

PRIVACY POLICY

LAST UPDATED: SEPTEMBER 1, 2022

This privacy policy (“**Policy**”) describes how **Western Field Ornithologists, Inc.**, a California nonprofit corporation (“**WFO**”) collects, uses and shares personal information of its members, visitors and other users of the website <https://www.westernfieldornithologists.org> (the “**Site**”). This Policy applies whenever you visit the Site or use Services. “Services” may include, but are not limited to, offering, distribution and circulation of newsletters (incl., Western Birds and Information), research, reports, articles and periodicals, journals, photographs, video and/or audio services, online conferences, events, email and text message services, RSS feeds, message boards, forums, chat areas, tools, calendars, and other services and information offered by WFO and/or provided through the Site. As used throughout the remainder of this Policy, the term “Site” shall collectively refer to both (i) the Site, and (ii) the Services. This Policy does not apply to websites that post different statements.

1. GENERAL PRIVACY NOTICE

1.1 WHAT WE COLLECT. We collect personal data and information from your computers, smartphones and connected devices. We get information about you in a number of ways.

(a) *Information You Give Us.* We may collect your name, address, email address, phone number, username, password, demographic information (such as your gender identity and occupation) as well as other personal information you directly give us, including information pertaining to membership fees or donations (“**Fees and Donations**”) or for the purchase of Services, such as your billing address and payment information. For your security, we use a third-party service provider to process credit card payments. This service provider is not permitted to store, retain, or use billing information except for the sole purpose of credit card processing on our behalf. We use this information to process or facilitate payments for Fees and Donations and Services and for the purpose of verifying identity and helping will billing support questions. We do not have access to, nor do we store, your full credit card information.

(b) *Information We Get from Others.* We may get information about you from other sources, such as but not limited to Google, Facebook, Instagram, Vimeo, and Amazon. We may add this to information we get from this Site.

Their privacy policies may be found here:

[Google Privacy Policy](#)

[Facebook Privacy Policy](#)

[Instagram Privacy Policy](#)

[Vimeo Privacy Policy](#)

[Vimeo OTT Service Privacy Policy](#)

[Amazon Privacy Policy](#)

(c) *Information Automatically Collected.* We may automatically log information about you and your device. For example, when visiting our Site, we may log your device operating system type, browser type, browser language, the website you visited before browsing to our Site, pages you viewed, how long you spent on a page, access times and information about your use of and actions on our Site.

(d) *Cookies.* We may log information using “cookies”. Cookies are small data files stored on your hard drive by a website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Site. This type of information is collected to make the Site more useful to you and to tailor the experience with us to meet your special interests and needs. We may also use similar types of data files such as web beacons, tags, and pixels.

1.2 USE OF PERSONAL INFORMATION. We may use your personal information as follows:

- We may use your personal information to operate, maintain, and improve our Site and Services.
- We may use your personal information to respond to comments and questions and provide customer service.
- We may use your personal information to send you information, including, without limitation (i) newsletters, (ii) information about upcoming workshops, conferences, trips, events, and Services, (iii) confirmations, (iv) technical notices, (v) updates, (vi) security alerts, and (vii) support and administrative messages.
- We may use your personal information to link or combine user information with other personal information.
- We may use your personal information to protect, investigate, and deter against fraudulent, unauthorized, or illegal activity.

1.3 SHARING OF PERSONAL INFORMATION. We may share personal information as follows:

- We may share personal information with your consent. For example, you may let us share personal information with others for their own marketing uses. Those uses may be subject to their privacy policies.
- We may share personal information for legal, protection, and safety purposes.
- We may share information to comply with laws.
- We may share information to respond to lawful requests and legal processes.
- We may share information to protect the rights and property of WFO, our agents, members, and others. This includes enforcing our agreements, policies, and terms of use.
- We may share information in an emergency. This includes protecting the safety of our directors, officers, agents and employees, our members, or any person.
- We may share information with those who need it to do work for us.
- We may also share aggregated and/or anonymized data with others for their own uses.

1.4 INFORMATION CHOICES AND CHANGES. Our marketing emails tell you how to “opt-out.” If you opt out, we may still send you non-marketing emails. Non-marketing emails include emails about your membership, Donations, Services, upcoming workshops, conference, trips or events, and other business dealings with you. We encourage you to add our email addresses that send non-marketing messages to your “safe sender list” in order to assure that you continue to receive membership updates, copies of receipts, password reset email messages and other pertinent account correspondence. You may send requests about personal information to our Contact Information below. You can request to change contact choices, opt-out of our sharing with others, and update your personal information. You can typically remove and reject cookies from our Site with your browser settings. Many browsers are set to accept cookies until you change your settings. Please note that if you remove or reject our cookies, it could affect how our Site works for you.

1.5 SECURITY. We use appropriate technical, organizational, administrative and physical security measures to protect our members’ and visitors’ information and data against accidental or unlawful destruction, loss, and alteration, and against unauthorized disclosure and access. Unfortunately, no data transmission or storage is

guaranteed to be 100% secure. While we strive to protect your personal information, we cannot guarantee security of the information you transmit to us while using our Site or Services.

1.6 DATA RETENTION. We retain personal information collected from you where we have an ongoing legitimate business need to do so (e.g., to provide requested Services to you or to comply with applicable legal, tax or accounting requirements). We also retain personal information for time periods that we feel are necessary in order to meet our legal obligations, to deal with complaints and queries, and to protect our legal rights in the event a potential or actual claim is made. In general, this means we will keep your personal data as long as your membership is active and/or you use the Site. Following these periods, however, we may still retain your personal data so we can maintain a continuous relationship with you (if we should need or wish to contact you), and to comply with our internal processes and any legal obligations. When we no longer need your personal data, we will securely delete and destroy it. If we can permanently anonymize your personal data so it can no longer be associated with you or identify you, we may retain and use that information without further notice to you.

2. CALIFORNIA PRIVACY NOTICE_

2.1 HOW WE RESPOND TO DO NOT TRACK SIGNALS. We do not currently alter online tracking in response to Do Not Track signals. We are not required to alter our online tracking per California law; we are only required to inform you of our response to Do Not Track signals.

2.2 CCPA PRIVACY NOTICE. WFO is not in the business of selling your personal information, and as of the date of this Policy, WFO does not believe that it meets the requirements to classify it as a “business” under the provisions of the California Consumer Privacy Act of 2018 (“CCPA”). Nevertheless, in the event that WFO’s operations change, or data is inadvertently acquired that classifies WFO as a “business” under the CCPA, this CCPA Privacy Notice (“Notice”) sets forth that WFO and any affiliates (“we”, “us” and, “our”) may have disclosure obligations under California law, including the CCPA.

2.3 WHAT YOU MAY REQUEST UNDER THE CCPA. If WFO is or becomes subject to obligations under the CCPA, you may request that we disclose to you what personal information we have collected, used, or shared about you, and why we collected, used, shared, or sold that information. Specifically, you may request that we disclose:

- The categories of personal information collected.
- Specific pieces of personal information collected.
- The categories of sources from which we collected personal information.
- The purposes for which we used the personal information.
- The categories of third parties with whom we shared the personal information.
- The categories of information that we used, disclosed or shared with third parties.

If we qualify as a “business” under the CCPA, we must provide you this information for the 12-month period preceding your request, free of charge.

2.4 HOW YOU SUBMIT YOUR REQUEST TO KNOW UNDER THE CCPA. You may email [\[insert email address\]](#) to make your request. While we do not anticipate the case, if our designated method of submitting requests via email is not working for some reason, please notify us in writing at the following address:

Western Field Ornithologists, Inc.
793A East Foothill Blvd., #134
San Luis Obispo, California 93405

2.5 RIGHT TO DELETE PERSONAL INFORMATION UNDER THE CCPA. If we qualify as a “business” under the CCPA, you may request that WFO delete personal information we collected from you and to

tell our agents/service providers to do the same. However, there are many exceptions that allow us to keep your personal information. These include:

- For certain business security practices.
- For certain internal uses that are compatible with reasonable consumer expectations or the context in which the information was provided.
- To comply with legal obligations, exercise legal claims or rights, or defend legal claims.
- If the personal information is consumer credit reporting information, or other types of information exempt from the CCPA.
- WFO cannot verify your request.

Please contact us via email at [\[insert email address\]](#) to make a request to delete your personal information.

2.6 RIGHT TO OPT OUT OF SALE UNDER THE CCPA. As previously stated, WFO does not sell personal information. However, if you believe that any such sale of personal information has occurred through WFO or any affiliates of WFO, you have the right to request to opt-out from future “sales” of your personal information. You may opt out via the link provided on the relevant page or email message. If we do not provide an opt-out mechanism, it is because we do not believe in good faith that your personal information is being sold. Nevertheless, if no opt-out link is provided, you may also submit an opt-out request by emailing WFO at [\[insert email address\]](#).

2.6 RIGHT TO NON-DISCRIMINATION UNDER THE CCPA. We cannot deny Services or provide a different level or quality of Services after you exercised your rights under the CCPA. However, if you refuse to provide your personal information to us or ask us to delete or stop using your personal information, and that personal information is necessary for the WFO to provide you with Services, we may not be able to fulfill those Services for you. We can also offer you promotions, discounts and other deals in exchange for collecting, keeping, or using your personal information. If you ask us to delete or stop using your personal information, you may not be able to continue participating in the special deals we may offer in exchange for personal information.

3. VISTORS TO THE SITE AND MEMBERS/DONORS FROM AUSTRALIA

3.1 If you are a visitor or member who accesses our Site, or pays Fees and/or Donations, from Australia, please note that we are subject to the operation of the Privacy Act 1988 (“**Australian Privacy Act**”).

3.2 We do not collect “sensitive information” as it is defined in the Australian Privacy Act nor do we encourage you to provide any of this information to us. Sensitive information includes information about your health, racial or ethnic origin, political opinions, association memberships, religious beliefs, sexual orientation, criminal history, genetic or biometric information.

3.3 We may ask for personal information on our Site necessary to complete payments of Fees and Donations, and/or to facilitate participation in Services. If you do not provide us with your personal information or block your consent, we cannot guarantee that we can accept payments of Fees and Donations or provide our Services to you.

3.4 Our agents, employees and business partners/associates are required to follow the Australian Privacy Act policy with respect to personal information.

3.5 We may use your personal information for direct marketing. If we do, we will ensure we have your consent unless we believe in good faith that (a) you would reasonably expect us to use your personal information for that purpose, or (b) you may benefit from the material and obtaining your consent is not feasible.

3.6 You may opt out of our marketing to you when you unsubscribe. However, we may provide you with information that is not “direct marketing” under the Australian Privacy Act, such as membership information, changes to terms, or notices about your Services, authorized by the Australian Privacy Act and the Spam Act 2003 (Cth).

3.7 We are located in the United States, and your information is stored here in the United States. We may have third-party service providers and partners around the world; your personal information may be disclosed in countries where those service providers and partners reside or do business.

3.8 You may access the personal information we hold about you. If you wish to access your personal information, you may email us at [\[insert email address\]](#) with the subject “Australia Privacy Policy.” If you believe the information we have is incorrect or incomplete, please contact us in writing at [\[insert email address\]](#) with the subject line “Australia Privacy Policy,” so that we can correct our records. If you would like to no longer be identified in our records or withdraw your consent, please contact us in writing at [\[insert email address\]](#) with the subject line “Australia Privacy Policy.” If after emailing us and attempting to resolve the issue, and you are still unsatisfied with our response, you may contact the Office of the Australian Information Commissioner.

4. VISTORS TO THE SITE AND PURCHASERS FROM CANADA

4.1 CANADA PRIVACY POLICY – PIPEDA. This section of the policy is applicable to visitors and users in Canada. This notice is meant to address our obligations under Canada’s Personal Information Protection and Electronic Documents Act (“PIPEDA”).

4.2 WHAT DO WE DO WITH PERSONAL INFORMATION UNDER PIPEDA?

(a) Personal Information. Your personal information includes basic information such as your name and address. By using this Site and our Services, you are giving your consent to the collection, use, and disclosure of personal information when you provide this information to us.

(b) Collection of Personal Information Under PIPEDA. When we collect information, it is typically related to your membership, payment of Fees and Donations, and/or Services we are providing. We may collect, use and exchange personal information regarding membership in WFO, payment of Fees and Donations, and delivery of Services, or while users are browsing our Site, or using our Services. One reason we may do this is to assess risk. We also may collect, use and exchange personal information to detect and report fraud. If you deny us collection of your personal information, we cannot guarantee that we can still provide you with Services.

(c) Use of Personal Information Under PIPEDA. We use personal information consistent with your consent, our privacy policy, and the law. Sometimes, we may also obtain your data from third parties, and to do that these third parties must have proper consent to the use and disclosure your personal information. If you wish to remove your consent or opt-out, please email at [\[insert email address\]](#) with the subject line “Canada Privacy Policy.” If such a request is received by us, we will use our best efforts to honor that request and to not use your personal information to make offers of additional products and services.

(d) Retention and Accuracy of Personal Information Under PIPEDA. Personal information is kept only for so long as is required, in accordance with our records retention policy and legal and regulatory requirements. If personal information is no longer required, we may destroy it. However, the law may require that we need to keep this information. In that case, we will not destroy it.

(e) Protection of Personal Information Under PIPEDA. We typically receive personal information when you enroll as a member, make a Donation, use our Services, or sign up to be a user on our Site. We create an electronic file for the purpose of delivering our Services to you. We take precautions to secure your personal information.

(f) Disclosure of Personal Information Under PIPEDA. We may disclose personal information to our employees, agents, contractors, partners, and service providers. We also share information to combat fraud, where permitted or required by law, or at the request of government regulators. We do not as of the

date of this policy sell our member or donor lists, but we may share or sell these lists in the future to other organizations for marketing purposes. We do ask these other parties to comply with PIPEDA in relation to their use of personal information.

(g) *Contacting Us Under PIPEDA.* If you want to know how we use your personal information, to remove your consent, or opt-out, please email [\[insert email address\]](#) with the subject line “Canada Privacy Policy.” You may also contact us via mail:

Western Field Ornithologists, Inc.
793A East Foothill Blvd., #134
San Luis Obispo, California 93405

Please note that this privacy policy for Canada may be amended from time to time.

5. VISITORS TO THE SITE AND PURCHASERS FROM THE EEA AND UK

5.1 **INTRODUCTION.** Section 5 applies only to natural persons residing in the European Economic Area (EEA) and the United Kingdom (UK), and for the purpose of this section only, “you” or “your” shall be limited accordingly. It is WFO’s policy to comply with the EEA’s General Data Protection Regulation (EU Regulation 2016/679) (“GDPR”).

5.2 **WHAT PERSONAL INFORMATION DO WE COLLECT.** We may collect some or all of the following personal data, without limitation (this may vary according to your relationship with us): name, date of birth, gender identity, address, email address, telephone number, occupation, and payment/billing information.

5.3 **HOW WE USE YOUR PERSONAL INFORMATION.** Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for your membership with WFO, a Donation, provision of Services to you, or because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used by us for the following purposes: (a) providing and managing Services we provide to you, such as membership; (b) communicating with you, including responding to emails or calls from you; (c) supplying you with information that you have opted-in to (you may unsubscribe or opt-out at any time in accordance with our Terms of Use). We will not keep your personal data for any longer than is necessary for legal or operational reasons.

5.4 **YOUR RIGHTS.** Under certain circumstances, by applicable Data Privacy Law, you may have the right to:

- Opt out of non-essential cookies.
- Be informed about our collection and use of your personal data. This policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions.
- Request information about whether we hold personal information about you and, if so, what that information is and why we are holding or processing it.
- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of your personal information. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Be forgotten. This enables you to ask us to delete or dispose of any of your personal data that we have.

- Restrict (i.e., prevent) the processing of your personal data.
- Object to us using your personal data for a particular purpose.
- Prohibit the use of your personal data for automated decision-making or profiling. We do not use your personal data in this way.
- Request transfer of your personal information in an electronic and structured form to you or to another party (commonly known as a right to “data portability”). This enables you to take your data from us in an electronically useable format and to be able to transfer your data to another party in an electronically usable format.
- Withdraw consent. In the limited circumstances where you may have provided your consent to collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes to which you originally agreed, unless we have another proper and legitimate basis for doing so.

5.3 ACCESS TO YOUR PERSONAL DATA. If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it. This is known as a “subject access request”. If you wish to exercise your rights related to personal data (including the rights set forth above), please contact us. All subject access requests should be made in writing and sent to the address shown below. While you will generally not be required to pay a fee to access your personal data or to exercise any of your other statutory rights, we may charge a reasonable fee if your request for access is “manifestly unfounded or excessive”, or where permitted by applicable Data Privacy Law. We will respond to your request within one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three (3) months from the date we receive your request. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it, and to prevent unauthorized modification of your personal information. You also have the right to file a complaint with the relevant data protection authorities in your territory. To contact us with respect to your personal information, please send an email to [\[insert email address\]](#), Attention: Data Protection Officer, with the subject line “EEA and UK Privacy Policy.”

- 6. CONTACT INFORMATION.** We welcome questions and comments about this Privacy Policy and our privacy practices. If we receive a complaint from you about how we have handled your Personal Data, we will investigate and determine what action we should take to resolve the complaint. We will contact you within a reasonable time and may request more information to assist with our investigation. We aim to resolve all complaints in a timely manner. If you wish to provide feedback or have questions or concerns, please contact us at the following email address: [\[insert email address\]](#).

or you may also contact us at:

Western Field Ornithologists, Inc.
793A East Foothill Blvd., #134
San Luis Obispo, California 93405

Per the CCPA requirements, the following toll-free number has been provided and may be only used for data request purposes (customer support, billing, or other non-data requests cannot be answered on this number and such inquiries are referred to customer support at [\[insert email address\]](#)):

Phone: +1-866-531-3150

- 7. NEVADA USERS.** Nevada residents have the right to opt out of the sale of certain “covered information” collected by operators of websites or online services. We currently do not sell covered information, as “sale” is defined by such law, and we don’t have plans to sell this information. However, if you would like to be notified if we decide in the future to sell personal information covered by the Nevada law, you can provide us with your name and email address at [\[insert email address\]](#). You are responsible for updating any change in your email address by the same method and we are not obligated to cross-reference other emails you may have otherwise provided us for other purposes. We will maintain this information and contact you if our plans change. At that time, we will create a process for verifying your identity and providing an opportunity to verified consumers to complete their opt-out. Please become familiar with our data practices as set forth in this Privacy Policy. We may share your data as explained in this Privacy Policy, such as to enhance your experiences and our Services, and those activities will be unaffected by a Nevada do not sell request.
- 8. LOCATION OF DATA.** WFO is based in the United States. We provide Services globally using computer systems, servers, and databases located in the U.S. and other countries. When you use our services from outside of the U.S., your information may be transferred to and processed in the U.S. Please note that U.S. data and privacy laws may not be as comprehensive as those in your country. Residents of certain countries or states within the U.S. may be subject to additional protections, as set forth above, without limitation.
- 9. CHANGES TO THIS PRIVACY POLICY.** We may change this Privacy Policy from time to time as necessary to reflect changing legal, regulatory or operational requirements at any time in our sole discretion by posting an updated Privacy Policy on the Site. All such changes are effective immediately when posted to the Site. Upon making revisions, we will change the “Last Updated” date at the beginning of this Privacy Policy.