

EL MUSEO DEL BARRIO

El Museo del Barrio
1230 5th Avenue at 104th Street
New York, NY 10029
info@elmuseo.org

Privacy Policy
Updated: March 30, 2023

Welcome to the web site of El Museo del Barrio (“El Museo”) located at www.elmuseo.org (“Site”). This Privacy Policy addresses El Museo's practices regarding information collected voluntarily from users of the Site, whether accessed via computer, mobile device, or other technology (collectively, the “Site”), including users who register with the Site to obtain certain products and services (a “Member”).

The El Museo is committed to protecting the privacy of its users and Members and we respect the rights of our users worldwide. This Privacy Policy complies with policies in the United States as well as the European Commission’s General Data Protection Regulation (“GDPR”). This Privacy Policy therefore details how we collect, store, and use any information relating to an identified or identifiable natural person who can be identified by things like a name, identification number, address, etc. (“Personal Information”).

El Museo can be contacted El Museo del Barrio, 1230 5th Avenue at 104th Street, New York, NY 10029, info@elmuseo.org. This Privacy Policy is incorporated into El Museo's Website Terms of Use which governs your use of the Site.

THE FOLLOWING IS GENERAL PRIVACY COMPLIANT INFORMATION. PLEASE ALSO SEE EL MUSEO’S CURRENT PRIVACY POLICY BELOW, WHICH PROVIDES OUR CURRENT INFORMATION.

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General Privacy Policy Information

1. Types of Personal Information that El Museo Collects from Site Users and Members

- a. **Who is collecting and receives your Personal Information:** For information on who receives Personal Information, please see El Museo's current Privacy Policy below.
- b. **Why we collect Personal Information:** El Museo may, from time to time, collect Personal Information about you that you voluntarily consent to submit to the Site in order to become a Member of the Site, to purchase products or services from the Site, or to participate in online surveys, sweepstakes, contests, to receive newsletters or other activities. Processing of Personal Information may also occur if it is necessary for the purposes of the legitimate interests pursued by El Museo, except where such interests are overridden by the interests or fundamental rights and freedoms of the user and/or Member, which require protection of Personal Information. If you do not wish to provide such information to the Site, you may be unable to register and/or to obtain products or services from the Site.
- c. **Categories of Personal Information collected:** El Museo may collect or track Personal Information as listed in El Museo's current Privacy Policy below.

2. How We Use Your Personal Information

Personal Information collected by El Museo is always voluntarily submitted by you, the user. The information may subsequently be used by El Museo for many reasons, for example, for recordkeeping, to fill orders, editorial and feedback purposes, statistical analysis of users' composite anonymous behavior, product development, content improvement, or to customize the content and layout of the Site. Aggregate data may be used for internal purposes, and individually identifying information, such as names, postal and email addresses, phone numbers, and other Personal Information which users voluntarily provide to El Museo may be added to El Museo's databases and used for communications regarding Site updates, new products and services, and upcoming events, contingent on users opting in to receive such information.

The El Museo also may use Site user data to contact the Site users regarding registration and account status and changes to the Terms of Use, Privacy Policy, and any other policies or agreements relevant to Site users.

The El Museo may retain the Personal Information collected from you only for as long as necessary to fulfill El Museo's purposes, or as permitted by law. If El Museo no longer needs the Personal Information, El Museo may delete the Personal Information.

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3. Sharing Your Personal Information with Other Entities

Except as provided herein, individually identifying Personal Information provided through the Site will not be sold, exchanged, transferred or otherwise disclosed to third parties not affiliated with El Museo without your consent, other than for the express purpose of delivering the applicable purchased product or service or information requested.

4. Your Rights Regarding Your Personal Information

Applicable privacy law gives users certain rights to their Personal Information as follows:

- a. **Right of access and right to rectification:** Users and Members have the right, via postal mail, email, or telephone, to request that El Museo provide you with a summary of any Personal Information retained by El Museo that has been voluntarily provided by you through online forms, registration forms, surveys, email, or another online avenue. You may modify, correct, change, or update your Personal Information by contacting El Museo via postal mail, email, or telephone at the addresses or number listed below.
- b. **Right to be forgotten:** Users and Members have the right to erasure of their Personal Information upon request provided that such erasure will delete your account and/or registration on the site.
- c. **How to exercise one of these rights:** Contact El Museo's Data Protection Officer listed below. If you reside in the European Union, El Museo is the controller of your Personal Information for the purposes of the GDPR.

5. Your Consent: Controls and Choices

- a. **Opt-in right:** You have the right to consent freely to the processing of your Personal Information through a clear affirmative act, which may include ticking a box when visiting our Site, choosing technical settings, or other statements or conduct which indicates acceptance of the processing of your Personal Information.
- b. **Opt-out right:** You have the right to withdraw your consent at any time by the opt-out process.
- c. **Managing your controls and choices:** You may have the following controls and choices on our Site. Please see El Museo's current Privacy Policy below for details.
 - i. **Account Changes:** If El Museo's Site allows personal account registrations, you can make changes to your Personal Information, including password changes, etc.

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- ii. **Data Portability:** If the user and/or Member has provided to El Museo any Personal Information, the user and/or Member shall be able to request to receive that Personal Information in a commonly used, machine-readable format.
- iii. **Removal of Personal Information:** If you have an account on our Site, you have the option of deleting your account and/or Personal Information.
- iv. **Marketing:** If El Museo conducts marketing, you can opt-in or opt-out to marketing as described below. This will allow you to choose whether you would like to receive, promotions, products, or services that might be of interest to you.
- v. **Advertising:** You can opt-in or opt-out of receiving advertising, if El Museo's Privacy Policy includes sending advertising to registered users of this Site.
- vi. **Subscriptions, Alerts, and Newsletters:** You can opt-in or opt-out of receiving subscriptions, alerts, or newsletters from El Museo, if El Museo's Privacy Policy includes the aforementioned.
- vii. **Sharing your Personal Information with Third Parties:** The El Museo only shares your Personal Information if El Museo's current Privacy Policy states that it does. You can opt-in or opt-out of whether El Museo is allowed to send your Personal Information to third parties so they can send you products and services that might be of interest to you.
- viii. **Cookies:** If cookies are used in such a way as to identify you either directly or indirectly, we will confirm that in El Museo's current Privacy Policy below and you will be able to opt-in or opt-out of consent to the use of cookies on our Site.

6. Links to Third Party Websites

The Site may also contain links to third party websites. If you access a third-party website from a link on this Site, any information you disclose on that website is not subject to this Privacy Policy. It is possible that these links may be used by third parties or others to collect personal or other information about you. El Museo is not responsible for the privacy practices of such websites, advertisers, or third parties or the content of such websites and it is your sole obligation to review and understand the privacy practices and policies of these other websites. El Museo does not control these third parties' use of cookies, collection of information, or how they manage such information.

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7. Comments, Notices, and User Content

Any materials or comments posted to any of our webpages, if allowed on our Site, are public. As such, El Museo assumes no liability for the accuracy of such information, no duty to update or correct such information, and no liability for such communications arising under the laws of copyright, libel, privacy, obscenity, or otherwise.

8. Cookies or Similar Technologies

We or our third-party service providers may use cookies or similar technologies. The El Museo may contract with third party service providers to assist us in better understanding our Site visitors. These service providers are not permitted to use the information collected on our behalf except to help us conduct and improve our business. When a user performs a search within the Site, El Museo may record information identifying the user or linking the user to the search performed and recording information related to the search request. The El Museo may place Internet "cookies" on your hard drive.

A "cookie" is a small text file that websites send to a visitor's computer or other internet-connected device to uniquely identify the visitor's browser or to store information or settings in the browser. We, and our third-party service providers use cookies in order to do things such as recognize you when you return to our Site, save your preferences (including your preferences regarding cookie handling), understand which sections and features of our Site you find most interesting, ensure our Site is working properly, and prevent fraud. We may use both session cookies (which expire when you close your browser) and persistent cookies (which stay on your computer until you delete them or until they expire).

9. Analytics and Advertising

The El Museo may use third-party analytics and advertising tools to measure traffic and usage trends on our Site and to serve advertisements on our behalf across the Internet. These tools assist us in improving our website and help us better understand which ads bring users to our Site.

10. Marketing and Advertising

The El Museo may contact you with information applicable to our services and products. We may use Personal Information that we have collected from you in order to send you the most relevant information. You may always opt out of such communications.

11. Processors

The El Museo may use Processors who process Personal Information. The El Museo will use its best efforts to ensure that any Processor engaged by El Museo complies with applicable laws.

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12. Privacy of Children

The Site is directed at adults and not intended for children under the age of 16. The Site does not knowingly collect Personal Information online from European Union residents under the age of 16 or United States residents under the age of 13. All users must be at least 16 years of age in order to use the Site. If you are a parent or legal guardian and think your child under 13 (or a higher age threshold where applicable) has given us Personal Information without your consent, please contact us.

13. Security Measures

El Museo has implemented physical, electronic, and procedural security features that are designed to prevent the unauthorized release of or access to Personal Information. Despite El Museo's efforts to protect your Personal Information, there is always a risk that an unauthorized third party may circumvent such procedures or that transmissions of your information over the Internet may be intercepted. The confidentiality of any communication or material transmitted to or from El Museo via this Site or via email cannot be and is not guaranteed. Accordingly, El Museo is not responsible for the security of information transmitted via the Internet.

The El Museo has implemented policies in case a breach does occur. Users and Members will be notified, as well as the appropriate local authorities if a breach ever does occur. In case of a personal data breach, El Museo shall without undue delay, and where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the appropriate local authorities, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the appropriate local authorities is not made within 72 hours, it shall be accompanied by reasons for the delay.

14. The California Consumer Privacy Act

Pursuant to the California Consumer Privacy Act (the "CCPA"), El Museo reserves the right to update and revise this Privacy Policy, if required.

15. Your California Privacy Rights

If you are a California resident, California Civil Code Section 1798.83, also known as the "Shine The Light" law, provides, if applicable, a right to request and obtain from a company, once a year and free of charge, certain information regarding disclosure of Personal Information (if any) to third parties for direct marketing purposes and the names and addresses of all third parties with which Personal Information may have been shared in the immediately preceding calendar year. The El Museo does not share Personal Information with third parties for direct marketing purposes.

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16. Consent to Processing and Transfer of Information

Personal Information we collect may be stored and processed for the purposes set out in this Privacy Policy in the United States where we are based or in any country where we have operations or where we engage vendors or service providers. By using the Site, or providing us with any information, you consent to the collection, processing, maintenance, and transfer of such information in and to the United States and other applicable territories in which the privacy laws may not be as comprehensive as or equivalent to, those in the country where you reside and/or are a citizen.

17. Governing Law and Jurisdiction

As stated in our Terms of Use, available on our Site, our Privacy Policy is governed by the laws of the state of New York, with exclusive jurisdiction and venue in the state and federal courts located in and near New York City. Nothing in our Privacy Policy, including any references to the laws of the European Union and the European Commission's GDPR, shall constitute any waiver of governing law or jurisdiction or agreement to be bound by laws other than those governing in the United States.

18. Changes to Our Privacy Policy

The El Museo may change this Privacy Policy at any time. It is the obligation of users returning to the Site to learn of changes to the Privacy Policy since their last visit. Any change to this Privacy Policy shall be effective as to any user who has visited the Site before the change was made.

19. How to Contact Us

Please see El Museo's current Privacy Policy for current contact information.

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Our Current Privacy Policy Information

1. Types of Personal Information that El Museo Collects from Site Users and Members

- a. **Who is collecting and receiving your Personal Information:** The El Museo collects and receives your Personal Information. The El Museo only requests user Personal Information in order to provide the information and services requested by the user with the user's consent. Those services requested by users and provided by El Museo may include information and news on El Museo related matters. The El Museo does not sell, market, or provide any user data to third parties for any other purposes.
- b. **Why we collect Personal Information:** The El Museo collects Personal Information to share news, our latest videos, tours, and/or occasional promotions.
- c. **Categories of Personal Information collected:** The categories of Personal Information collected for the above purposes, with the consent of Site users may include:
 - i. First Name
 - ii. Last Name
 - iii. Email Address
 - iv. Phone Number
 - v. City/State/Country/Zip Code

2. How We Collect and Retain Your Personal Information:

- a. **How we collect your Personal Information:** Personal Information is collected from a user when they voluntarily provide their information to subscribe to El Museo's newsletter, tour, or new video updates, via a form on our Site. Personal Information is also collected when a user has questions and voluntarily provides us with their Personal Information via our Contact Us form on the Site.

Information may also be collected by automated means as you navigate our Site or interact with our communications (through cookies and analytics). We may also obtain Personal Information from other sources, like payment processors.

We may combine the information we collect about you from these various sources. If a combination of information that we collect identifies you as an individual, we will treat the combined information as Personal Information.

- b. **Retention of your Personal Information:** The El Museo retains Personal information for the purposes of communicating with Members therefore keeps the personal information. If El Museo finds that Personal Information collected is no longer necessary for its purposes, it will delete the Personal Information.

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3. Your Consent: Controls and Choices

a. **Our current controls and choices on our Site are as follows.** Please contact El Museo's Data Protection Officer, listed below, to manage these controls and choices.

- i. Subscription and Marketing
- ii. Cookies

4. How to Contact Us

a. Data Protection Officer

Please contact:
Rose Mary Cortes
El Museo del Barrio
1230 5th Avenue at 104th Street
New York, NY 10029
info@elmuseo.org