

# TULIPÁN

## Privacy Policy

This policy was last modified on December 12, 2023.

This privacy policy (this “Privacy Policy”) describes how the Tulipán Foundation (collectively, “Tulipán,” “we,” “us,” or “our”) collects and processes personal data that we obtain through your use of our websites and social media services (collectively, the “Site”), and your participation in our events or other programs or services we offer (together with the Site, the “Services”). If you are a resident of California, please also review the section below for California residents. If you are a resident of the European Economic Area (“EEA”) or United Kingdom (“UK”), please also review the section below for EEA and UK residents.

By using the Services, you agree to be bound by the terms of this Privacy Policy and any updates posted here from time to time. To make sure you stay informed of all changes, you should check this Privacy Policy periodically. Updates will be referenced by the “Last Modified” date shown above. If you have any questions about this Privacy Policy, please contact us at: [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org).

### **1. Information We Collect About You and How we Collect It**

We may collect the following types of information about you when you interact with our Services:

- Your name, email address, telephone number, address;
- Organization and company name or website; and
- Data about your use of and interaction with the Services that does not identify you personally (such as your IP address, browser type, the make and model of device used to view the Services, unique device identifiers, the referring webpage, pages visited, and search terms).

We collect this information in a number of ways, including:

- When you sign-up to receive newsletters, notifications, or materials from us;
- Through your communications to us;
- When you participate in the Services, including attending in-person or virtual events or programs; and
- Automatically as you navigate through the Site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies

We may also collect data through cookies and data analytics as further described below in Section 11. Additionally, if you apply for a grant program offered by us, we may collect additional personal information through the application process, subject to additional disclosures we will provide to you at such time.

The personally identifiable information described in this Section is referred to in this Privacy Policy as “Personal Data.”

## **2. Use of Collected Personal Data**

We use the Personal Data we collect for the following purposes or as otherwise set out in this Privacy Policy to:

- Fulfill our obligations with respect to the reason you voluntarily provided the data (such as responding to an inquiry or provide you with information or Services that you request from us or that may be of interest to you);
- Allow you to participate in certain features of the Services;
- Improve the Services and for other business purposes;
- Optimize your experience on the Services (such as troubleshooting technical programs or storing your preferences);
- For marketing purposes, including to provide you with additional information regarding products, events, promotions, and services from Tulipán and third parties that may be of interest to you via email, text message, or through advertising on various social media platforms or websites (both desktop and mobile) that you may visit;
- Notify you about changes to the Services (including this Privacy Policy);
- Carry out any other purpose described to you at the time the Personal Data was collected;

- Comply with applicable laws and regulatory obligations (including laws outside your country of residence); comply with legal process; and respond to requests from public and governmental authorities (including those outside your country of residence);
- Establish and defend our legal rights; and
- Carry out any other purpose with your consent or as permitted by law.

### **3. Third-Party Websites and Services**

Through your use of the Services, you may access, directly or indirectly, other websites or services, including from our service providers, business partners, and other third parties, in each case, that are not owned or controlled by us. Data collection and use by those third parties is subject to the privacy policies of those third parties. It is up to you to review the terms of use and privacy policies of those third parties.

Some content on the Services may be served by third-party content providers and may also use cookies, pixels tags, or other similar tracking technologies to automatically collect data about you, both on the Services and throughout the Internet. We do not control the technologies of those third parties. Data collection and use by those third parties is subject to the privacy policies of those third parties. It is up to you to review the terms of use and privacy policies of those third parties.

### **4. Sharing of Collected Personal Data**

We may share the data we collect as follows:

- With our current and future parents, affiliates, subsidiaries, and other companies under common control and ownership;
- With our service providers that perform services for us (such as e-mail and mobile marketing, analytics, and web hosting);
- With our sponsors, promotional partners, or event partners in connection with certain contests, sweepstakes, promotions, or ticketed events;
- With our third-party vendors and partners that sell items, offer promotions, or provide services to you through our Services (either alone or jointly with us);
- To comply with a court order or other legal obligation;
- With government or law enforcement officials or private parties (including our legal or other professional advisors) as we determine, in our sole and absolute discretion,

is necessary to respond to claims or to comply with legal processes, laws, regulations, or ordinances, or to prevent or stop illegal, unethical, or actionable activity;

- In connection with, or during negotiations of, any merger, acquisition by another company, or sale of all or substantially all of our business or assets;
- Your friends associated with your social media account(s), other website users and your social media account provider(s), in connection with your social sharing activity, such as if you connect another social media account to our Services or log into our Services from a social media account. By connecting your account with us and your other social media account you authorize us to share information with your social media account provider and you understand that the use of the information we share will be governed by that other social media website's privacy policy. If you do not want your Personal Data shared with other users or with your other social media account provider(s), please do not connect other social media accounts with our Services and do not participate in social sharing using our Services; and
- With your consent or at your direction.

Personal Data may also be shared by you, on message boards, chat, profile pages and blogs, and other Services to which you are able to post information and materials (including, without limitation, our social media pages). Please note that any information you post or disclose through these services will become public information and may be available to visitors who access the Services and to the general public. We urge you to be very careful when deciding to disclose your Personal Data, or any other information, through the Services.

## **5. Transfer of Collected Data**

The Services are operated in the United States. If you are located in another jurisdiction, please be aware that the data we collect will be transferred to, stored, and processed in the United States. By using the Services and/or providing us with any data, you consent to this transfer, processing, and storage of your data in the United States, a jurisdiction in which the privacy laws may not be as comprehensive as those in the country where you reside. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Notice. We will take all steps reasonably necessary to ensure

that your data is subject to appropriate safeguards and ensure that your data is treated securely and in accordance with this Privacy Policy.

## **6. Data Security**

We use appropriate technical and organizational measures to help secure and safeguard your data in our possession. However, no data transmission over the Internet is completely secure and no security mechanism is impenetrable. Therefore, although we take steps to protect your data, we cannot guarantee the security of the data that we collect from you or the security of our servers or the Services. By accessing the Services, any transmission of data is at your own risk and you agree to assume all risk in connection with data sent to

## **7. Data Retention**

We retain personal data information as long as for as long as is necessary for the purposes set out in this Privacy Policy and to the extent permitted by applicable legal requirements. We consider the following factors when assessing the appropriate retention periods: whether we need your personal data to provide Services to you or maintain your account; how long we need to retain personal data to comply with legal obligations; and whether we need the personal data for other legitimate purposes, such as to prevent harm or investigate possible violations of our Services or terms.

## **8. Children and Parents**

We respect children's privacy. We do not target or knowingly or intentionally collect personal data from children under the age of 13. By using the Services, you have represented and warranted that you are either at least 18 years of age or using the Services with the supervision of a parent or guardian. If you are under the age of 13, you may not use the Services. If you become aware that your child has provided us with personal data without your consent, please contact us at [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org).

## **9. Our "Do Not Track" (DNT) Policy**

Some websites have "do not track" features that allow you to tell a website not to track you. We do not currently respond to those signals or any similar mechanisms transmitted by web browsers. To learn more about DNT and tracking signals, please visit [All About DNT](#).

## **10. Your Data Preferences**

### *Use of Collected Data.*

If you no longer want us to use your collected data as described above, please submit a request at [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org).

### *Communications*

If you no longer want to receive marketing-related e-mails from us on a going-forward basis, you may opt out of receiving these marketing-related emails by clicking on the link to “unsubscribe” provided in each e-mail or by contacting us at the above addresses. We will endeavor to comply with your opt-out request(s) within a reasonable time period. Please note that if you opt out as described above, we will not be able to remove your Personal Data from the databases of third parties with whom we have already shared your Personal Data (i.e., to those to whom we have already provided your Personal Data as of the date on which we respond to your opt-out request). Please also note that if you do opt out of receiving marketing communications from us, we may still send you other important administrative communications from which you cannot opt out.

### *Cookies, Pixel Tags, and Other Similar Tracking Technologies*

You may remove or reject cookies by adjusting settings on your browser, and thus opt-out of certain features of the Services and the Service’s automatic collection of certain data. These tracking technology opt-out tools are device and browser specific so you must repeat the opt-out from each of your devices and browsers. Please note that removing or rejecting cookies could affect the functionality of the Services. You may also remove certain tracking technologies and opt-out of online behavioral advertising messaging by using the opt-out tools available from the Digital Advertising Alliance ([DAA Opt-Out Tool](#)) and the Network Advertising Initiative ([NAI Opt-Out Tools](#)). Advertising Preferences You may adjust your advertising preferences on various social media websites by adjusting your Settings on the particular platform. For example, you may adjust the types of Facebook ads you receive on [Facebook](#) and the types of Google ads you receive on [Google](#).

## **11. Cookies Policy**

By visiting and interacting with the Site, you are agreeing to our use of cookies in accordance with this Privacy Policy and any terms and conditions on the Site. Cookies are small files that are stored on your computer or internet-enabled portable device by the

websites you visit. They help websites improve their efficiency, as well as to provide usage information to the website owner. You can find more information about the types of cookies we use, the purposes for which we use them, and the data we collect with them, in the table below:

Type of Cookie	Purpose of Cookie	Data Collected by Cookie
Strictly Necessary	These cookies are essential in order to enable you to use the Services and its features.	The information collected by these cookies relates to the operation of the Services.
Performance and Analytics	These cookies collect anonymous information about how users use the Services. Information collected by these cookies is used only to improve users' use of Site and never to identify you. These cookies are sometimes placed by trusted third-party providers, such as Google Analytics.	The information collected by these cookies includes how often you visit our website, how much time you spend on our website and Sites, the loading speeds of certain areas of our website and if there is high traffic in areas of our website.
Preferences	These cookies remember choices made by users. These cookies allow us to improve how the Site works for you and tailor the Site to your preferences. The information these cookies collect may be anonymized such that it cannot be used to track browsing activity on other websites.	The information collected by these cookies may include your user settings and preferences (e.g., language preferences), your timezone, previously entered form data, browsing history and your search history.
Marketing	These cookies enhance the experience of users and can be used to offer a personalized experience.	These cookies track your online activity to help deliver advertisements that are relevant to you and your interests and measure the effectiveness of the advertising campaigns. They also limit how many times you see a certain advertisement. We may share the information collected through these cookies with others, such as advertisers.

*Which cookies are used and why?*

The Site only automatically uses Strictly Necessary cookies to enable you to use the Site and its features and ensure the functionality of the Site. Upon your consent, the Site uses performance and analytics, functionality, and marketing cookies for the purposes of providing relevant content, analyzing our traffic, and providing a variety of features to you. You may withdraw your consent to the use of certain cookies (other than Strictly Necessary cookies) any time.

Google Analytics: We use this web analytics tool to anonymously track usage statistics to help us improve the user experience of our site. Like many services, Google Analytics uses first-party cookies to track visitor interactions as in our case, where they are used to collect information about how visitors use our site. We then use the information to compile reports and to help us improve our website. Google Analytics collects information anonymously; it reports website trends without identifying individual visitors. You can opt out of Google Analytics without affecting how you visit our site – for more information on opting out of being tracked by Google Analytics across all websites you use, including our Website, visit this Google page: <https://tools.google.com/dlpage/gaoptout>. For more information on how Google Analytics uses information it collects please visit this Google page: <https://policies.google.com/technologies/partner-sites>

## **12. California Privacy Policy**

If you are a resident of California, please review our California Privacy Policy for additional disclosures required by California law.

## **13. EEA/UK Privacy Notice**

If you are a resident of the EEA or UK, please review our EEA/UK Privacy Notice below.

## **14. Contact Us**

If you have any questions about this Privacy Policy, please email us at [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org).



## EEA/UK Privacy Notice

This section of the Privacy Policy describes how we process Personal Data relating to individuals in the EEA and the UK in accordance with:

- the EU General Data Protection Regulation ((EU) 2016/679) (“**EU GDPR**”) – in respect of individuals in the EEA; and
- the UK General Data Protection Regulation as defined by the Data Protection Act 2018 as amended by the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019, along with the Data Protection Act 2018 (“**UK GDPR**”) – in respect of individuals in the UK,

the EU GDPR and the UK GDPR are referred to together as the “**Data Protection Legislation**”.

This section supplements the other provisions of this Privacy Policy and applies only to individuals in the EEA and the UK. Capitalized terms used but not defined herein have the meaning set forth in the Privacy Policy.

### **Your rights**

The Data Protection Legislation generally provides individuals with rights in relation to the processing of their Personal Data. These include rights (subject to certain limitations) to information relating to such processing, to access such Personal Data, to object to the processing, to rectify, erase, restrict and to port such Personal Data. You can seek to exercise any of these rights or make any other enquiry about our use of your Personal Data by contacting us at any time using the email address above.

Our aim always is to process Personal Data fairly, lawfully and transparently. However, if you are unhappy with the information provided in this Privacy Policy or have questions or concerns regarding this Privacy Notice please email us at the email address above. If you remain dissatisfied you may raise your unresolved issues directly with the data protection regulator in your jurisdiction. If you are a resident in the EEA, you can find your data protection regulator here: [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm). If you are a resident in the UK, you can find your data protection regulator here: <https://ico.org.uk/>.

### **Special Category Personal Data**

Some of the information you provide us may constitute special category personal data as defined in the Data Protection Legislation (also referred to as special categories of personal data).

**Legal Bases for Processing**

We will only use your Personal Data as permitted by the Data Protection Legislation. We are required to inform you of the legal bases of our processing of your Personal Data. We have set out below a description of all the ways we plan to use your Personal Data, and which of the legal bases we rely on to do so.

If we rely on consent as the lawful basis for processing your personal data, you have the right to withdraw your consent at any time. Your withdrawal of consent will not affect the lawfulness of processing based on consent before the point at which you withdrew your consent.

If we rely on legitimate interests we make sure we consider and balance any potential impacts on you (both positive and negative) and your rights before we process your Personal Data for our legitimate interests. We do not use your Personal Data for activities where our interests are overridden by any adverse impact on you (unless we have your consent or are otherwise required or permitted to by applicable law).

<b>Purpose</b>	<b>Lawful basis for processing</b>
Fulfill our obligations with respect to the reason you voluntarily provided the data (such as responding to an inquiry or provide you with information or Services that you request from us or that may be of interest to you)	Performance of a contract with you
Allow you to participate in certain features of the Services	Performance of a contract with you  Necessary for our legitimate interests in providing an enhanced customer experience
Improve the Services and for other business purposes	Necessary for our legitimate interests to improve our Services and strategy

Optimize your experience on the Services (such as troubleshooting technical programs or storing your preferences)	Performance of a contract with you  Necessary for our legitimate interests in providing an enhanced customer experience
For marketing purposes, including to provide you with additional information regarding products, events, promotions, and services from Tulipán and third parties that may be of interest to you via email, text message, or through advertising on various social media platforms or websites (both desktop and mobile) that you may visit.	Necessary for our legitimate interests to let you know about our Services.  Consent, where required by applicable Data Protection Legislation.
Notify you about changes to the Services (including this Privacy Policy)	Performance of a contract with you  To comply with legal obligations
Comply with applicable laws and regulatory obligations (including laws outside your country of residence); comply with legal process; and respond to requests from public and governmental authorities (including those outside your country of residence)	To comply with legal obligations  Necessary for our legitimate interests in complying with regulatory requests, legal processes, court orders and other request from public and governmental authorities.
Establish and defend our legal rights	Necessary for our legitimate interests to protect us and you, and allow us to offer the Services
Carry out any other purpose with your consent or as permitted by law	Consent.  To comply with legal obligations.

**Change of purpose**

We will only use your Personal Data for the purposes for which we collected it, unless we consider that we need to use it for another purpose and that new purpose is compatible with the original purpose, permitted under the Data Protection Legislation or we have obtained your consent in relation to processing your Personal Data for such new purpose. If you wish to receive an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your Personal Data for a new purpose, we will notify you and we will explain the legal basis which allows us to do so.

### **Cross-Border transfer**

The Personal Data which we collect from you and which we process for the purposes set out in this Privacy Notice may be held and transferred outside the EEA where appropriate and necessary in accordance with our legitimate interests, such as to the United States in accordance with Section 5 of this Privacy Policy. Personal Data may also be processed by our staff, or by one of our suppliers or agents, operating outside the EEA. Such persons or entities may be engaged in, among other things, the fulfilment of your orders, the processing of your payment details or the provision of support services.

If and when making such transfers outside the EEA we will take all steps reasonably necessary to ensure that your Personal Data is managed securely and in accordance with this Privacy Policy and applicable Data Protection Legislation. Please contact us for more information on the specific mechanism used by us when transferring your Personal Data out of the EEA or UK.

## California Privacy Notice

This notice to California residents is provided under California law, including the California Consumer Privacy Act (“CCPA”), Cal. Civ. Code 1798.100, et seq. This notice supplements our Privacy Policy by explaining your privacy rights if you are a California resident, providing our “notice at collection,” and providing certain mandated disclosures about our treatment of California residents’ information, both online and offline. Capitalized terms used but not defined herein have the meaning set forth in the Privacy Policy.

### 1. NOTICE OF COLLECTION OF PERSONAL DATA

We collect these categories of Personal Data when you interact with us:

- Your name, email address, telephone number, address;
- Organization and company name or website; and
- Data about your use of and interaction with the Services that does not identify you personally (such as your IP address, browser type, the make and model of device used to view the Services, unique device identifiers, the referring webpage, pages visited, and search terms).

We collect this information so that we can best serve you. A more detailed description of these purposes is in our Privacy Policy under “**Use of Collected Personal Data.**”

California residents also have the right to “opt out” of the “sale” of their “personal information” to “third parties” (as those terms are defined in the CCPA and described below).

### 2. CCPA MANDATORY DISCLOSURES

We also make the following disclosures for purposes of compliance with the CCPA:

- We collected the following categories of Personal Data in the last 12 months:
  - Your name, email address, telephone number, address;
  - Organization and company name or website; and
  - Data about your use of and interaction with the Services that does not identify you personally (such as your IP address, browser type, the make and

model of device used to view the Services, unique device identifiers, the referring webpage, pages visited, and search terms).

- The sources of personal information from whom we collected are: users of our Services and analytics tools.
- The business or commercial purposes of collecting Personal Data are as summarized in our “notice at collection” section, and as described in more detail in our Privacy Policy under “**Use of Collected Personal Data**”
- We have not disclosed any categories of Personal Data for a business purpose in the last 12 months. If we disclose Personal Data, it is only to third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third parties as described in the “**Sharing of Collected Personal Data**” section of the Privacy Policy.
- As the term is defined by the CCPA, we did not sell any categories of Personal Data in the last 12 months.

The business or commercial purposes of “selling” Personal Data is for third-party companies to perform services on our behalf, such as marketing, advertising, and audience measurement. We do not “sell” Personal Data of known minors under 16 years of age.

### 3. YOUR RIGHTS

- **Right to Access.** If you are a California resident, you have the right to request, up to two times each year, access to categories and specific pieces of Personal Data about you that we collect, use, disclose, and sell.
- **Right to Delete.** If you are a California resident, you have the right to request that we delete Personal Data that we collect from you, subject to applicable legal exceptions.
- **Right to Opt Out of Sale of Personal Information.** If you are a California resident, you have the right to “opt out” of the “sale” of your “personal information” to “third parties” (as those terms are defined in the CCPA).

#### *Process to Make a CCPA Request*

To make an access or deletion request, please email us at [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org). Before completing your request, we may need to verify your identity. We may ask you to verify your email address and may request additional documentation or information solely for the purpose of verifying your identity.

### *Making Requests to “Opt Out” of the “Sale” of “Personal Information”*

To submit a request to opt out of the sale of your Personal Data, you may send an email to [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org) with the subject line “do not sell info.”

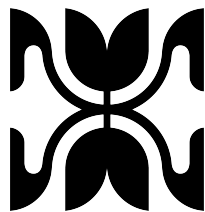
### *Removal of Content*

If you are a California resident under the age of 18, and a registered user of any site where this policy is posted, California Business and Professions Code Section 22581 permits you to request and obtain removal of content or information you have publicly posted.

To make such a request, please send an email with a detailed description of the specific content or information to [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org). Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and that there may be circumstances in which the law does not require or allow removal even if requested.

#### 4. CONTACT INFORMATION

If you have a question about our privacy policies, please send an email to [info@tulipanfoundationnyc.org](mailto:info@tulipanfoundationnyc.org).



**TULIPÁN**  
**1065 MADISON AVE**  
**NEW YORK, NY 10028**