

# **NMHC Privacy Policy**

## **Introduction**

The New Mexico Humanities Council (NMHC) takes the privacy of our constituents seriously and wants people of all ages to feel comfortable participating in our programs. This privacy policy deals with personally-identifiable information (referred to as “data” below) that may be collected. This policy does not apply to other entities that are not owned or controlled by NMHC, nor to persons that are not employees or agents of NMHC.

## **Definitions**

Personal data: any data that could be used to identify an individual, including but not limited to names, any contact information, birthdates, and photographs.

Consent: If an individual over the age of 13 supplies personal data on themselves or on their minor child to the Council, electronically or in person, that constitutes consent for the Council's use of personal data.

DPO - Data Protection Officer, responsible for compliance with applicable laws and regulations, as well as best practices on data security.

HIPAA - Health Insurance Portability and Accountability Act of 1996, which outlines specific rules for handling personal data relating to health care.

COPPA - Children's Online Privacy Protection Act (COPPA) of 1998, which governs the collection and use of the personal data of minor children.

GDPR - General Data Protection Regulation 2016/679 regulates data protection and privacy for all individuals within the European Union and the European Economic Area, even if the service provider lies outside the EU. Although it is unlikely that NMHC is subject to this regulation, it is now considered the gold standard for conscientious handling of personal data.

## **1. Collection of data**

Data collected is used to answer questions, keep in touch with constituents, for program registration purposes and for product marketing and fundraising that benefit NMHC. As on many websites, the NMHC site may also automatically receive general information that is contained in server log files, such as your IP address and cookie information.

With consent, we collect and retain personal data from our staff, board members, partners, project directors, grant applicants, participants in our programs, and users of our online properties, including our website, newsletter subscription service, and social media pages.

## **Collecting Personal Data from Minors**

NMHC recognizes that while minor children can give assent to the use of their personal data, unemancipated minors under the age of 17 years can not give legal consent to the use of their data, and we require parental consent for use for all data collected from constituents under the age of 18.

NMHC respects the privacy of both children and their parents and do not collect any more personal information than reasonably necessary to enable them to participate in the activities of NMHC sponsored National History Day (NHD) activities. We offer online registration for contests via a third party service, ZFairs, and retain a privacy policy from that company. With respect to our online information collection practices regarding children (and, specifically for the purposes of COPPA compliance, children under 13 years of age), NMHC collects the following types of personal information directly from children registering online in order to participate in our program:

- First and last name
- School
- Home or physical address including street name and name of a town
- Telephone number
- E-mail address
- Username, password, registrant type identification number and contest identification number (which are held in a cookie on the registrant's computer)
- Information about a child's parents or guardians

## **Parental Review**

Parents can review the information that we have collected from their children online, prevent the further use or maintenance of such information, or request the deletion of their children's personal information by:

- Calling us at the telephone number provided above
- E-mailing us at the above address
- Writing to us at the above address
- Contacting us via the appropriate contact links on our website at [NMHumanities.org](http://NMHumanities.org)

## **2. Use of Data**

Data may be used to customize and improve your user experience on the NMHC website, particularly the grant application and the online Atlas. In the event you choose to use links that appear on the NMHC website to visit other websites (such as NHD registration or Google forms), you are advised to read the privacy policies that appear on those websites.

## **Use of Data Collected From Minors**

The information we collect from children is used:

- For fulfillment of a requested transaction

- For record keeping related to the conduct of the NHD events
- To respond to children's specific requests related to activities such as:
  - Registration for History Day contest(s)
  - Participation in an NHD program
  - Travel to an NHD program (e.g. National contest)

### **3. Securing and Retaining Personal Data**

The NMHC DPO assumes responsibility for securing this data, whether it exists in print or electronic formats; and securely destroying the data when it is determined to no longer be of use. The NMHC retains personal data records for a minimum of three years. The DPO also serves as the point of contact for individuals wishing to know what personal data we are collecting and retaining on them; to destroy records of personal data; or to suppress the processing of specific personal data.

Personal data relating to health care (such as emergency medical forms required for travel, or requests made in relation to Individualized Education Plans) will be retained for the duration of the travel or program, then destroyed. Medical information for adults will be kept sealed unless there is a medical emergency where the adult can not give consent for treatment. All medical records, for minor children and adults, will be handled in compliance with HIPAA and with COPPA.

### **4. Sharing Personal Data**

Some personal data can not be destroyed pursuant to the Federal Records Act, and indeed is available to any member of the public making a FOIA request to the NEH. This could include personal data relating to any awards made that were funded by the NEH Operating Grant. Materials relating to projects funded through our re grants program will be retained in the archives of UNM's Center for Southwest Research. This may include personal data for project directors, evaluators, fiscal agents, and scholars working on the program, as well as any related materials on participants (e.g. participants in oral or documentary history projects). Other exceptions include information NMHC is required to make public, such as the names of our past and current board members.

### **Third party handling of data**

NMHC stores or shares some personal data with third party services (including CrashPlan Pro, Constant Contact and ZFairs) and also collects personal data, with consent, through some third

party services (ZFairs, PayPal). Review of these services' policies affirms a commitment to privacy that meets our own standards. NMHC keeps all current third party privacy statements on file and these are available on request.

NMHC will not share your information with third parties unless your consent is obtained, such as when you choose to opt-in or opt-out from the sharing of data; however NMHC may be required to share information pursuant to a law enforcement request. NMHC will never sell your personal data.

### **Sharing Minors' Personal Data**

NMHC does not allow outside organizations to use personal information NMHC collects, except as noted herein.

With respect to sharing information, no other party has access to a child's personal information beyond those who may be entering the registration information (e.g., parents, teachers, counselors, etc.); organizations that provide scholarships and special awards; and those who provide technical support for the internal operations of the NMHC website or the NHD registration website. All third parties with whom NMHC shares information have agreed to maintain the security and integrity of such personal information.

We do share general information about NHD contest winners, including student name, school, teacher name, entry title, division, and category, with news media in the form of a press release announcing winners. During online registration, we do ask for permission to release the student's image and/or voice for the purpose of announcing the contest results to the media and/or for use in educational materials and media produced by NMHC. We do not share student contact information with local media or sponsors but will pass media contact info on to relevant parents or guardians.

Please note that parents may consent to the above collection and use without necessarily consenting to the disclosure of personal information to third parties. If you have concerns about NMHC sharing your minor child's data (e.g. in a press release), please send us a written request by email or mail.

## **5. Editing or deleting your account information**

When you register for in NMHC forums, webinars, hangouts, conferences or other online services, we may collect personal information. Some of the third party services we use, as well as account management in our official website, provide you with the ability to edit the information in your user account that you created during registration. You may request deletion of your user account by contacting [webmistress@NMHumanities.org](mailto:webmistress@NMHumanities.org).

Content or other information that you may have provided, and that is not contained within your user account, such as grant applications or comments on social media, may remain available even though your information is deleted.

You may also request a review of your personal data, the suppression of processing of personal data (e.g. adding your name to our mailing list), or destruction of personal data. If we are not able to fully comply with requests for destruction, due to federal regulations regarding data retention or other factors, we will notify you of what steps we have been able to take to destroy records of your personal data.

In case of a data breach (of our online properties or of third party services holding your personal data), NMHC will take necessary steps to re-secure your personal data, then make every effort to communicate with account holders to notify them in a timely manner of the breach.

## **6. Changes to this privacy policy**

Changes may be made to this policy from time to time. Please check this privacy policy periodically for all updates.

## **7. No Guarantees**

While this privacy policy states standards for maintenance of data, and while efforts will be made to meet the said standards, NMHC is not in a position to guarantee compliance with these standards. There may be factors beyond NMHC's control that may result in disclosure of data. Consequently, NMHC offers no warranties or representations regarding maintenance or nondisclosure of data.

## **8. Contact information**

If you have any questions about this policy or this website, contact [webmistress@NMHumanities.org](mailto:webmistress@NMHumanities.org). This is the official website of NMHC. Our postal address is: 4115 Silver Avenue SE, Albuquerque, NM 87108. Our telephone number is (505) 633-7370.