

PRIVACY POLICY

Your Privacy Rights

Effective Date: September 23, 2024

This Privacy Policy describes the types of information gathered by the International Child Art Foundation ("ICAF", "us" or "we") in the process of providing, running, and maintaining <https://MyFavoriteSport.org/> (the "Site"), and the data, services, contests, information, tools, functionality, updates and similar or related materials (collectively, the "Service"), how we use the information, with whom the information may be shared, what choices are available to you regarding collection, use, and distribution of information and our efforts to protect the information you provide to us through the Service.

By accessing the Site, using the Service, or otherwise providing information to ICAF, you hereby consent to allow us to collect, use, process, and disclose your information under this Privacy Policy. When accessing the Site, please also refer to our [Terms of Use](#), which are incorporated as if fully recited herein. Terms defined in the Terms of Use that are not defined herein shall have the same definition as in the Terms of Use.

This policy is subject to change. If our information retention or usage practices change, we will let you know by posting the Privacy Policy changes on the Site and/or otherwise making you aware of the changes. Your continued use of the Site following our notice of changes to this Privacy Policy means you accept such changes. Please refer to the "Effective Date" above to see when this Policy was last updated.

Territoriality

Regardless of where our servers are located, your Personal Identifiable Information ("PII") may be processed by us in the United States, where data protection and privacy regulations may or may not be to the same level of protection as in other parts of the world. BY VISITING THE SITE AND USING OUR SERVICE, YOU UNEQUIVOCALLY AND UNAMBIGUOUSLY CONSENT TO THE COLLECTION AND PROCESSING IN THE UNITED STATES OF ANY INFORMATION COLLECTED OR OBTAINED BY US THROUGH VOLUNTARY SUBMISSIONS, AND, TO THE EXTENT POSSIBLE, THAT U.S. LAW GOVERNS ANY SUCH COLLECTION AND PROCESSING.

This Privacy Policy may be subject to the provisions of the EU General Data Protection Regulation ("EU GDPR"), the UK General Data Protection Regulation ("UK-GDPR", and together with the EU GDPR, the "GDPR"), and other applicable privacy laws. Under the GDPR, ICAF is a data "Controller". If you are an individual who resides in the United Kingdom, the European Union, or Switzerland (collectively, and for this Privacy Policy, the "EEA"), you are a "Data Subject" with certain protected privacy rights concerning your "Personal Data." We will take commercially reasonable steps to maintain compliance with GDPR. Your Personal Data, combined with any other information that may identify you as a person, may be referred to in this Privacy Policy as Personally Identifiable Information (collectively, "PII"). If you are a Data Subject, read Section 12 below. For the purpose of this Privacy Policy, PII does not include de-identified or aggregated information that does not identify you.

1. Collection, Use, and Disclosure Information

We may collect certain PII from you when you visit or browse our Site or use our Service. It is important to note that the type of information collected will depend on your demographic and your interaction with the Site.

2. Who Collects Your Information On Our Site?

We do. We collect information from you when you visit or browse the Site, use our Service, sign up for our mailing list, submit your art, sign up to receive more information about ICAF, volunteer with ICAF, collaborate with us either individually or through an institution, register to vote for an artwork, or choose to donate to ICAF. We are responsible for the protection of your information. We collect PII from three different sources: from you; from third-party sources; and automatically collected information.

3. What Information Do We Collect?

A. Personal Information. We collect certain PII or data about you, which may be supplied when you sign up for the Site, when you complete a survey, when you create or update an account, when you use the Site, when you fill out a form available on the Site, when you enter a contest hosted by ICAF via the Site, when you request Services, when you link your account on the Site to your social media account(s) via our optional integration, third parties, or otherwise when you submit such information. The types of PII we collect and save include:

- Name, email address, phone number, certain demographic information including age and country of origin, and other information collected through the optional donation page or through the optional contest participation page, which may be active for submissions and voting on a periodic basis throughout the year.
- Technical information collected in our logs. Such information may include standard web log entries that contain your IP address, device identifiers, cookies (first-party, third-party, session, and persistent), web beacons; page URL, and timestamp.

You may provide us with information when you interact with us through email, read an email from us, online chat, messaging functions within the Site, or otherwise. We may retain such information in order to provide you with Services, and you agree that we may share this information as needed with other users in order to resolve any issues that may arise between you and another user of the Site.

B. Non-Personal Information. “Non-Personal Information” is information that doesn’t identify you and/or anonymous information about you, including but not limited to links and artwork uploaded, registration, the type of device you used and its operating system, browser information, the pages accessed most frequently, how pages are used, when and how you use the App, applications downloaded, search terms entered, and similar Non-Personal Information.

Automatically tracking Internet Protocol (IP) addresses is one method of automatically collecting information about your activities online and information volunteered by you. An IP address is a number that is automatically assigned to your device whenever you surf the internet. Further, the Site and Service may utilize web beacons, pixel tags, cookies, embedded links, and other commonly used information-gathering tools. Through collecting your IP address, we may be able to approximate your geographic location, however, unless and until this information is paired with your PII, it cannot be used to identify you. If Non-Personal Information is paired to any of your PII, we will treat the Non-Personal Information as if it was PII too.

Part of the purpose of the Site is to share materials you make available. Anything you publicly post will not be considered PII.

C. Aggregate Information. We may also collect anonymous, non-identifying and aggregate information, the date and time of any request, language preference, referring website, the website you go to after visiting our Site, and the domain name of your Internet provider.

4. Why Is My Information Being Collected?

We accept and gather information in an effort to provide better services to you. We collect your PII so that we can respond to your requests for information or so that you can be added to our email lists, and to process any payments made in connection with the Site. We also collect aggregate information to help us better design the Site. We collect log information to help us diagnose problems with our servers, administer the Site, calculate usage levels, and otherwise provide services to you.

5. How Do We Use the Information We Collect?

- A. We use the PII you provide for the purposes for which you have submitted it including:
- **Internal Uses**. We may use your PII to respond to your inquiries, to fulfill your requests for

information, track usage trends, conduct experiments, send you push notifications, develop and improve the Site and any related services or offerings, perform research and analytics, compile usage statistics and other data regarding the use of our Site and Service, ensure the security of the organization and our visitors, and abide by any applicable laws.

- **Creating and Maintaining Your Account.** We use your PII to create and maintain an account for you to allow you to make donations and access any other Services offered by and related to ICAF.
- **Process Donations.** We use your PII to process donations made through the Site.
- **Communicating With You About Our Services.** We may use your PII to send you information about volunteer opportunities, events, contests, updates regarding our non-profit purpose, and any other information that may be of interest to you.
- **Invite Contacts.** We may use your PII to invite your friends and contacts to use the Site in response to your request to do so.
- **Sending Administrative Emails.** We may use your PII to send you emails to: (a) confirm your account information and your other PII; (b) process your submissions or transactions related to the Site; (c) inform you of changes to this Privacy Policy, our Terms of Use, or our other terms, conditions, or policies; or (d) send follow-up notices and information regarding any contests hosted by ICAF that you participate in.

B. We may use anonymous information that we collect to improve the design and content of our Site, and to enable us to personalize your internet experience. We also may use this information in the aggregate to analyze how our Site is used, as well as to offer you programs or services. We may use any anonymous, aggregate information, of which your information may be a part of or the basis of, without restriction.

6. Do We Share Your Personal Information?

We will not share your PII except: (a) for the purposes for which you provided it; (b) with your consent; (c) as may be required by law or as we think necessary to protect our organization or others from injury (e.g., in response to a court order or subpoena, in response to a law enforcement agency request, or when we believe that someone is causing, or is about to cause, injury to or interference with the rights or property of another); or (d) with persons or organizations with whom we contract to carry out internal operations or nonprofit program activities.

7. How Can You Access And Control Your Information?

After becoming a user of the Site, you may revise or edit your information by sending an email to childart@icaf.org. For instructions on how you can further access your PII that we have collected, or how to correct errors in such information, please send an e-mail to childart@icaf.org. To protect your privacy and security, we will take reasonable steps to help verify your identity before granting access, making corrections, or removing your information.

8. How Do We Store and Protect Your Information?

A. After receiving your PII, we will store it on our servers for future use. While we have appropriate safeguards in place, unfortunately, no data transmission over the internet or data storage solution can ever be completely secure. As a result, although we take steps to protect your data, we cannot ensure or warrant the security of any information you transmit to or receive from us or that we store on our or our service providers' systems.

B. If you are visiting the Site from outside of the USA, you understand that your connection will be through and to servers located in the USA, and the information you provide will be securely stored in our servers and internal systems located within the USA.

C. Retention. We will only retain your PII for as long as is reasonably necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, accounting, or reporting requirements. We may retain your PII for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation with respect to our relationship with you. To determine the appropriate retention period for PII, we consider the amount, nature, and sensitivity of the PII, the potential risk of harm from unauthorized use or disclosure of your PII, the purposes for which we process your PII, and whether we can achieve those purposes through other means, and the applicable legal, regulatory, accounting, or other requirements.

9. How Do We Use Cookies and Other Network Technologies?

A. To enhance your online experience with us, our web pages may presently or in the future use “cookies.” Cookies are text files that our web server may place on your hard disk to store your preferences. Cookies, by themselves, do not tell us your e-mail address or other PII unless you choose to provide this information to us. Once you choose to provide PII, however, this information may be linked to the data stored in the cookie. Although it may be possible to turn off the collection of cookies through your device or browser, certain features of the Site may not function properly without the aid of cookies.

B. Our Site may use Google Analytics, provided by Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043 (“Google”). Google Analytics uses cookies and similar technologies to collect and analyze information about the use of the Site and report on activities and trends. This service may collect information regarding the use of other websites, apps, and online resources. For more information on how Google uses data when you access our Site, please follow this link: <https://policies.google.com/technologies/partner-sites>. You may be able to opt out of some or all of Google Analytics features by downloading the Google Analytics opt-out browser add-on, available at, <https://tools.google.com/dlpage/gaoptout>. For more information about interest-based ads, or to opt-out of having your web browsing information used for behavioral advertising purposes, please visit <http://optout.aboutads.info>.

C. ICAF may also use “pixel tags,” “web beacons,” “clear GIFs” or similar means (collectively, “Pixel Tags”) in connection with some of our Site pages and HTML-formatted email messages for purposes of, among other things, compiling aggregate statistics about website usage and response rates. A Pixel Tag is an electronic image, often a single pixel (1x1), that is ordinarily not visible to website visitors and may be associated with cookies on visitors’ hard drives. Pixel Tags allow us and our service providers to count users who have visited certain pages of our Site, to deliver customized services, and to help determine the effectiveness of promotional or advertising campaigns. When used in HTML-formatted email messages, Pixel Tags can inform the sender of the email whether and when the email has been opened.

D. As you use the internet, you leave a trail of electronic information at each website you visit. This information, which is sometimes referred to as “clickstream data”, can be collected and stored by a website’s server. Clickstream data can reveal the type of computer and browsing software you use and the address of the website from which you linked to our Site. We may use clickstream data as a form of non-PII to determine how much time visitors spend on each page of our Site, how visitors navigate through the Site, and how we may tailor our web pages to better meet the needs of visitors. We will only use this information to improve our site.

E. Do Not Track. At present, the Site does not specifically respond to browser do-not-track signals.

10. Collection of Information by Others.

Our Terms of Use document identifies certain third-party websites to which we may provide links, and that you may click on our Site or in our Service. Please check the privacy policies of these other websites to learn how they collect, use, store and share information that you may submit to them or that they collect.

11. Children and Young People’s Information.

ICAF values and is committed to protecting the privacy of children who use the Site and participate in any contests that may be hosted by us. As such, we comply with all applicable privacy laws including the GDPR, the Children's Online Privacy Protection Act ("COPPA"), and associated Federal Trade Commission ("FTC") rules for collecting PII from minors. Please see the FTC's website (www.ftc.gov) or/and our [Children's Privacy Policy](#) page for more information. Regarding child-focused art contests held by ICAF from time to time, ICAF is considered an "Operator" under COPPA and is required to provide notice on the ICAF website regarding the information we collect from children, how the information is used, and our disclosure practices. ICAF is also required to obtain parental consent prior to any collection, use, and/or disclosure of Personal Identifiable Information ("PII") from children and establish and maintain reasonable procedures to protect any PII collected from children who use the Site and to remove any PII upon request by a parent. If you have concerns about this Site, wish to find out if your child has accessed our Services, or wish to remove your child's PII from our servers, please contact us at childart@icaf.org.

12. European Union Privacy Rights.

If you currently reside in the EEA and use the Service, the GDPR applies to your PII and you are a Data Subject. The GDPR requires that we, as a Controller, have a legal basis to process your PII.

A. We process your PII under one or more of the following legal bases:

- Processing is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests;
- To perform the contract that we are about to enter with you (e.g., our Terms of Use);
- To comply with a legal obligation; and/or
- If we have your consent to do so, and such consent may be revoked at any time.

B. Under the GDPR, as a Data Subject you have certain rights. They are:

- The right to be informed. This is your right to be informed about what they are processing, why, and who else the data may be passed to.
- The right of access. This is your right to see what data about you is held by us.
- The right to rectification. This is the right to have your data corrected or amended if what is held is incorrect in some way.
- The right to erasure. This is the right to have your Personal Data to be deleted in the event that such data is no longer required for the purposes it was collected for, your consent for the processing of the data is withdrawn, or the data is being unlawfully processed.
- The right to restrict processing. This is the right to ask for a temporary halt to processing of your Personal Data, such as in the case where a dispute or legal case has to be concluded, or the data is being corrected.
- The right to data portability. This is the right to ask for your Personal Data to be provided to you in a structured, commonly used, and machine-readable format.
- The right to object. This is the right to object to further processing your Personal Data if such processing is inconsistent with the primary purposes for which it was collected.
- Rights in relation to automated decision-making and profiling. This is the right to not be subject to a decision based solely on automated processing. The service does not engage in automated decision-making and profiling.
- Right to Judicial Remedy. Notwithstanding anything to the contrary in this Privacy Policy, if you feel that we or one of our processors, if any, have infringed your rights under the GDPR, or that we are otherwise not in compliance with the GDPR concerning your PII, you may bring a legal proceeding against us in a court (or file a complaint with a supervisory authority)

located in the EEA country where you regularly reside.

If you wish to find out more about these rights, please contact us at childart@icaf.org.

If we share, or otherwise transfer, Personal Data covered by the GDPR and this Privacy Policy to a third party, or a country outside the EEA which does not have an adequacy decision from the European Commission (a “third country”), we will only do so if: (x) that third party, except in cases of government or law enforcement agencies, gives us contractual assurances that it will comply with the GDPR; and (y) to the extent necessary, have in place a GDPR compliant procedure to protect the transfer, e.g. GDPR standard contractual clauses, available here, including any necessary assessments of the applicable third country, and supplemental measures designed to ensure you have essentially equivalent rights and remedies as you would in the EEA.

13. California Privacy Rights

California law allows California residents to request information regarding our disclosures in the prior calendar year, if any, of their PII to third parties. To make such a request, please contact us at childart@icaf.org with “Request for Privacy Information” in the subject line. Please include enough detail for us to locate your file; at a minimum, your name, email, and username, if any. We will attempt to provide you with the requested information within thirty (30) days of receipt. We reserve our right not to respond to requests sent more than once in a calendar year, or requests submitted to an address other than the one posted in this notice. Please note that this law does not cover all information sharing. Our disclosure only includes information covered by the law.

14. Nevada Privacy Rights

If you are a Nevada resident, you have the right to opt out of the “sale” of your “covered information” as such terms are defined in Chapter 603A of the Nevada Revised Statutes (“Nevada Privacy Law” or “NPL”). For the avoidance of doubt, we do not “sell” your “covered information”. Nonetheless, Nevada residents may submit a request to prohibit such sales by contacting us at childart@icaf.org. Additional information on the categories of personal information collected and categories of personal information shared with third parties can be found in this Privacy Policy. If you would like to tell us not to sell your information in the future, please email us at childart@icaf.org with your name, postal address, telephone number, and email address with “Nevada Do Not Sell” in the subject line.

15. Contact Information

If you have any questions or suggestions regarding our Privacy Policy, please contact us via e-mail at childart@icaf.org.

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