behalf

Unrelated third-party list renters	One-time mail or email approved by us
Marketing providers	Sell mailing lists

Disclosures to Service Providers. We may share your Personal Information with third parties for the purpose of providing or improving the Services to you. We may share your Personal Information with third party service providers which perform services on our behalf (“**Service Providers**”). These Service Providers may have access to your Personal Information in order to provide these services to us or on our behalf. If we engage Service Providers for any of the foregoing, use of your Personal Information will be bound by obligations of confidentiality and their use of Personal Information will be restricted to providing their services to us. We may store Personal Information in locations outside our direct control (for instance, on servers or databases located or co-located with hosting Service Providers).

Event-Related Disclosure. From time to time, we may conduct events, run contests, make special offers, or other activities (“**Events**”), possibly together with an exhibitor, sponsor, or other Service Provider. If you provide information to such third parties, you give them permission to use it for the purpose of that Event and any other use to which you consent. We cannot control such third parties’ use of your information. If you do not want your information to be collected by or shared with such third parties, you can choose not to participate in these Events. We may share your Personal Information with exhibitors for their marketing and commercial purposes (including, but not limited to, their sending you marketing and related communications), but only if you have both registered for a conference and either had your attendee credentials scanned by the exhibitor at its booth or enter an exhibitor’s booth virtually online (this does not apply to casual website visitors or conference attendees who are not registered to enter the exhibit hall).

Disclosure to Marketing Partners. From time to time, we might establish a business relationship with other persons or entities whom we believe trustworthy and whom we have asked to confirm that their privacy policies are consistent with ours (“**Partners**”). In such cases we might rent, exchange, share, and/or cross-reference information, including your Personal Information that will enable such Partners to contact you regarding their products and services that may be of interest to you.

Disclosure of De-Identified Personal Information. We may share De-Identified Personal Information with third parties for any purpose except as prohibited by applicable law. De-Identified Personal Information or non-Personal Information may be aggregated for system administration and to monitor usage of the Website. It may be utilized to measure the number of visits to our Website, average time spent,

number of pages viewed and to monitor various other Website statistics. This monitoring helps us evaluate how visitors use and navigate our Website so we can improve the content. We may share De-Identified Personal Information or anonymous information (including, but not limited to, anonymous usage data, referring/exit pages and URLs, IP address, platform types, number of clicks, etc.) with interested third parties in any way we choose and for any purpose. We may disclose, sell, rent, etc., your De-Identified Personal Information to third parties and we may receive valuable consideration for doing so.

Your Consent to Disclosure/Transfer/Sale of Your Personal Information. You consent (and shall not object) to our disclosure, transfer, and/or sale of your Personal Information, De-Identified Personal Information, and other information you provide to us, as well as the rights you have granted or consented to in this Privacy Policy (collectively, “**Transferred Information**”) to a potential or actual buyer or acquirer of assets or equity of our company or other successor for the purpose of considering or undergoing a merger, divestiture, restructuring, reorganization, dissolution, change in control, or sale or transfer of some or all of our assets (each of the foregoing referred to as a “**Transfer**”), whether as a going concern or as part of bankruptcy, liquidation or other court proceeding, in which Personal Information held by us is among the assets transferred. We cannot make any representations regarding the use or transfer of Transferred Information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. Furthermore, except as required by law, we are not and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the Transferred Information that is disclosed to us.

Required Disclosures. Except as otherwise described in this Privacy Policy, we will not disclose your Personal Information to any third party unless required to do so by law, court order, legal process (e.g., subpoena), including, but not limited to, in order to respond to any government, regulatory, or licensing request, or if we believe that such action is necessary to: (a) comply with the law, comply with legal process served on us or our affiliates, subsidiaries, service providers, or partners, or investigate, prevent; (b) enforce our Terms or customer agreement (including for billing and collection purposes); (c) take precautions against liability; (d) investigate and defend ourselves against any third-party claims or allegations or to investigate, prevent, or take action regarding suspected or actual illegal activities; (e) assist government enforcement agencies or to meet national or other security requirements; (f) to protect the security or integrity of our Website, Products, Services, or any software we provide related thereto; or, (g) exercise or protect the rights,

property, or personal safety of us, our users or others. We will attempt to notify you, where practicable, about these requests unless: (i) providing notice is prohibited by the legal process itself, by court order we receive, or by applicable law, or (ii) we believe that providing notice would be futile, ineffective, create a risk of harm to an individual or group, or create or increase a risk of acts of fraud done upon us or our users. In instances where we comply with legal requests without notice for these reasons, we will attempt to notify that user about the request after the fact if we determine in good faith that we are no longer legally prohibited from doing so and that no risk scenarios described in this paragraph apply.

HOW WE PROTECT YOUR INFORMATION

We have implemented technical, administrative, and organizational security measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, destruction, alteration and disclosure. Your Personal Information is contained behind secured networks and a firewall and is only accessible by our personnel and by a limited number of Service Providers who have special access rights to our systems, and who are required to keep the information confidential. Our Website is scanned on a regular basis for security holes and known vulnerabilities in order to make your visit to our Website safe. Unfortunately, the transmission of information via the internet is not completely secure. Although we do use security measures designed to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to us or which we obtain. Any transmission of Personal Information is at your own risk. Unauthorized entry or use, or hardware or software failure, and other factors, may compromise the security of user information at any time. We are not responsible for circumvention of any privacy settings or security measures contained on the Website or used with our Services.

Other websites

Please note that clicking on links and advertisements on our sites could result in you being transferred to another website, where data privacy practices vary from ours. If transferred to another website you should consult their privacy policy as we are not responsible for, and have no control over, information that is submitted to or collected by these third parties.

How long do we keep your information?

In general, our retention Personal Information is reasonably necessary and proportionate to achieve the purposes for which the Personal Information was collected or processed, or for another disclosed purpose that is compatible with the context in which the Personal Information was collected, and not further processed in a manner that is incompatible with those purposes. The time period for which we

retain your Personal Information depends on the purposes for which we use it. We will retain your Personal Information for as long as your account is active, or as long as you are a registered member or account holder or user of our Services or for as long as we have another business purpose to do so (such as, but not limited to, for business, tax, or legal purposes) and, thereafter, for no longer than is required or permitted by law, or our records retention policy, reasonably necessary for internal reporting and reconciliation purposes, or to provide you with feedback or information you might request. This period of retention is subject to our review and alteration. We will also retain Usage Data for analytics purposes. **“Usage Data”** refers to data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit). Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our Service, or we are legally obligated to retain this data for longer time periods.

Following termination or deactivation of your user account, we may retain your profile information and all information posted to public areas of the Website. Following termination or deactivation of your user account, we may retain your Personal Information and other data, but will maintain it as confidential according to this Privacy Policy, and as required by applicable law. We have the right to delete all of your Personal Information and other data after termination of your user account without notice to you.

We may retain De-Identified Personal Information for as long as we deem appropriate.

WHERE WE PROCESS AND STORE PERSONAL INFORMATION

We have our headquarters in the United States. The Personal Information we or our service providers collect may be stored and processed in servers within or outside of the United States and wherever we and our service providers have facilities around the globe, and certain information may be accessible by persons or companies outside of the United States who provide services for us. You consent to our and our service providers’ transmission and/or transfer of your Personal Information to, or access it in, jurisdictions that may not provide equivalent levels of data protection as your home jurisdiction. We will take reasonable steps to ensure that your Personal Information receives an adequate level of protection in the jurisdictions in which we process it.

If you are a resident or citizen of the UK, European Economic Area (“EEA”), or Switzerland, please see the section below on GDPR compliance.

If you are a citizen or resident of the UK, EEA, Switzerland, or other regions with laws governing data collection and use that may differ from the laws in the United States, please note that we may transfer your information to a country or jurisdiction that does not have the same data protection laws as your jurisdiction. We may do so to process your information by staff, contractors, or service providers operating outside these countries who work for us.

If you are a resident of a country other than the United States, you acknowledge and consent to our (and our service providers) collecting, transmitting, processing, transferring, and storing your Personal Information out of the country in which you reside.

Privacy Notice for Colorado Residents

This section applies only to residents of Colorado, who have certain rights, many of which are described elsewhere in this Privacy Policy. Such rights include the following:

- **Right to Access Information.** You have the right to access information practices. Much of the information you are entitled to access is disclosed in this Privacy Policy. You also have the right to access the categories of Personal Information we collect, with whom we share that information, and, in some cases, what specific Personal Information we associate with you or your account (where applicable).
- **Right to Data Portability.** If you request a copy of your specific information, then we will provide it in an easily accessible format.
- **Right to Deletion or Erasure.** You may request that we delete the personal information we have collected about you. Depending on the applicable law, in some cases we are required or permitted to retain your information, even if you validly requested, we delete or erase it.
- **Right to Correct Information.** You may request we correct or rectify inaccurate information we have collected about you.
- **Right to Withdraw Consent.** You may withdraw your consent to our data privacy practices.
- **Right to Non-Discrimination.** You have the right to not experience discrimination from us for exercising the rights listed in this section.
- **“Opt Out” of Sales.** As permitted by applicable law, we may share your Personal Information for monetary or other valuable consideration (under Colorado law, this is considered a “sale”). You may opt out of such a “sale” of your Personal Information to third parties. You can exercise your right to opt-out by emailing us (see our contact information below).

- **Right to Opt-Out of Targeted Advertising.** Colorado consumers have the right to opt-out of the processing of Personal Information for purposes of targeting advertising, You may also submit an opt-out privacy request with your email, phone number and other Personal Information for us to complete the opt-out process.

For Colorado residents only, if we deny your request, you may appeal our decision by submitting an appeal request. Please refer to the communication you received from us denying your request for additional information you may need to provide in making your appeal request. Within forty-five (45) days of receipt of an appeal, we will inform you in writing of any action taken or not taken in response to your appeal. If the appeal is denied, you may file a complaint with the Colorado Attorney General using their webform available at <https://coag.gov/file-complaint/>.

GDPR

The following provisions apply only if you are a citizen or resident of the UK, EEA, or Switzerland (collectively referred to in this section for convenience as the “EU Region”).

For such citizens or residents, all processing of your Personal Information is performed in accordance with privacy rights and regulations, in particular, (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, known as the General Data Protection Regulation (“GDPR”, and which includes the UK’s similar law), and our processing will take place in accordance with the GDPR. For purposes of the GDPR, we will be the “data controller” of Personal Information (defined in the GDPR (available [here](#)) as “Personal Data”, but still referred to herein as Personal Information) we collect through the Website, unless we collect such information on behalf of a “data controller” in which case we will be a “data processor.” This Privacy Policy does not apply to websites, applications or services that do not display or link to this Privacy Policy or that display or link to a different privacy policy. For EU Region residents and citizens only, to the extent any definition in this Privacy Policy conflicts with a definition under the GDPR, the GDPR definition shall control.

We provide adequate protection for the transfer of Personal Information to countries outside of the EU Region through one or more of the following methods: (a) a series of intercompany agreements based on or incorporating the Standard Contractual Clauses, (b) we may rely on the European Commission’s adequacy decisions about certain countries, as applicable, (c) we may obtain your consent for these data transfers from the EU Region to the United States to other countries, (d) we may adopt binding corporate rules, or (e) to the extent applicable, we may rely on

derogations as set forth in GDPR Article 49 for the transfer and onward transfer of Personal Information collected from individuals in the EU Region to the United States and other countries that the EU Region may view as not providing adequate data protection. Regarding method (e), we may transfer Personal Information to a third party to perform a contract with you, with your explicit consent or in a manner that does not outweigh your rights and freedoms. If this Personal Information is not processed and transferred, we will not be able to execute the contract with you or you will not have access to any or all the benefits and features associated with your transaction.

We also may need to transfer your Personal Information to other group companies or service providers in countries outside the EU Region. This may happen if our servers or suppliers and service providers are based outside the EU Region, or if you use our Products and/or Services while visiting countries outside these areas.

Our Legal Basis for Processing Personal Information (UK, EEA, and Swiss Visitors Only):

If you are a visitor using our Website from the UK, EEA, or Switzerland, our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect Personal Information from you only where we need the Personal Information to provide Products and perform Services for you for which you have contracted with us, or where the processing is in our legitimate interests or rely upon your consent where we are legally required to do so and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we also may have a legal obligation to collect Personal Information from you or may otherwise need the Personal Information to protect your vital interests or those of another person.

The collection and processing of your personal information may be necessary for the purposes of our legitimate interests. Such legitimate interest purposes may include:

- fraud prevention
- ensuring network and information security
- indicating possible criminal acts or threats to public security, including enhancing protection of our community against spam, harassment, intellectual property infringement, crime, and security risks of all kind, and enforcing legal claims, including investigation of potential violations of our Terms of Use
- when we are complying with legal obligations
- processing employee or visitor, member, attendee, or registrant data
- performing the function or service you requested of us

- providing our Services and their functionality to you where such processing is necessary for the purposes of the legitimate interests pursued by us or by our service providers related to the Services
- direct marketing
- the relevant and appropriate relationship we have with you
- analytics, e.g., assess the number of visitors, page views, use of the Website, etc., in order to understand how our Website, Products and Services are being used, to optimize the Website and/or future communications, and to develop new services and Website features
- updating your information and preferences
- offering and improving our Website, Products, and Services
- enforcing legal claims, including investigation of potential violations of our Terms

Your Data Rights Under GDPR: If you are subject to GDPR, your rights include the following:

- Right to Access. Upon request, we will confirm any processing of your Personal Information and, provide you with a copy of that Personal Information in an acceptable machine-readable format.
- Right to Rectification. You have the right to have us correct any inaccurate Personal Information or to have us complete any incomplete Personal Information.
- Right to Erasure. You may ask us to delete or remove your Personal Information and we will do so in some circumstances, such as where we no longer need it (we may not delete your data when other interests outweigh your right to deletion).
- Right to Restrict Processing. You have the right to ask us to suppress the processing of your Personal Information, but we may still store your Personal Information. See below for more information.
- Right to Object to Processing. You have the right to object to your Personal Information used in the following manners: (a) processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling); (b) direct marketing (including profiling); and, (c) processing for purposes of scientific/historical research and statistics. See below for more information.
- Right to Data Portability. You have the right to obtain your Personal Information from us that you consented to give us or that is necessary to perform fulfillment of member benefits with you. We will give you your Personal Information in a structured, commonly used, and machine-readable format.
- Rights Regarding Automated Decision Making. You have the right not to be subject to a decision based solely on automated processing, including profiling,

which produces legal effects concerning you or similarly significantly affects you, except for the exceptions applicable under relevant data protection laws.

- Right to Complain to a Supervisory Authority. You have the right to file a complaint with a supervisory authority, in particular in the European member state of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of Personal Information relating to you infringes upon your rights.
- Right to Withdraw Consent. If we are processing your Personal Information based on your consent to do so, you may withdraw that consent at any time.

Notices; Opting Out

By providing us with your email address (including by “following,” “liking,” linking your account to our Website or Service or other services, etc., on a third party website or network), you consent to our using the email address to send you marketing-related communications, e.g., newsletters, etc. By providing us with your phone number and/or email address, you consent to us communicating by email, phone, and/or text to send you Service-related notices, e.g., account/certification renewal, invoices, receipts, voting, legal notices, etc. For residents of countries outside of the US, by clicking on our website the option to receive such communications, you consent to our sending such communications.

If you prefer not to receive marketing-related communications from us, please let us know by clicking on the unsubscribe link within a marketing message or newsletter you receive, or by updating your email preferences under your profile, or by contacting us. Opting out may prevent you from receiving email messages regarding updates, improvements, special features, announcements, or offers. You cannot opt out of receiving Service-related notices by email unless you terminate your account or membership.

Changes to Our Privacy Policy

We are constantly working to improve our Website and Services, and we may need to change this Privacy Policy from time to time as well. Our current Privacy Policy will always be on our Website and any updates will be effective upon posting. You are responsible for periodically checking our Website for updates. Under certain circumstances, we also may elect to notify registered Users of changes or updates to this Privacy Policy by additional means, such as posting a notice on the Website or by sending you an email, but you should not rely on receiving such additional notice.

How to Contact Us

If you have any queries relating to this Privacy Policy, please contact us by writing to bcen@bcen.org with the subject line Privacy Officer.

Updated: December 2023