

## Privacy Policy for Data Collected by Blue State Digital's Clients

Blue State Digital LLC. ("**Blue State Digital**", "**BSD**" or "**we**") provides various services to nonprofits and business entities ("**Clients**"), including constituent relationship management ("**CRM**") software, email marketing, fundraising software, content management systems ("**CMS**"), online marketing services and other related professional services. Blue State Digital does not provide or market its services directly to consumers or individuals.

Blue State Digital acts as a data processor on behalf of its Clients. In this capacity, Blue State Digital does not own or have independent rights to control the use of the Personal Data it processes on behalf of its Clients; it acts solely on their instructions. As an agent processing Personal Data under the direction of its Clients, Blue State Digital has no direct relationship with the individuals whose Personal Data it receives. For purposes of this Policy, we call such data "**Constituent Data**."

Blue State Digital works with its Clients who are responsible for providing notice of data processing to their constituents/donors, including information concerning (1) the purposes for which Constituent Data is collected and used; (2) a contact person to whom inquiries or complaints may be directed; (3) the types of third parties to whom Constituent Data is disclosed; and (4) the choices and means that such individuals are offered for limiting use and disclosure of their Personal Data.

### Terms Used in This Policy

"**Constituent Data**" means Personal Data or other data collected directly by Blue State Digital's Clients from individuals who: 1) make donations or who may be interested in making donations to Clients or 2) provide their Personal Data to our Clients either through the use of the Blue State Digital software or by other means and the Client subsequently stores such Personal Data in the Blue State Digital software.

"**Financial Data**" means data containing credit card numbers, bank account information or account information for online payment systems such as Paypal.

"**Personal Data**" means any information relating to an identified or identifiable natural person ("Data Subject"); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

"**Sensitive Personal Data**" means personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and/or concerning health or sex life.

Please click on one of the links below to be directed to any of the following topics:

1. [The treatment of Personal Data Received from the European Union \(EU\)/European Economic Area \(EEA\)](#)
2. [How we use Constituent Data collected by our Clients](#)
3. [Choices about Disclosures of Personal Data](#)
4. [Use of "Cookies" and Other Automated Tools](#)
5. [How to Access or Modify Personal Data Stored in our Database\(s\)](#)
6. [What kind of security procedures are in place to protect the loss, misuse or alteration of Personal Data under our control](#)

## **PERSONAL DATA RECEIVED FROM THE EU/EEA**

Blue State Digital handles Personal Data transferred from the European Economic Area (EEA) in accordance with the U.S.- E.U. Safe Harbor Principles (collectively, the "Principles"). Some of this data is collected via the Client websites created using the Blue State Digital software and some of it is received by Blue State Digital as a result of its provision of services to its Clients. When acting as an agent processing Personal Data under the direction of its Clients, Blue State Digital enters into agreements with its Clients specifying the conditions under which Personal Data received from the EEA can be processed and kept secure.

For information about how we handle data we collect ourselves via our Blue State Digital corporate websites or otherwise, please see ["Blue State Digital Privacy Policy for Data Collected By Blue State Digital."](#)

Blue State Digital complies with the U.S. - E.U. Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use and retention of personal data from the European Union. Information regarding the E.U. Safe Harbor Framework can be found at: <http://export.gov/safeharbor>.

### **Data Not Covered by this Policy**

Please note that certain information, such as human resources/employee information and information collected from visitors to our websites, is subject to different Blue State Digital policies and agreements. For more information about how we handle data we collect ourselves via our Blue State Digital corporate websites or otherwise, please see "Blue State Digital Privacy Policy for Data Collected By Blue State Digital."

### **How We Use Constituent Data Collected by Our Clients**

As an agent acting under the direction of its Clients, in most cases Blue State Digital has no direct relationship with the individuals whose Constituent Data it may receive. Instead, Blue State Digital relies on its Clients to provide notice of data processing to individuals, including information concerning (1) the purposes for which Constituent Data is collected and used; (2) a contact person to whom inquiries or complaints may be directed; (3) the types of third parties to whom Constituent Data is disclosed; and (4) the choices and means that individuals are offered for limiting use and disclosure of their Constituent Data.

In addition, Blue State Digital follows its Clients' instructions with respect to disclosure, processing, transfer and use (if any) of Constituent Data. Thus, the ways in which we process, share or otherwise handle Constituent Data, as well as the purposes for which we process such data, will depend on our agreements with our Clients.

### **Choices about Disclosures of Personal Data**

When we act as an agent for our Clients, we rely on them to inform their constituents and donors about the possibility of disclosures of Constituent Data to third parties or the processing of Constituent Data. Our Clients are legally required to offer individuals the choices of opting out of such disclosures and opting in to the processing of Sensitive Personal Data.

### **Use of "Cookies" and Other Automated Tools**

Our Clients' websites may use cookies to enhance your experience while using their websites. Cookies are pieces of information that can be transferred by a website to computers browsing that website. Cookies

are generally used for record-keeping and analytical purposes. Cookies can make Web surfing easier by performing certain functions such as saving passwords, personal preferences regarding use of a particular website and to make sure the same advertisement does not appear repeatedly. Many people consider the use of cookies to be an industry standard.

If you access one or more of our Clients' websites from the EU, please familiarize yourself with the Client's websites and privacy notices to learn more about their use of cookies.

### Data Integrity

As explained above, Blue State Digital only processes Constituent Data in a way that is compatible with and relevant to the purposes for which it was collected or authorized. In most cases, Blue State Digital's Clients are responsible and best suited for implementing data integrity measures. Blue State Digital nevertheless takes reasonable steps to ensure that Constituent Data in its possession is accurate, complete, current and reliable for its intended use.

### How to Access or Modify Personal Data Stored in our Database(s)

Blue State Digital usually has no direct relationship with the individuals who provide Constituent Data to its Clients. Thus, if you seek access, or if you wish to correct, amend, or delete your Personal Data, you should direct your request to the entity to which you originally provided it.

Nevertheless, if you believe that your Personal Data is stored in our database(s) or otherwise handled by us, and you wish to make corrections or deletions, send an email to [privacy@bluestatedigital.com](mailto:privacy@bluestatedigital.com). We will make efforts to honor such requests, except where there is a significant burden or expense associated with doing so or where others' rights would be violated. We will respond to your access request within 30 days.

### Security

Financial Data transmitted through Blue State Digital's software is transmitted using SSL (Secure Socket Layer) encryption. SSL is a proven coding system that lets your browser automatically encrypt, or scramble, data before you send it to us. Unfortunately, however, no data transmission over the Internet or data storage is 100% secure. Since no data security measures are 100% foolproof, Blue State Digital cannot guarantee the security of data transmitted or stored via our software and systems.

When acting as an agent processing Constituent Data under the direction of its Clients, Blue State Digital may be subject to agreements with such Clients specifying the conditions under which Personal Data received from the EEA should be processed and kept secure.

### Share Page Services

If a Blue State Digital Client elects to use certain functionality in the Blue State Digital software which permits the Client's donors or constituents to inform their friends about the Blue State Digital Client website, the Blue State Digital software is programmed to ask for the friend's name and email address. For any email address collected in this manner, Blue State Digital will automatically send the friend a one-time email inviting them to visit the Blue State Digital Client website. The Blue State Digital software stores this information for the sole purpose of sending this one-time email. Blue State Digital Clients that utilize the aforementioned software functionality are responsible for ensuring that the privacy policies they publish on the website pages which enable such functionality adequately address the aforementioned use.

## Limitations

As set out in the Principles, our adherence to the Principles may be limited to the extent necessary to meet national security, public interest, or law enforcement requirements.

## Enforcement

Blue State Digital uses a self-assessment approach to assure compliance with this Policy and periodically verifies that the Policy is accurate, prominently displayed, implemented and accessible. We encourage interested persons to raise any concerns by contacting us (see contact information below). We will attempt to resolve any complaints and disputes regarding our uses and disclosures of Personal Data.

Blue State Digital participates in the EU Safe Harbor Privacy Framework as set forth by the United States Department of Commerce. As part of our participation in the Safe Harbor Framework, we have agreed to the Better Business Bureau dispute resolution principles for disputes relating to our compliance with such Framework. If you have complaints regarding our compliance with the Safe Harbor you should first contact us at [privacy@bluestatedigital.com](mailto:privacy@bluestatedigital.com).

If contacting us does not resolve your complaint, you may raise your complaint by contacting Council of Better Business Bureaus, Inc. You can file a complaint online at <http://www.bbb.org/us/consumer/european-dispute-resolution/complaint-info/>

For human resources data, we have agreed to cooperate with European Data Protection Authorities.

Any questions, comments or complaints about the data practices (including without limitation compliance with data privacy principles of notice, choice, onward transfer, access, security, data integrity, or enforcement) of a partner for whom Blue State Digital processes data, should be addressed to that customer or partner.

## UK Data Protection Notification

We are notified as a "data controller" in respect of personal data about UK clients whom we collect personal data from in accordance with this Privacy Policy. Under UK law, we are a "data controller" in respect of the personal data about our UK Members but not in respect of personal data about people on your Distribution Lists (where we act as a "data processor"). We are notified with the UK Information Commissioner's Office as a data controller in accordance with this Privacy Policy and our Registration Number is Z3462875.

## Changes to this Policy

This Policy may be amended from time to time, consistent with the requirements of the Safe Harbor Principles. We will post any revised policy on this website and your use of these sites following notice of such change will be deemed acceptance of the revised Privacy Policy, which may include application of the new policy to information provided prior to the date of such change.

## Contacting Us

If you have any questions about this Policy, our information collection practices, or your dealings with Blue State Digital, you can contact:

Blue State Digital  
HR Department  
5 West 20th St, New York, NY 10011  
USA  
Phone: 646.205.1155

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Or you can use our [Contact Form](#) to email us.