

NBCC AND AFFILIATES

DATA PRIVACY POLICY

This Data Privacy Policy (Policy) informs users of NBCC Digital Assets about the collection, use, retention, and disposal of their personal data, including the related practices and processes of the National Board for Certified Counselors (NBCC) and its Affiliates.

Among other purposes, this Policy is intended to comply with the European Union General Data Protection Regulation (GDPR). The intent of the GDPR is to allow (EU) citizens to retain control of their personal data that is utilized and stored by organizations and businesses. This Policy applies to the services provided by NBCC and Affiliates, including the Center for Credentialing & Education (CCE), and the National Board for Certified Counselors Foundation (NBCCF).

NBCC, CCE, NBCCF, (collectively NBCC and Affiliates) each value and honor the rights of users of NBCC Digital Assets to control the use and retention of their personal data. NBCC and Affiliates are committed to protecting the privacy of personal data and minimizing risks of data breaches.

NBCC and Affiliates operate a collection of websites, social media tools, and other digital and non-digital spaces where data may be collected (NBCC Digital Assets). This Policy explains the collection, use, and disclosure of personal data provided to NBCC and Affiliates by users of NBCC Digital Assets. When you submit information to NBCC and Affiliates, or when you use NBCC Digital Assets, you are consenting to the collection, use, and disclosure of that information as described in this Policy.

Purposes of Data Collection.

NBCC and Affiliates collect and process personal data from individuals (Personal Data) only as necessary for conducting legitimate business operations, functions, and activities of each organization as a private, non-profit corporation. Data collected through the interaction of users with NBCC Digital Assets serves to inform NBCC and Affiliates about the user experience and supports efforts to provide users with an experience aligned with the mission of the organization. Data is also collected for the administration and maintenance of examination, certification, educational, training, scholarship, research, and credentialing processes.

Personal Data does not include personal information that has been aggregated or made anonymous such that it can no longer be reasonably associated with a specific person or directly identify an individual. This Policy in no way restricts or limits our collection and use of aggregate information. NBCC and Affiliates may share aggregate data with third parties without limitation.

Related to these and other organizational activities and processes, NBCC and Affiliates collect general demographic data, which is used for statistical research to evaluate the use of programs and to identify appropriate support services and activities. Collected data may also be used to develop and enforce organizational policies, provide appropriate accommodations, and comply with applicable laws and standards. Additionally, information may be shared with third parties

that have entered into contracts with one or more of our organizations to perform functions on behalf of an organization, subject to the obligation of protecting such information from unauthorized disclosure.

Rights of Users of NBCC Digital Assets.

NBCC and Affiliates value the rights of the users of NBCC Digital Assets concerning Personal Data and honor the rights of data subjects. These rights include:

- **Right to Be Informed:** This Policy informs users of NBCC Digital Assets how their Personal Data is being collected, processed, stored and for what purposes. As the owner of Personal Data, you have the right to make decisions about how that data is used.
- **Right of Access:** You have the right to request and access information about the types of Personal Data collected from you, and how the information has been processed and stored. Upon your request, we will advise you whether your Personal Data is being processed. If so, we will provide you with a copy of that Personal Data and, where applicable, the purpose of the processing, the categories of Personal Data collected, who has received the data, and the time period the Personal Data will be stored. If you require additional copies, we may charge a reasonable fee.
- **Right to Rectification/Correction:** If your Personal Data is inaccurate or incomplete, you have the right to have the information corrected or completed upon your request.
- **Right to Erasure:** You may ask us to delete or remove your Personal Data and we will do so. If we have shared your data with other parties, we will advise those parties about the erasure when possible. Upon your request, and if possible and lawful to do so, we will identify those parties with whom we shared your Personal Data so that you can contact them directly.
- **Right to Restrict Processing:** You may ask us to restrict the processing of your Personal Data.
- **Right to Data Portability:** You have the right to request and receive Personal Data previously provided to NBCC and Affiliates. Upon request, we will provide such Personal Data to you in a structured, commonly used, and machine-readable format.
- **Right to Object:** If at any point you would like NBCC and Affiliates to stop processing your Personal Data, you may contact us and we will end further processing provided there is not a compelling, legitimate reason that processing must continue.
- **Rights in Relation to Automated Decision-Making and Profiling:** Currently, our systems do not use automated profiling. If NBCC and Affiliates does automatic profiling

in the future, you will have the right to choose to not to be included in automated profiling.

- **Right to Withdraw Consent:** At any point, you may withdraw your consent for the processing of your Personal Data by written request.
- **Right to Lodge a Complaint:** You have the right to contact the appropriate data protection authority designated to receive concerns if your Personal Data has been processed in a manner that is inconsistent with the GDPR rules and Privacy Shield Privacy Principles.

Personal Data Transferred from the EU or Switzerland to the United States.

NBCC and Affiliates comply with the EU-US Privacy Shield principles and Swiss-US Privacy Shield principles (collectively, Privacy Shield) established and administered by the US Department of Commerce regarding the collection, use, and retention of Personally Identifiable Personal Data received from EU member countries and Switzerland. In recognition of this alignment, NBCC and Affiliates is currently in the process of applying for self-certification by the Department of Commerce for Privacy Shield self-certification. Complaints related to Privacy Shield Principles may be investigated by the Federal Trade Commission and/or the United States Department of Commerce. Conflicts between the terms of this Policy and the Privacy Shield Principles, will be governed by the Privacy Shield Principles. To learn more about the Privacy Shield, please visit the website: www.privacyshield.gov.

Consistent with the Privacy Shield Principles, NBCC and Affiliates commit to resolve complaints about your privacy and our collection or use of your Personal Data within 45 days of receiving your complaint. Within our organization, two contacts are designated as initial contacts relate to Privacy Shield Principles:

Corporate Officer: Richard Goldberg, Chief Legal Officer and General Counsel
rag@ragalaw.com

Organizational Representative: Ryan Hauck, Director
hauck@nbcc.org

Persons from the EU or Switzerland who have inquiries or complaints regarding this Policy should first contact us via email at: hauck@nbcc.org

NBCC and Affiliates have committed to refer unresolved privacy complaints under the Privacy Shield Principles to the alternative dispute resolution provider. If you do not receive acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, you may seek an independent review of the matter.

Personal Data Transferred from the EU to Countries Other than the United States.

In individual cases, your Personal Data may also be processed in countries that may not offer the same level of protection as the country where you first provided the data. However, NBCC and Affiliates will only transfer your Personal Data to a party in such countries if we have a standard

data protection contract term endorsed by the European Commission with the other party that adequately protects your Personal Data.

Personal Data Concerning Children.

NBCC and Affiliates recognize the importance of protecting the privacy and safety of children. Our Digital Assets and services concern, and are published for and directed to, adults only. Such assets and services are not directed towards children, specifically individuals under the age of 16. We do not knowingly collect Personal Data about children.

Third Party Use of Data.

NBCC and Affiliates may disclose or share your Personal Data and other information as follows:

- **Consent:** We may disclose your Personal Data if we have received your consent to do so.
- **Emergency Circumstances:** We may share your Personal Data when necessary to protect your interests, and you are physically or legally incapable of providing consent.
- **Employment Necessity:** We may share your Personal Data when necessary for administering employment or social security benefits in accordance with applicable law or any applicable collective bargaining agreement, subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.
- **Public Personal Data:** We may share your Personal Data if you have made it public.
- **Archiving:** We may share your Personal Data for archival purposes in the public interest, and for historical research and statistical purposes.
- **Performance of a Contract:** We may share your Personal Data when necessary to administer a contract or specific agreement you have with us.
- **Legal Obligation:** We may share your Personal Data when the disclosure is required or permitted by international, federal, and state laws, or government regulations.
- **Service Providers:** We may share your Personal Data with third parties that have an agreement with NBCC and Affiliates subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.

- **Affiliated Programs:** We may share your Personal Data with parties that are affiliated with NBCC and Affiliates for the purpose of contacting you about goods, services, charitable giving, or experiences that may be of interest to you.

Security.

NBCC and Affiliates implement appropriate technical and organizational security measures to protect your Personal Data when received and stored on our information technology systems.

Retention and Destruction of Your Personal Data.

Your Personal Data will be retained by NBCC and Affiliates in accordance with applicable US federal and state laws, and the applicable retention periods in the organization's Records Retention Policy.

Contact Personal Data.

Any questions regarding this Policy, or other privacy issues, will be addressed promptly by the responsible organization. Users of NBCC Digital Assets with questions or feedback regarding the Policy, or the collection, retention and data protections processes used by NBCC and Affiliates should contact: Ryan Hauck, Director, at hauck@nbcc.org.

Updates to this Policy.

NBCC and Affiliates may update or change this Policy at any time. Your continued use of any of the NBCC and Affiliates Digital Assets after any such change indicates your acceptance of these changes.

Consent.

It is important that all users of NBCC Digital Assets understand that the communication of personal data to NBCC and Affiliates is not a contractual obligation, but it is often an essential component in users of NBCC Digital Assets engagement with our services, processes, and systems. We respect your right to direct and determine how your Personal Data is used and stored and we value your engagement in our professional community.

By using NBCC and Affiliates Digital Assets, you consent to the terms and conditions of this Policy and indicate your acknowledgement of your rights relative to your Personal Data.

If you have any questions regarding our policies or procedures, please contact: Ryan Hauck, hauck@nbcc.org.

Date of Approval: March 2019