



Montessori Origins Foundation

Data Privacy Policy (Dec 12, 2022)

## Respecting your privacy

This Website is owned and operated by the Montessori Origins Foundation (“MOF”, “we”, “us” or “our”). We recognize that visitors to our site may be concerned about the information they provide to us, online or otherwise, and how we treat that information. This Privacy Policy addresses those concerns.

The MOF respects the privacy of all our supporters, whether donors, members of our mailing lists, or visitors to our Website. Should you have questions regarding our Privacy Policy, you may contact us at: **[donorservices@montessoriorigins.org](mailto:donorservices@montessoriorigins.org)**.

## Information collected by the MOF

On our Website we do not collect personally identifiable information from individuals unless they provide it to us voluntarily and knowingly. This means we do not require you to register or provide information to us in order to view our site. The MOF only gathers personally identifiable information, such as names, addresses, zip/postal codes, email addresses, etc., when voluntarily submitted by a visitor. For example, personally identifiable information may be collected in order to respond to a stated desire to apply for a position, volunteer time to the MOF, make a donation or sign up to be part of an MOF mailing list.

As with most other Internet sites, our web server automatically recognizes certain information about your device when you visit our Website. This information includes your browser type and operating system; web pages on our Website that you view; links you click; your device’s IP address; the length of time you visit our Website; and the referring URL, or the webpage that led you to our Website. We use the information we automatically collect to help diagnose problems with our server, to improve the content of our Website, and for our online marketing efforts.

We may also share information in the following circumstances:

Business Transfers - If we are or may be acquired by or merged with another organization, including a non-profit or a for-profit entity, if substantially all of our assets are transferred to another organization, or as part of a bankruptcy proceeding, we may transfer the information we have collected about you to the other organization.

In Response to Legal Process - We may disclose the information we collect from you in order to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.

To Protect Us and Others - We may disclose the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms and Conditions or this Policy, or as evidence in litigation in which we is involved.

Aggregate and De-Identified Information - We may share aggregate, anonymous, or de-identified information with other entities for marketing, advertising, research or similar purposes.

#### Opt-out policy

If you supply us with your postal address, email address or phone number, you may receive periodic communications from us with information on our programs and services. If you do not want to receive postal mail, email or phone calls from us in the future, or if you would like us to no longer share your information with other not-for-profit and charitable organizations for their own purposes, please let us know by sending your request via email to **[donorservices@montessoriorigins.org](mailto:donorservices@montessoriorigins.org)**.

#### Exceptions to opt-out policy

The MOF may disclose personal information if compelled by law or a regulatory authority. In addition, we may need to disclose personal information in special cases when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be causing injury or interfering (either intentionally or unintentionally) with the MOF's rights or property, MOF's supporters, or anyone else that could be harmed by such activities.

#### Jurisdiction

Site Directed at United States Visitors - The Website is targeted at and intended for users residing in the United States. Given the global nature of the Internet and MOF's services, the Website may be accessed by users residing outside of the United States. We make no representations or warranties that the Website is appropriate or available for use in countries outside of the United States. Users who choose to access the Website from outside of the United States do so at their

own initiative and are responsible for compliance with any and all local laws and regulations that may apply to such access. If you are located outside of the United States, your Information will be transferred to the United States. By accessing the Website and by submitting your Information, you consent to its transfer and storage in the United States and its use by us as provided for herein.

## Your Rights and Preferences.

We are committed to honoring your right to privacy. With this in mind, it is important that we inform you of certain rights available to you with respect to the Information that you provide to us.

- Right of Access – your right to be informed of and request access to your Information;
- Right to Rectification – your right to request that we amend or update your Information where it is inaccurate or incomplete;
- Right to Erasure – your right to request that we delete your Information;
- Right to Restrict – your right to request that we temporarily or permanently stop processing all or some of your Information;
- Right to Object – your right to object to your Information being processed for direct marketing purposes;
- Right to Data Portability – your right to request a copy of your Information in electronic format and the corresponding right to transmit that Information for use elsewhere; and
- Right not to be Subject to Automated Decision-Making - the right to not be subject to a decision based solely on automated decision making, including profiling, where the decision would have a legal effect on you or produce a similarly significant effect.

It is important that you understand these rights and know that you are free to exercise each of them with respect to your Information. If you wish to exercise any of these rights, please contact us as described below. In your request, please indicate (a) what Information is concerned, and (b) which of the above rights you would like to enforce.

## International Personal Information

If you are located in a country outside the United States and voluntarily submit personal information to us, you thereby consent to the general use of such information as provided in this Privacy Policy and to the transfer of that information to, and/or storage of that information in, the United States. The MOF shall not be liable under any circumstances for damages resulting from use of information collected from visitors to this Website. We note that you are under no obligation to disclose any personal information to the MOF if you do not want to.

The General Data Protection Regulation ('GDPR') is a European Union regulation concerning the use and processing of personal information of individuals located in the European Union. GDPR is

effective as of May 25, 2018. We are committed to processing your information in compliance with the GDPR, as applicable.

We will use reasonable efforts to securely process all personal information in line with the rights specified under the GDPR, in particular those related to the following requests:

- Access to your personal information;
- Correction of the personal information that we hold;
- Deletion of your personal information;
- A restriction of processing of your personal information;
- Transfer of your personal information to another party; or
- Objection to processing of your personal information based on the MOF's legitimate interest (or those of a third party) to use it and there is something about your particular situation that causes you to object to such processing.

We will hold your information and use it as described in this Privacy Policy. We consider that the MOF has a legitimate interest in collecting and processing your information. The MOF responds to the needs of educating underprivileged children and pursuing these aims is not in conflict with your rights. This provides our lawful basis to use your personal information, within the limitations set forth herein.

#### How We Use Your Information

The Information that we collect and that you provide to us is used for our purposes and the purpose for which you provided it, including, without limitation, to support our charitable mission and/or to respond to your requests or correspondence. This provides MOF with a lawful basis to collect and retain your Information and to analyze it so that we can serve you in the best manner possible on our Website through enhanced features and functions and to provide you with useful information, including, without limitation, information from third parties.

#### Limitation of Liability

MOF and its officers, directors, employees, agents, service providers, and licensors (collectively, the "MOF Parties") shall not be liable for any direct, indirect, incidental, special or consequential damages, resulting from the use or the inability to use the Website and services or resulting from any information or services obtained or messages received or transactions entered into through the Website or resulting from unauthorized access to or alteration of your transmissions of data, including but not limited to, damages for loss of profits, use, data or other intangibles, even if we have been advised of the possibility of such damages.

Because some jurisdictions do not allow the exclusion or limitation of liability for consequential or incidental damages, in such states liability is limited to the fullest extent permitted by law.

If you are dissatisfied with any portion of this Website, or with this Policy, your sole and exclusive remedy is to discontinue using this Website.

We will not disclose any personally identifiable information to third parties, except (i) to parties who perform services for us, such as sending you mail or email, web hosting, credit card processing and other similar services; (ii) when we believe that such disclosure is required by law; (iii) to enforce this Policy; (iv) to protect the rights, property, security or safety of MOF, Website users or the public; (v) to respond to an emergency; or (vi) as otherwise stated in this Policy.

#### How we use "cookies"

Visitors should be aware that non-personal information and data may be automatically collected by the MOF's Website through the use of "cookies." Cookies are small text files that a website can use to recognize repeat visitors, facilitate visitors' ongoing access to and use of the site, and allow a site to track usage behavior and compile aggregate data that will facilitate content improvements. Cookies are not programs that come onto a visitor's system and damage files. Generally, cookies work by assigning to the visitor a unique number that has no meaning outside the assigning site. If a visitor does not want information collected through the use of cookies, there is a simple procedure in most browsers that allows the visitor to deny or accept the cookie feature.

We use certain tracking data for several purposes, including, without limitation, for load balancing metrics and to create reports on user demographics and Website traffic patterns. The reports that are generated from tracking data are used for a variety of purposes, including, for example, improving the Website and our services.

#### Analytics and Links to Third-Party Sites

We will not sell your Information or provide it to third parties for our own financial gain. In fact, we only share your Information when such sharing genuinely furthers our charitable mission. Nevertheless, we may employ third party agents or third party service providers to operate the Website and/or to perform functions on our behalf, such as processing donations or store purchases, sending mail and email, and analyzing data or other administrative tasks. These third parties have access to the Information needed to perform their functions. We attempt to limit such third parties to using the Information that is shared with them solely for the purpose of providing such services, however, we cannot be responsible for such third parties' use of Information not in compliance with this Policy. Some of the third parties with whom we work include:

- *MailChimp* – We use MailChimp to efficiently and securely distribute emails to a large list of contacts. Data used in MailChimp is sourced from Kindful CRM (mentioned below) and, therefore, if a Website user provides their contact information via the Website this same Information can be

used in MailChimp. For further details, see MailChimp's Privacy Policy at [Global Privacy Statement | Intuit](#)

- *Google Analytics and Ads* – We use Google Analytics to gather information about how visitors engage with our Website, how many visit, and other general user visitor information. For further details, please see Google Analytics' Privacy Policy at: [How Google uses information from sites or apps that use our services – Privacy & Terms – Google](#)
- *Social Media Widgets* – Our Website includes social media features such as the Facebook “Like” button and Twitter “Follow” button. These features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. These social media features are either hosted by a Third Party or hosted directly on our Website. Your interactions with these features are governed by the Privacy Policy of the social media company providing such services.
- *Kindful CRM* – We use Kindful CRM for data management, reporting and mass marketing. When you use the forms on our Website – such as to receive emails from us, contact us, or to donate, Kindful CRM collects that data. This can include basic contact information, preferences, giving history, and your interactions and communications with MOF. Other interactions with MOF outside of our Website may also contribute to information recorded in Kindful CRM, such as your attendance at MOF events, supporting MOF on third party giving platforms, and offline giving. For further details, please see Kindful CRM's Privacy Policy at: [Kindful Privacy Policy](#).
- *Classy* – We use Classy for fundraising, event ticketing and direct donations. Classy collects basic contact information, and billing and credit card information submitted by donors. This data is also shared with MOF and stored in our secure Kindful CRM database to help us manage your relationship and gifts to MOF and to communicate with you. For further details, please see Classy's Privacy Policy at: [Privacy Policy - Classy](#).
- *Other Donation Processing Vendors* – We may use various other third-parties to process donations to our charitable mission. Data collected by these vendors is sent to our secure Kindful CRM database to help us manage our relationship with our supporters. For further details, please contact us at the number and/ or address at the end of this document.
- We cannot control or be held responsible for third parties' privacy practices and content. If you click on a link to a third-party website, any Information that you provide will not be covered by this Policy. Please read any applicable privacy policies of the third-party website to find out how they collect and process your Information.

#### By using the MOF's Website

You signify your agreement to this Privacy Policy. Further, your continued use of our Website following the posting of changes to this Privacy Policy will mean you accept those changes. However, you are under no obligation to disclose any personal information to the MOF if you do not want to. If you are not comfortable with MOF's uses of your personal information, you may always choose to opt out or decide not to use those Website services or features that require your personal information.

## Children's privacy

Children Under the Age of 13. We are pleased when young people visit the Website to learn about MOF and how they can help. We are also concerned about the privacy protection of children who access the Internet, and we comply with the Children's Online Privacy Protection Act (COPPA). Accordingly, the Website is not intended for use by anyone under the age of 13 without the supervision of a parent or guardian, and we do not knowingly collect personally identifiable information from anyone under 13 years of age) without the consent of parent or guardian. If you are under the age of 13 (or otherwise under the applicable age limit of your country), please do not submit any personally identifiable information to us. You may rely on your parent or guardian to assist you. If you are a parent of a child under the applicable age limit for consent in your country and become aware that your child has provided Information to us, please contact us by email at [info@pencilsofpromise.org](mailto:info@pencilsofpromise.org) so that we can either (a) gain your consent to the collection of the Information or (b) receive your instructions to delete the Information. If we learn that we have collected Information from a child without the consent of a parent or guardian, we will take all reasonable steps to delete the Information in the absence of contrary written instruction from such parent or guardian.

*Disclaimers* - We disclaim any responsibility for the deletion, the failure to store, the misdelivery, or the untimely delivery of any information or material submitted to or transmitted through the Website.

*Compliance With Laws* - We reserve the right to disclose any Information to comply with any law, regulation, decree, judgment, order, subpoena or any other governmental order ("Order") without any obligation to contest or verify the accuracy of such Order.

*Waiver of Jury Trial* - THE PARTIES HEREBY IRREVOCABLY WAIVE ANY AND ALL RIGHT TO TRIAL BY JURY IN ANY LEGAL PROCEEDING ARISING OUT OF OR RELATING TO THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED HEREBY.

*Injunctive Relief* - You acknowledge that any use of the Website except as expressly permitted by this Policy will cause irreparable injury for which monetary damages would not be sufficient, and you consent to entry of immediate and permanent injunctive relief with respect to such unauthorized use.

*Indemnification* - By utilizing the Website and/or submitting Your Content, you agree to indemnify, defend and hold the MOF Parties harmless from and against any and all liability, losses, costs, and expenses (including attorneys' fees) incurred by any MOF Party in connection with any claim, including, but not limited to, claims for defamation, violation of rights of publicity and/or privacy, copyright infringement, or trademark infringement arising out of your use of the Website; any use or alleged use of your accounts or your passwords by any person, whether or not authorized by you; Your Content; your connection to the Website; your violation of this Policy; or your violation of the rights of

any other person or entity.

*We reserve the right* - at our own expense, to assume the exclusive defense and control of any matter for which you are required to indemnify us, and you agree to cooperate with our defense of these claims.

*Termination* - MOF may suspend or terminate any user's access to all or part of the Website without notice or recourse, for any conduct that MOF, in its sole discretion, believes is in violation of any applicable law or of this Policy or is harmful to the interests of another user, a service provider, MOF or its affiliates.

*Governing Law* - By visiting or using the Website and/or by submitting Your Content, you agree that the laws of the State of California, without regard to principles of conflicts of law, will govern this Policy and any dispute of any sort that might arise between you and MOF. You agree that any action at law or in equity that arises out of or relates to any use of the Website will be filed only in the state or federal courts located in San Francisco County and you hereby consent and submit to the personal jurisdiction of such courts for the purposes of litigating any such action.

#### Changes to Privacy Policy

The MOF may revise this Privacy Policy from time to time without advance notice. Accordingly, we recommend that you check for updates to this Privacy Policy on an ongoing basis. Changes were last made to this Privacy Policy on December 12, 2022.

If you have any questions about this Privacy Policy, please contact:

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