



## **Birch Aquarium Membership Program Privacy Practices**

UC San Diego and the Birch Aquarium at Scripps care about your privacy. Please read below to see how we use – or process – data collected online, by phone, mail or in person and how we protect your privacy. We aim to be clear when we collect personal information and not do anything you would not reasonably expect.

### Data we process:

- All membership payment information directly from you, including your contact information, payment form (credit card or check information), payment amount (including additional donations)
- Survey responses directly from you
- Cookies, logs, and device data
- **NOTE:** We do not collect any personal information pertaining to minors.

### How we use your identifiable data:

- To process payments and provide membership cards.
- To provide technical support
- To contact you for questions regarding your membership or to call back when you leave a message
- To provide you with email news, announcements, and marketing communications
- In the event of an emergency
- To handle complaints

### Others who process identifiable data:

- Convergence.net-our database vendor
- c.i. partners-our mail house for mailing of membership renewals
- MailChimp Email Communication Service
- University of California San Diego Gift Processing Department

### How we protect your data:

- Using appropriate technical, administrative, and physical safeguards
- Limiting access to your information
- Providing privacy and security training for employees
- Confirming that third party vendors have their own protections in place

### Your rights:

- See and correct the information we hold about you
- Opt out of renewal mailing list and marketing communications
- Delete some of the information we hold
- Transfer your data to another service
- Complain about us

Our contacts:

For more detailed information, please read our full statement below.

University of California San Diego (“UC San Diego”) and the Birch Aquarium know you care about the privacy and confidentiality of your information. We are committed to protecting your privacy, and Birch Aquarium memberships are designed to reflect our compliance with applicable legal requirements, including those of the EU General Data Protection Regulation (“GDPR”).

We take protecting your privacy very seriously. Please read the following to learn more about how we treat the information we collect at Birch Aquarium.

### **Who we are and what we do:**

The Birch Aquarium at Scripps (“Birch Aquarium”) is the public exploration center for the world-renowned Scripps Institution of Oceanography at University of California San Diego. Birch Aquarium administers a membership program that provides admission to the Aquarium year-round and supports Aquarium operations. For purposes of the General Data Protection Regulation (“GDPR”), the data controller is the Regents of the University of California, with a location at 2300 Expedition Way, La Jolla, California 92037.

### **What these Privacy Practices apply to:**

These Privacy Practices apply to visitors, members, prospective members, and donors when they interact with Birch Aquarium or our websites. They do not apply to the information practices or services offered by other organizations or individuals (“Third Parties”), including service providers, advertisers, sponsors and others linked to our website.

### **Key Terms:**

**Membership Program data:** Membership Program data is personal data that we gather online, by phone, by mail or in person as part of the membership program. It includes the following: name(s), mailing address, billing address, email address, phone number, preferred mode of contact, payment process and amount including any add on donations and IP address.

**Identifiable data:** Any data that can be used to identify, contact, or locate an individual, either alone or combined with other easily accessible sources.

**Anonymized data:** Data that does not identify a specific individual; that is, data from which all identifiers, such as name, email address, date of birth, phone number, have been removed.

### **The personal information we process:**

As part of your membership to the Birch Aquarium, we process certain personal information about you in order to complete the membership process and fulfillment. We will obtain information in the following ways:

- Information you provide:

- a. New, Renewal, Gift Membership Purchase:

- When you purchase a new membership, gift membership or renew your current membership, we collect personal information about you. UC San Diego has contracted with Convergence.net to provide a platform to collect your name, email address, phone number, mailing and billing address, preferred mode of contact, and payment

information. Birch Aquarium does not store any credit or debit card details. Payments are handled by a PCI-DSS compliant vendor.

b. Surveys - We may periodically send you surveys to gather additional information about your experience with the Aquarium and the value of your membership. Surveys are always voluntary.

- Information we collect automatically:

- a. Web browser cookies, logs, and device data

As is true of most other websites and platforms, we collect information about your device and browser whenever you interact with the Birch Aquarium website.

1. Our website may use “cookies” to enhance your experience. Your web browser places cookies on your hard drive for record-keeping purposes and sometimes to track information about you. Information may include the browser name, the type of computer, the region or location where your computer or device is accessing the internet, and technical information about your means of connection to our website, such as the operating system and the Internet service providers utilized and other similar information.
  - a. **Essential cookies:** These cookies are essential for enabling user movement around our website and providing access to features such as your profile and purchases, UC San Diego-only resources, and other secure areas of the website.
  - b. **Analytics cookies:** We use Google Analytics cookies to collect information about how visitors use our website. These cookies collect information in the aggregate to give us insight into how our website is being used. We anonymize IP addresses in Google Analytics, and the anonymized data is transmitted to and stored by Google on servers in the United States. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google’s behalf. Google will not associate your IP address with any other data held by Google.
  - c. **Marketing cookies:** We also use a marketing database management program that deploys a cookie when a user interacts with a marketing communication, such as a marketing email or a marketing-based landing page on our website. This cookie collects personal information such as your name, which pages you visit on our website, your history arriving at our website, your purchases from our website, and the like. Collected information is used to evaluate the effectiveness of our marketing campaigns or to provide better targeting for marketing.
2. Our traffic tools log information about your browser, your IP address, the pages you visit on our website, the duration of your visit, and the documents or forms you use or download.
3. In addition to log and cookie data, we also collect information about the device you’re using to access the Birch Aquarium services, including what type of device it is, what operating system you are using, device settings, unique device identifiers and crash data. Whether we collect some or all of this information often depends on what type of device you are using and its settings. For example, different types of information are available depending on whether you are using a Mac or a PC, or an iPhone or Android phone. To learn more about what information your device makes available to us, please also check the policies of your device manufacturer or software provider.

### **Why and how we use your personal information:**

We will only use your Membership Program data as described below or as required or permitted by law. We will use your data primarily for the purpose of administering the Membership Program for which you joined. Your personally identifiable data are accessible only by the staff of the Birch Aquarium, their university-approved partners or vendors, and the IT personnel that maintain the data and websites.

We will use your data for the following purposes:

1. To deliver and administer the membership program. This is generally required under the agreement we have with you once you join or renew;
2. To process your payments and donations. This is generally required to process a transaction requested by you;
3. To manage direct mail of renewal notices through our vendor c.i. partners. We will generally only do this where it is in our legitimate interest and where you have not objected or withdrawn any prior consent given.
4. To provide you with technical support. This is generally required to process a transaction requested by you;
5. To provide you with information regarding Birch Aquarium events and initiatives. We will generally only do this where it is in our legitimate interest and where you have not objected or withdrawn any prior consent given;
6. To enable us to contact you if there is a question regarding your membership. This is generally required under the agreement we have with you once you join or renew;
7. To process and handle any complaints or inquiries made by you or legally on your behalf. We do this because it is in our legitimate interest as part of the services Birch Aquarium offers to you;
8. When required or permitted by law, to disclose Membership Program data to authorities who can request this information by law that is binding on UC San Diego;
9. To assess or appraise our process for administering the membership program. It is in our legitimate interest to understand and improve our processes;
10. To improve website/application functionality, improve content, monitor website/application performance, and answer specific questions about the usage and performance of the site/app;
11. To compile statistics and conduct research for internal and statutory reporting purposes. It is in our legitimate interest to understand, improve, and report on our programs;
12. To solicit feedback about the program. It is in our legitimate interest to continuously improve our programs;
13. We will only use social media and other Birch Aquarium marketing when it is in our legitimate interest and where you have not objected or withdrawn any prior consent given.

When used for purposes (8) through (12), Membership Program data may be combined with data provided by other UC San Diego departments, analyzed in aggregated format, and reported both to groups and individuals within UC San Diego and to outside groups for research, educational, and publication purposes. No identifiable information from you will be contained in the reports. As part of our quality control process, your data will be checked for accuracy and corrected when necessary.

### **Information We Share with Third Parties and Transfers to Other Countries**

UC San Diego uses approved third-party vendors and IT services for video conferencing, document storage, and processing of Membership data for the purposes identified above. Birch Aquarium shares your Membership Program data with our approved third-party vendor who provides services on our behalf. We use the following approved third parties for our Membership Program:

- a. Convergence.net-our database vendor

- b. c.i. partners-our mail house for mailing of membership renewals
- c. MailChimp Email Communication Service
- d. University of California San Diego Gift Processing Department

Please review their privacy policies for additional information.

We may also need to share your Membership Program data as required to respond to lawful requests and legal process; to protect our rights and property and those of our agents and others, including to enforce our agreements and policies; and in an emergency, to protect UC and the safety of our students, faculty and staff or any third party. UC San Diego and Birch Aquarium will never sell or license your information for marketing or commercial purposes. We will not share your information for other purposes, except with your prior consent, as required or permitted by law, or to investigate a violation of law or policy.

If your personal data is shared with a third party, UC will require that the third party use appropriate measures to protect the confidentiality and security of your data.

### **How We Protect Personal Information**

Birch Aquarium is committed to protecting the security of your personal information. We maintain technical, physical, and administrative safeguards to protect the security, integrity, and privacy of personal data, including the following practices:

- a) storing information we collect on computer systems located in controlled facilities with limited access;
- b) protecting the transmission of your information over the Internet, through the use of encryption, such as the Secure Socket Layer (SSL) protocol;
- c) using a variety of security technologies and procedures to help protect your personal information from unauthorized access, use, or disclosures; and
- d) limiting access to data to only authorized personnel.

We endeavor to protect the privacy of the personal information we hold in our records, but we cannot guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of your personal information.

The Birch Aquarium website contains links to additional programs and websites associated with UC San Diego. When following a link to another website, you should read that website's privacy policy or consent form and make sure that you agree with it and can accept it.

### **International Transfer of Your Data**

For members from the European Union/European Economic Area: In order to fulfill the intended processing purposes described above, your Membership Program data will be transferred internationally, including outside of the European Economic Area (EEA), specifically to the United States, which does not protect personal data in the same way that it is protected in the EEA. UC will undertake appropriate measures to ensure adequate protection of Membership Program data, including utilizing appropriate physical, administrative, and technical safeguards to protect Membership Program data, as well as executing standard contractual clauses approved by the European Commission or a supervisory authority under GDPR, or obtaining your consent, where appropriate.

### **How Long We Keep Your Identifiable Data**

Any physical forms of your Membership Program data will be securely retained for 2 years and then destroyed. Any digital forms of your Membership Program data securely retained through the existence of the Birch Aquarium.

Information about how long different types of information are retained by UC San Diego is published at: <https://www.ucop.edu/information-technology-services/services/system-wide-it-services/uc-records-retention-schedule.html>

## **Knowing Your Choices and Rights**

You may choose not to visit or use the Birch Aquarium website or interact with the Birch Aquarium membership program. If you choose not to use the Birch Aquarium third party service providers you will be unable to participate in the Membership Program. You may choose to set your web browser to refuse cookies, or to alert you when cookies are being sent. If you choose to reject cookies, some parts of the website may not function properly.

You have a right to:

- Access your Membership Program data , as well as information relating to the recipients of Membership Program data, the purposes of processing Membership Program data, the duration for which the Membership Program data will be stored, and the source of Membership Program data that has not been provided by you;
- Rectify or correct inaccurate or incomplete Membership Program data concerning you, taking into account the purposes of the processing, and the right to have incomplete Membership Program data completed;
- Move your Membership Program data to another controller or processor. UC will facilitate the lawful transfer of your data to the extent possible;
- Have your Membership Program data erased in certain circumstances;
- Restrict the processing of your Membership Program data in certain circumstances;
- Object to the processing of Membership Program data in certain circumstances;
- Withdraw your consent to the processing of your Membership Program data. The withdrawal does not affect the lawfulness of processing based on your consent before its withdrawal.
- Know whether your or your Membership Program data are being used for automated decision-making, including profiling. In those cases, UC will give you meaningful information about the logic involved, the significance and the envisaged consequences of such processing for your data, and the right to request human intervention; and
- Lodge a complaint with a supervisory authority.

UC may be obligated to retain Membership Program Data as required by U.S. federal or state law. If you wish to exercise your rights, you can contact the UC San Diego Campus Privacy Officer identified below. You may exercise your rights and submit any questions or concerns using the procedure under “Contacting Us.”

Please do not include any personally identifiable or other sensitive information in an email or voicemail message.

## **Changes to this Privacy Policy**

This Privacy Policy will be updated periodically to reflect any material changes in our programs and practices. These changes will be evident by inserting a new “Effective Date” (see below) and are effective when they are posted to our website at:

<https://aquarium.ucsd.edu/get-involved/membership/membership-faqs>. Treatment of information we collect now is subject to the version of the Privacy Policy in effect at the time such information is collected. In addition, changes to how we treat your information will be communicated to you directly.

## **Contacting Us**

If you have any general questions about how your personal information is used by the Birch Aquarium or wish to exercise any of your rights, please contact the Membership team by email at

[agmmembership@ucsd.edu](mailto:agmmembership@ucsd.edu) or call us at 858-534-5771 or contact the UC San Diego Privacy Officer at [UCSDPrivacy@ucsd.edu](mailto:UCSDPrivacy@ucsd.edu) .

**Effective Date**

This policy is effective as of 2/1/2021.