

SECOND HARVEST FOOD BANK OF MIDDLE TENNESSEE PRIVACY POLICY

Updated July 1, 2024

Second Harvest Food Bank of Middle Tennessee (“SECOND HARVEST”) strongly believes in protecting the integrity and privacy of personal information gathered from our supporters and others through all our communication channels and from visitors to our website. The protection of your privacy is of great importance to us.

We have created this privacy policy to communicate our practices regarding the collection and dissemination of personal information that is provided to us and that can be linked to a specific individual, such as a name, postal address, telephone number(s), email address, among other information (hereinafter “Personal Information”), as well as certain non-personally identifiable information collected when you visit many of our web pages such as the type of browser you are using (e.g., Internet Explorer or Firefox), the type of operating system you are using (e.g., Windows XP or Mac OS), the domain name of your internet service provider (e.g., AT&T or Verizon), aggregate data about the number of visits to the site and/or aggregate data about the pages visited (hereinafter “Aggregate Data”).

This policy applies to our website visitors, individuals engaging with our social media channels, and offline data collection. However, it does not encompass information or data obtained by SECOND HARVEST through external sources. SECOND HARVEST uses its best efforts to not share information it collects from those persons it provides services to (referred to as “clients”). For details regarding the use of information acquired through social media fundraising efforts, refer to our supplementary donor privacy policy which complements this privacy policy.

This policy will be updated periodically, so please be sure to reread it from time to time. The most recent date the privacy policy was updated is provided at the top of the page. By submitting your personal information to us, you are agreeing that SECOND HARVEST may use the information in accordance with this privacy policy.

OUR COLLECTION AND USE OF PERSONAL INFORMATION

SECOND HARVEST collects Personal Information supplied to us voluntarily by individuals, supporters, volunteers, and visitors to this website. We may use such voluntarily provided information to improve our understanding of your interests, to improve our services, or to contact you for future support. In order to utilize certain features of our site or receive information from SECOND HARVEST, make a donation, register to attend an event, or register to volunteer, you may choose to provide Personal Information. If you do submit information to us, we will use that information for the purposes for which it was submitted. We may also use your information in other ways, such as to contact you about other SECOND HARVEST activities and/or fundraising campaigns, or as otherwise disclosed to you at the point of collection. We may also use your name, postal address and telephone number(s) to contact you offline.

We may also collect personal information about you from other public sources. We carry out research on existing and potential supporters who we believe may have the interest and ability to support our work in a further capacity (see section ‘Developing relationships with Supporters’ below).

In the event an employer establishes a giving fund their employees can contribute to, SECOND HARVEST will ask for the donor (employee’s) consent in sharing their personal information back with the employer, for the limited purposes of substantiating the donation and acknowledging the employee’s support.

If you do not wish us to contact you offline, receive such mailings, or share your information with these organizations, you may opt-out by contacting us in accordance with the “Opt-Out” section of this policy.

SECOND HARVEST uses third-party vendors to provide services on this website and in offline business operations. The information that you submit on this site may be provided to those vendors on a confidential basis so that those vendors can provide services (such as maintaining our database, sending email messages, facilitating fundraising activities, or processing credit card transactions) on our behalf.

Other than as described in this privacy policy, or as may be necessary to protect the rights, property, and safety of our organization or others, or as may be necessary to comply with applicable law, SECOND HARVEST will not give or sell the Personal Information you provide online.

SECOND HARVEST uses the non-personally identifiable Aggregate Data information to improve the design and content of the site and to enable SECOND HARVEST to personalize your Internet experience. SECOND HARVEST may use the Aggregate Data to analyze Site usage as well as create services and/or products to fit your needs. Also, SECOND HARVEST shares this Aggregate Data with SECOND HARVEST’s related entities, advertisers, partners, and/or other third-party vendors. SECOND HARVEST shall own such Aggregate Data and maintain copies of such as part of its records.

Use of Email Address:

When you donate to SECOND HARVEST or sign up on our website, take an advocacy action, share your story or complete some other data form, you will be asked to supply your email address. SECOND HARVEST does not sell or rent your email address to any third party. -Email addresses gathered from donors or subscribers to SECOND HARVEST are only available to employees managing this information for purposes of contacting you or sending you emails based on your request for information, and to contracted service providers and vendors for purposes of providing services relating to our communications with you.

SECOND HARVEST complies with those provisions of the CAN-SPAM Act applicable to charitable organizations. All email messages contain a link to unsubscribe from SECOND HARVEST email. You may subscribe or unsubscribe to SECOND HARVEST at any time by contacting SECOND HARVEST or sending a notice by United States mail to the following address at the end of this policy. Please see our Donor Privacy Policy for how we use other Personal Information collected from donors to SECOND HARVEST.

User Submissions:

SECOND HARVEST welcomes your comments and participation on its site. However, you acknowledge that if you send us creative suggestions, stories, photos, videos, ideas, notes, drawings, concepts, or other information, the information shall be deemed, and shall remain, the property of SECOND HARVEST. By submission of any information to us, you assign to us and we shall exclusively own all now known or hereafter existing rights to such information and shall be entitled to unrestricted use of the information for any purpose whatsoever, commercial or otherwise, without compensation.

As a user of this site, you are responsible for your own communications and are responsible for the consequences of their posting. Therefore, do not impersonate another person and not transmit material to us that is copyrighted, unless you are the copyright owner or have the permission of the copyright owner to post it; do not send material that reveals trade secrets, unless you won them or have the permission of the

owner; do not send material that infringes on any other intellectual property rights of others or on the privacy or publicity rights of others; do not send material that is obscene, defamatory, threatening, harassing, abusive, hateful, or embarrassing to another user or any other person or entity; and do not send sexually explicit images, advertising or solicitations of business, or chain letters.

You represent and warrant that any information and/or material you post or provide to SECOND HARVEST through any medium is truthful, accurate, not misleading, not confidential property of others, and not in violation of any other third party's rights. Furthermore, you acknowledge and agree that all submissions will become the property of SECOND HARVEST and that SECOND HARVEST has the right to publish or republish the submission for any type of use including for promotional and advertising purposes without compensation to you of any kind. Should your submission include third party materials, you grant, represent, and warrant that you, as well as the owner of such content, have expressly granted SECOND HARVEST a royalty-free, perpetual, irrevocable, worldwide exclusive license to use the submission in any manner, media or form now known or hereafter developed. SECOND HARVEST shall have the right to sublicense its rights.

Calls and Texts:

If you give us your phone number, we may call or text you regarding SECOND HARVEST programs or seek donations. We will contact you through these methods only in accordance with applicable legal requirements, and you always have the ability to opt-out of further calls or texts.

Developing relationships with supporters:

SECOND HARVEST's work is made possible by the generosity of our supporters. We need a good understanding of our supporters so that we can communicate with them effectively and appropriately.

We may research our existing and prospective supporters to develop a better understanding of their interests and actions in support of our work. We may also use the research to profile our financial supporters in order to make appropriate requests to people who have the means and the desire to give more.

We may use third-party agencies to undertake research for us to identify companies and individuals within them with whom we might build corporate partnerships. We may obtain information about a person's professional credentials, like their job title and email address in order to contact them.

We use the services of third parties to:

1. Cleanse and match data using databases (such as Raiser's Edge, iWave, and GivingDNA) to ensure our personal data is as accurate and up to date as possible.
2. Analyze the personal data we hold in order to segment our supporters and enable us to communicate more effectively with them based on a person's interests and previous interactions with us.
3. Undertake research of existing and prospective supporters using publicly available data sources to supplement the personal data we already have. This enables us to better understand areas of our work which existing or prospective supporters may be interested in supporting.

You have the right to opt-out from this activity at any time. If you would prefer us not to use your personal information in this way, please email us at info@secondharvestmidtn.org.

Cookie Policy; Pixel tags, and other tracking technologies:

We use cookies, small files that are sent to your Web browser and stored on your computer's hard drive, to improve our site's operation. The cookie is used to speed up your access to the site and the information you wish to see, as well as for website analytics, marketing efforts, and for functionality. We may also use other tools to collect data when you visit our website, including pixel tags and other tracking technologies.

The SECOND HARVEST Website may use "cookies" and similar tools like pixel tags and similar tracking technologies, to collect aggregate statistical information and data. Aggregate information does not identify any individual person. We may use or disclose aggregate information for any purpose. The majority of browsers accept cookies, but your browser should also give you options for preventing, accepting, or receiving notice of new cookies. Please be advised that if you block cookies, some site functionality may be lost.

Types of Cookies We Use: We may use the following types of cookies on our site:

1. **Session cookies** – These are temporary cookies that remain in the cookie file of your browser until you close the browser. This cookie is automatically placed onto your browser by the server software.
2. **Analytical cookies** – Our website uses third-party cookies, such as Google Analytics cookies (third-party cookies), for the following purposes to record the time of your first visit to website, the time of your most recent visit to the website and the time of your current visit;
 - a cookie to record your device type;
 - a cookie to record your geolocation;
 - a cookie to record which page(s) you visit on the website;
 - a cookie to record how long you stayed on the website;
 - a cookie to record how you located our website (i.e. Google search, keyword, link from other page etc.); and
 - cookies to provide additional analytical data regarding your use of our site.
3. **Third-Party "Cookies"** - We use third-party advertising companies to create and distribute advertising on our behalf. These companies may also employ cookies and action tags (also known as single-pixel gifs or web beacons) to measure advertising effectiveness. Any information these third parties collect via cookies and action tags is anonymous.

Disabling cookies

If you wish, you can usually adjust your browser so that your computer does not accept cookies:

1. Go to the heading "Manage Cookies" and click onto the option you prefer, either stopping cookies being installed, or notifying you of them;

2. From the list provided, click onto the program which your computer uses; if this is not shown on the list, click on the “help” heading on the bar at the top of this page, search for information on “cookies” - an explanation of how to delete cookies will appear, then follow the instructions.

Alternatively, you can adjust your browser to tell you when a website tries to put a cookie on your computer.

How you adjust your browser to stop it accepting cookies or to notify you of them, will depend on the type of internet browser program your computer uses. You can follow the appropriate instructions for your specific browser type at <https://www.aboutcookies.org>. (We are not responsible for external websites).

Cookies do not contain confidential information such as your home address, telephone number or credit card details. We do not exchange cookies with any third-party websites or external data suppliers. If you do choose to disable cookies, you may find that certain sections of our site do not work properly.

LEGAL DISCLOSURES AND PRIVACY RIGHTS FOR CALIFORNIA RESIDENTS

These additions come with a disclaimer in the policy that the California Consumer Privacy Act (CCPA) is not intended to apply to nonprofits, but that it could have application in some circumstances. SECOND HARVEST’s changes to its privacy policy, which accommodate CCPA, are done voluntarily exclusively as an accommodation to our supporters and constituents in California and are not intended to apply to individuals who are not California residents.

The following are legally required disclosures under state privacy laws, as well as additional information for California residents in terms of the categories and sources of information we collect, how we use that information, and how we may share that information. Although many other provisions of this privacy policy also address these matters, we include them again here for specific compliance with the California Consumer Privacy Act (CCPA) to the extent that such law has application to SECOND HARVEST. The inclusion of this information addresses our collection and use of California-resident personal information however is not included as an admission of the ongoing application of the CCPA to our organization.

Under the CCPA, California residents have certain rights regarding their personal information, including:

- The right to know the categories of personal information we’ve collected and the categories of sources from which we got the information (see “SECOND HARVEST’s Collection and Use of Personal Information” sections and the chart just below)
- The right to know the business purposes for sharing personal information (see “SECOND HARVEST’s Collection and Use of Personal Information”, “Use of Email Addresses”, and other sections of this Privacy Policy, as well as our Notice at Collection of Categories of Personal Information Collected).
- The right to know the categories of third parties with whom we’ve shared personal information (explained throughout this policy with respect to specific information)
- The right to access the specific pieces of personal information we’ve collected and the right to delete your information (see Exercising California Privacy Rights for more detail)

- California residents also have the right to not be discriminated against if they choose to exercise their privacy rights
- Notice at Collection of Categories of Personal Information Collected under the California Consumer Privacy Act

1. Identifiers for our Donors and Those Who Provide Personal Information

Sources of Information

We collect this information from our users, donors, and any business partners. We also generate identifiers internally.

How We Use It

To enable use of our sites, services, and products, to communicate with you, to understand how our users interact with our sites and to improve our offerings and collect your monetary and in-kind support.

Types of Individuals Affected

People who donate to us; use our sites or mobile applications; create a user account; volunteer with us; or obtain a service from us.

How We Share It

We share this data with our service providers and with business partners including those to whom you instruct us to send this information.

2. Personal Information Under California Civil Code Section 1798.80

Sources of Information

We collect this information from our users, donors, and business partners.

How We Use It

To enable use of our sites, services, and products, to communicate with you, to understand how our users interact with our sites and to improve our offerings and collect your monetary and in-kind support.

Types of Individuals Affected

People who donate to us; use our sites or mobile applications; create a user account; volunteer with us; or obtain a service from us.

How We Share It

We share this data with our service providers and with business partners including those to whom you instruct us to send this information in accordance with our Privacy Policy.

3. Commercial Information

Sources of Information

We collect this information from our donors; and generate it internally during transactions with our donors.

How We Use It

To transact with you if you use our service or make a donation, and to enable transactions you have requested.

Types of Individuals Affected

People who make a donation to us.

How We Share It

We do not share this information except with third party processors for purposes of completing their services to us. All such data is sent protected and encrypted.

4. Electronic Network Activity Information

Sources of Information

We collect this information from our website visitors and social media visitors.

How We Use It

To enable use of our sites, services, and products, to communicate with you, to understand how our users interact with our sites and to improve our offerings and collect your monetary and in-kind support.

Types of Individuals Affected

People who use our sites or mobile applications.

How We Share It

We share this data with our service providers and with business partners, including those to whom you instruct us to send this information.

5. Geolocation Data

Sources of Information

We collect this information from our users and donors.

How We Use It

To enable use of our sites, services, and products, to communicate with you, to understand how our users interact with our sites and to improve our offerings and collect your monetary and in-kind support.

Types of Individuals Affected

People who use our sites or mobile applications and allow us to collect their location data.

How We Share It

We share this data with our service providers.

Exercising California Privacy Rights:

You may contact us and obtain information on the kind of data we've collected about you and the types of third parties we share it with. At your request, we will provide a copy of the data, if you want. If you'd like to delete your data or close your account, or otherwise opt-out of the sharing of your information, you can do that by completing emailing info@secondharvestmidtn.org or by calling (615) 329-3491.

We provide these options for your benefit and we will never discriminate against you for using them. But if you choose to delete your data, we won't be able to offer you any information, services, or other support that require us to use your data.

"Deleting" Personal information is defined by:

1. Permanently and completely erasing the personal information on existing systems with the exception of archived or back-up systems;
2. De-identifying the personal information; or
3. Aggregating the personal information.

Storing Personal Information - If personal information is stored, archived or listed in a backup system, we reserve the right to delay compliance with the consumer's request to delete, with respect to data stored on the archived or backup system, until the archived or backup system is next accessed or used. We will inform the person(s) of this in the event it is applicable to their request.

Record Keeping – We must maintain a record of the individual requesting deletion pursuant to the Civil Code section 1798. 105(d)

SECOND HARVEST is not required to comply with a consumer's request to delete the consumer's personal information if it is necessary for us or service provider to maintain the consumer's personal information in order to:

1. Complete the transaction for which the personal information was collected, provide a good or service requested by the consumer, or reasonably anticipated within the context of a business's ongoing business relationship with the consumer, or otherwise perform a contract between the business and the consumer.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity.
3. Debug to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code.
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the businesses' deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the consumer has provided informed consent.
7. To enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with the business.
8. Comply with a legal obligation.

9. Otherwise use the consumer's personal information, internally, in a lawful manner that is compatible with the context in which the consumer provided the information.

PROTECTING YOUR INFORMATION; SECURITY

We understand that no matter how we collect your information, we have a responsibility to protect it. We take that responsibility seriously. We build security into our website features and donation processing from the ground up to help protect data from unauthorized access, disclosure, alteration, and destruction.

We're always looking for threats and take reasonable steps to respond to those threats, protecting the information users share with us. Of course, no method of Internet transmission or data storage can provide guaranteed protection to your information. If anything should ever happen to your information, we'll let you know as soon as we can and try our best to make it right.

SECOND HARVEST is based in the United States and the information we collect is governed primarily by U.S. law. Where we are subject to the privacy laws of other countries, we comply with those requirements. If you access or use our services or provide information to us, your information will be processed and stored in the United States, where you may not have the same rights and protections as you do under your local law.

This website has security measures in place to protect the loss, misuse, and alteration of the information under our control. The security measures used on this site include, but are not limited to, industry-standard Secure Socket Layer (SSL) technology, firewalls, and internal policies to maintain the security of stored data. While we follow generally accepted industry standards to protect the personal information submitted to us, no method of transmission over the Internet, or method of electronic storage, is 100 percent secure.

Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

WARRANTIES

SECOND HARVEST MAKES NO WARRANTIES OR REPRESENTATIONS OF ANY KIND CONCERNING THE ACCURACY, SUITABILITY, OR SAFETY OF THE INFORMATION CONTAINED ON THIS WEBSITE OR ANY LINKED SITE FOR ANY PURPOSE. ALL SUCH INFORMATION IS PROVIDED "AS IS" AND WITH SPECIFIC DISCLAIMER OF ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NON-INFRINGEMENT. SECOND HARVEST MAKES NO WARRANTIES OR REPRESENTATIONS OF ANY KIND THAT THE SERVICES PROVIDED BY THIS WEBSITE OR ANY LINKED SITE WILL BE UNINTERRUPTED, ERROR-FREE, OR THAT THE SITE OR THE SERVER THAT HOSTS THE SITE ARE FREE FROM VIRUSES OR OTHER FORMS OF HARMFUL COMPUTER CODE. IN NO EVENT SHALL SECOND HARVEST, ITS EMPLOYEES, AGENTS OR ANY OTHER PERSON WHO HAS BEEN INVOLVED IN THE CREATION, PRODUCTION OR DELIVERY OF THIS WEBSITE, BE LIABLE FOR ANY DIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OF THIS SITE OR ANY LINKED SITE.

EXCEPT AS OTHERWISE EXPRESSLY PROVIDED, SECOND HARVEST EXPRESSLY DISCLAIMS ANY RESPONSIBILITY FOR THE ACCURACY, CONTENT, AVAILABILITY OF INFORMATION, PRODUCTS, SERVICES OR MERCHANDISE FOUND ON THIRD PARTY SITES THAT LINK TO OR FROM THE SECOND HARVEST SITE. SECOND HARVEST DISCLAIMS ANY RESPONSIBILITY FOR PRODUCT OR SERVICE ORDERING FUNCTIONS, ORDER FULFILLMENT OR

COMPLIANCE OF PRODUCTS OR SERVICES WITH ANY MANUFACTURER'S WARRANTIES OR SPECIFICATIONS. SECOND HARVEST CANNOT BE HELD RESPONSIBLE FOR THE MATERIAL CONTAINED ON THIRD PARTY SITES AND/OR RELATED SERVICES NOR DOES SECOND HARVEST MAKE ANY REPRESENTATIONS OR WARRANTIES AS TO THE SECURITY OF ANY INFORMATION YOU MIGHT BE REQUESTED TO GIVE TO THIRD PARTY SITES.

A SPECIAL NOTE ABOUT CHILDREN

SECOND HARVEST does not knowingly gather any personally identifiable information from children under the age of 13. You must be 13 years of age or older to access the site. SECOND HARVEST has no interest in collecting information from children under the age of 13.

BINDING EFFECT/MODIFICATION OF POLICY AND TERMS

By accessing the SECOND HARVEST Website, you agree that the terms, combined with your act of using the website and/or services offered on or through the website have the same legal force and effect as a written contract with your written signature and satisfy any laws that require a writing or signature, including any applicable statute of frauds. You further agree that you shall not challenge the validity, enforceability or admissibility of the terms on the grounds that it was electronically transmitted or authorized. In addition, you acknowledge that you have had the opportunity to print the terms.

SECOND HARVEST may change this Privacy Policy and Terms of use at any time by posting the changed or amended Privacy Policy and Terms of Use on the Website. Your continued viewing of or use of this website following the posting of any changes to this Privacy Policy and Terms of Use will signify your assent to any such changes or amendments.

OPT-OUT/DELETION/CONTACT SECOND HARVEST

If you wish to have your data deleted, opt-out of receiving future communications, opt-out of having your information shared by SECOND HARVEST, or exercise any other privacy right you may have by law, please contact SECOND HARVEST at the below address or phone number.

All deletion and opt-out requests will be honored, but please be patient with us as it may take six (6) to eight (8) weeks for opt-out changes to be fully implemented. Should you have any questions about this Privacy Policy and Terms of Use, the practices of this website, or your dealings with this website, contact SECOND HARVEST at:

Postal Mail:
Second Harvest Food Bank of Middle Tennessee
331 Great Circle Rd
Nashville, TN 37228

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info@secondharvestmidtn.org.