



PRIVACY POLICY

Last Updated: November 16, 2023

Your privacy is important to us at USA Climbing and its affiliates (collectively “**USA Climbing**,” “**we**,” “**us**,” or “**our**”), and we are committed to safeguarding, preserving, and respecting your privacy rights. This online privacy statement (the “**Statement**” or “**Policy**”) describes how we collect, use, disclose, and secure the personal information we gather about you through our website, <https://usaclimbing.org/> (the “**Site**”), when you participate in our programs, events, or competitions, when you are one of our athletes, coaches, routesetters, volunteers, or donors, and when you otherwise interact with us (collectively, the “**Services**”).

For purposes of this Statement, personal information means data that classifies as personal information, personal data, personally identifiable information, or similar terms under applicable data privacy and security laws and regulations. It does not include data excluded or exempted from those laws and regulations, such as aggregated, anonymized, or deidentified data. Nothing in this Statement will constitute an admission or evidence that any particular data privacy or information security law or regulation applies to USA Climbing generally or in any specific context.

1. You Consent to This Statement

You should read this Statement carefully, so that you understand our privacy practices and our Terms and Conditions. By accessing, browsing, downloading, or otherwise using the Services, you confirm that you have read, understood, and agreed with this Statement. If you do not agree to this Statement, you may not use the Services.

This Statement and the Terms of Use apply regardless of how the Services are accessed and will cover any technologies or devices by which we make the Services available to you.

We may provide you with additional privacy notices where we believe it is appropriate to do so. It is important that you read this Statement together with any other privacy notice or terms we may provide on specific occasions, so that you are fully aware of how and why we are using your data. This Statement supplements these other notices and is not intended to override them.

If you have any questions or concerns about our personal information policies or practices, you can contact us in the methods described in the “Contact Us” section below.

2. What Types of Information Do We Collect?

We collect information you voluntarily provide directly to us, information that we collect automatically when you interact with the Services, and information collected from third parties. The categories of personal information that we collect and the purposes for which we collect that information are described below.

(a) Categories of Personal Information We Collect

The following list describes the categories of personal information we collect.

- Account Information includes first name, last name, email address, password, gender, and date of birth. We collect this information when you provide it directly to us such as signing up for the Services, creating an account through the member portal, or filling out a form.
- Analytics Information. We collect certain analytics information automatically as you navigate our Services. This includes cookies, tracking pixels, tags or similar tools, which may collect information about your browser, device, geolocation, and interactions with the Services, Site, or emails. For more information, please view the **“How Do We Use “Cookies” and Other Tracking Technologies?”** section below.
- Athlete Information. We collect information directly from you about your participation as an athlete. This includes certain health data (for example, we collect medical diagnostic forms and documentation supporting an accommodation from paraclimbing athletes). This may also include disability status, veteran status, gender, and country of citizenship. Additionally, we may collect documentation from transgender athletes relating to the athlete’s transition. We collect this information so that we can provide our Services and so that we may provide accommodations as appropriate. We may also collect an athlete’s Social Security number directly from the athlete if it is necessary for the issuance of competition prize money.
- Contact Information includes name, email address, postal mailing and phone number. We collect this information when you provide it directly to us such as signing up for newsletters or competitions, volunteering, requesting information about USA Climbing services, creating an account, or filling out a form.
- Payment and Commercial Information includes name, address, phone number, third party payment service provider-related information, debit or credit card information, donations, purchase and participation history, or other payment processing information
- Responses to Surveys and Questionnaires includes information you provide to us when you respond to marketing materials, promotions, contests, or other surveys. We collect this information for the purposes of advertising and marketing, analytics and research, and customer service.
- User-Generated Content. If you post, upload, comment, or otherwise submit content on the Services, we may collect certain information about you such as your name and email address and products you may have purchased. Be aware that as a default, any information you post on the Services, including without limitation reviews, comments, and text, may be available to and searchable by all users of the Services.

(b) Other Ways We May Collect, Use, or Share the Information

We may also reserve the right to collect, use, or share personal information for the following purposes:

- To Provide the Services. We will use your personal information to provide the Services, including to improve operations and offerings, and for security purposes.
- To Present the Site. We will use personal information to present our Site and its contents in a suitable and effective manner for you and your device.
- For Legal Purposes. We reserve the right to cooperate with local, provincial, state, federal and international officials in any investigation requiring either personal information or reports about lawful or unlawful user activity on this site. We also reserve the right to share your personal information to establish, exercise, or defend our legal and property rights, including providing information to others

for the purposes of fraud prevention. We may also share your personal information with any person who we reasonably believe may apply to a court or other competent authority for disclosure of that personal information where, in our reasonable opinion, such court or authority would be reasonably likely to order disclosure of that personal information.

- **Business Transactions or Mergers.** We reserve the right to share your personal information to third parties as part of any potential business or asset sale, merger, acquisition, investment, round of funding, or similar type of transaction. Additionally, if we are entering into a corporate transaction with a third party, we may receive personal information in connection with the diligence. If we close a transaction, the third party may transfer personal information, which we would use as described in this Policy.
- **Bankruptcy or Insolvency.** In the event of bankruptcy, insolvency, or dissolution proceedings, we may share your personal information with third parties as part of the sale or reorganization process.
- **Service Providers.** We use service providers to perform various functions on our behalf, including background screening service providers. Such service providers will be under contractual obligations to safeguard your personal information and only process it in accordance with our instructions, or as otherwise permitted by applicable laws. We may also receive personal information from service providers.
- **Business Partners and Affiliates.** We may collect personal information from and share personal information with our partners and affiliates, including event or competition organizers, governing bodies, safety organizations (such as SafeSport), educational institutions, collegiate programs, and our own advisors and attorneys. We may combine that information with other information we collect about you, but we will always use the information as described in this Policy.

3. How Do We Use “Cookies” and Other Tracking Technologies?

We may send one or more cookies to your computer or other device. We may also use other similar technologies such as tracking pixels, tags, or similar tools when you visit our Services. These technologies can collect data regarding your operating system, browser type, device type, screen resolution, IP address, and other technical information, as well as navigation events and session information as you interact with our Services. This information allows us to understand how you use the Services.

(a) What Are Cookies?

Cookies are small files created by websites, including our Services, that reside on your computer’s hard drive and that store information about your use of a particular website. When you access our Services, we use cookies and other tracking technologies to:

- Estimate our audience size and usage patterns;
- Store information about your preferences, allowing us to customize our Services according to your individual needs;
- Contact you to provide you with information or services that you request from us;
- Advertise new content, events, and services that relate to your interests;
- Provide you with more personalized content that is most relevant to your interest areas; and

- Recognize when you return to our Services.

We set some cookies ourselves and others are set by third parties. You can manage your cookies preference as described in the “**Managing Your Cookies**” section below.

(b) What Types of Cookies Do We Use and Why?

The following chart lists the different types of cookies that we and our service providers use on the Services, examples of who serves those cookies and links to the privacy notices and opt-out information of those cookie servers. Because the specific cookies we use may vary over time, as well as differ by the specific page you are browsing, the below chart is illustrative only.

Types of Cookies	Purpose	Who Serves (for example)
Essential	These cookies are required for the operation of the Services and enable you to move around the Services and use its features. Disabling these cookies can negatively impact the performance of Services.	USA Climbing Google
Functionality	These cookies are used to recognize you when you return to the Services. This enables us to personalize content for you and remember your preferences. These cookies also enable your interactions with the Services such as emailing us and customer support chat.	USA Climbing Google Cloudflare
Analytics, Performance, and Research	These cookies, beacons, and pixels allow us to analyze activities on the Services. They can be used to improve the functioning of the Services. For example, these cookies recognize and count the number of visitors and see how they move around the Services. Analytics cookies also help us measure the performance of our advertising campaigns to help us improve them and to optimize the content on the Services for those who engage with our advertising.	USA Climbing Google
Advertising	These cookies and pixels are used to deliver relevant ads, track ad campaign performance, or track email marketing.	Google

We do not use analytical tools in a manner that discloses to third parties that a specific person viewed specific video materials.

(c) How Long Do Cookies Stay on My Device?

Some cookies operate from the time you visit the Services until the end of that particular browsing session. These cookies, which are called “session cookies,” expire and are automatically deleted when you close your Internet browser.

Some cookies will stay on your device between browsing sessions and will not expire or automatically delete when you close your Internet browser. These cookies are called “persistent cookies” and the length of time they will remain on your device will vary from cookie to cookie. Persistent cookies are used for a number of purposes, such as storing your preferences so that they are available for your next visit and to keep a more

accurate account of how often you visit the Services, how your use of the Services may change over time, and the effectiveness of advertising efforts.

(d) Managing Your Cookies

It may be possible to block cookies by changing your Internet browser settings to refuse all or some cookies. If you choose to block all cookies (including essential cookies), you may not be able to access all or parts of the Services.

You can find out more about cookies and how to manage them by visiting www.AboutCookies.org.

(e) Does the Site Respond to “Do Not Track” Signals?

At this time, our Site does not respond differently based on a user’s Do Not Track signal.

4. Advertising and Marketing Choice

We respect your rights in how your personal information is used and shared. We may communicate with you via email, telephone, postal mail, and/or your mobile device about our products and services. If at any time you would like to unsubscribe from receiving future marketing emails, you can email us at info@usaclimbing.org or follow the instructions at the bottom of each applicable email, and we will promptly remove you from those marketing correspondences that you choose to no longer receive. Please note, however, that we may still need to contact you regarding other matters.

5. European User Rights

This section of our Privacy Policy is applicable to persons located in the European Union (“EU”), an European Economic Area member state (“EEA”), United Kingdom (“UK”), or Switzerland as well as to persons whose personal information is processed in or transferred from the EU, EEA, UK, or Switzerland. You are entitled under the EU General Data Protection Regulation and UK General Data Protection Regulation (collectively, the “GDPR”), to the information in this section of our Privacy Policy.

Your Rights

You are entitled by law to access, correct, amend, or delete personal information about you that we hold. A summary listing these rights appears below. Please note that these rights are not absolute and certain exemptions may apply to specific requests that you may submit to us.

To exercise these rights, please contact us using the information below in the “**Contact Us**” section. For your protection, we may need to verify your identity before responding to your request. In the event that we refuse a request, we will provide you a reason as to why.

Asking us to access your personal information

You have the right to obtain from us confirmation as to whether or not we are processing personal information about you, and if so, the right to be provided with the information contained in this Policy. You also have the right to ask us for copies of your personal information. When making a request, please provide an accurate description of the personal information to which you want access. Where requests are repetitive or manifestly unfounded or excessive, we may charge a reasonable fee based on administrative cost.

Asking us to rectify your personal information

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Asking us to delete your personal information

You have the right to ask us to erase your personal information if:

- We no longer need it for the purposes for which we collected it;
- We have been using it with no valid legal basis;
- We are obligated to erase it to comply with a legal obligation to which we are subject;
- We need your consent to use the information and you withdraw consent; or
- You object to us processing your personal information where our legal basis for doing so is our legitimate interests and there are no overriding legitimate grounds for the processing.

However, this right is not absolute. Even if you make a request for deletion, we may need to retain certain information for legal or administrative purposes, such as record keeping, maintenance of opt-out requirements, defending or making legal claims, or detecting fraudulent activities. We will retain information in accordance with the “**How Long Is Your Personal Information Kept**” section below.

If you do exercise a valid right to have your personal information deleted, please keep in mind that deletion by third parties to whom the information has been provided might not be immediate and that the deleted information may persist in backup copies for a reasonable period (but will not be available to others).

Asking us to restrict our use of your personal information

You have the right to ask us to place a restriction on our use of your personal information if one of the following applies to you:

- You contest the accuracy of the information that we hold about you, while we verify its accuracy;
- We have used your information unlawfully, but you request us to restrict its use instead of erasing it;
- We no longer need the information for the purpose for which we collected it, but you need it to deal with a legal claim; or
- You have objected to us using your information, while we check whether our legitimate grounds override your right to object.

The right to transfer your personal information to another service provider

You have the right to ask that we transfer the personal information you gave us from one organization to another, or give it to you (i.e., data portability). This applies to personal information we are processing to service a contract with you and to personal information we are processing based on your consent.

The right to withdraw consent

If we obtain your written consent to collect and process your personal information, you can subsequently withdraw such consent as to any further processing of such information.

The right to lodge a complaint with a supervisory authority

If you believe your rights under the GDPR have been violated, the GDPR gives you the right to file a complaint with your supervisory authority. A list of supervisory authorities is available here: [EEA and EU Data Protection Authorities \(DPAs\)](#); [Swiss Federal Data Protection and Information Commissioner \(FDPIC\)](#); [UK Information Commissioner's Office \(ICO\)](#).

Rights related to automated decision-making

To the extent that we engage in decision-making based solely on automated processing, including profiling, which produces legal effects concerning you or which significantly affects you, you have the right not to be subject to such decision-making.

Right to object to processing

You have the right to object to the processing of your personal information that is based on legitimate interests or your consent (rather than when the reason for using it is to perform an obligation due to you under a contract with us). If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or we can demonstrate the processing is for the establishment, exercise, or defense of legal claims. You can object to the processing of your personal information by contacting us using the information in the "Contact Us" section below.

Legal Basis for Processing Your Personal Information

We collect your personal information to provide our products and services to you; otherwise, we may not be able to process the transactions you request. We will only process your personal information when we have a lawful basis for doing so. If you are in a country in the EU, EEA, UK, or Switzerland, you are entitled to an explanation of the legal basis we rely on to process your personal information. The legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it, which is discussed below.

- **Consent.** We may process your personal information based on your consent such as when you purchase a service or ask us to send you certain kinds of marketing communications. You have the right to withdraw your consent at any time without affecting the lawfulness of the processing based on consent before its withdrawal.
 - Children's Consent. We do not knowingly process data of EU, EEA, UK, or Swiss residents under the age of 16 without reasonably verified parental consent.
- **Our Legitimate Interests.** We may process your personal information if doing so is necessary for our legitimate interests relating to our business purposes arising from your relationship with us, and your rights as an individual do not override those legitimate interests. For example, our legitimate interests include but are not limited to when we process your personal information to carry out fraud prevention activities and activities to increase network and information security, identify usage trends, determine the effectiveness of promotional campaigns, expand our business activities and improve our services and the content and functionality of our Services. Our legitimate interests also include providing you with the products and services you request, view, engage with, or purchase and communicating with you regarding your account or transactions with us.

- **To Perform a Contract.** We may process your personal information to administer and fulfill contractual obligations to you. We will also collect and process your personal information as necessary for the performance of a contract to which you are a party.
- **To Enable Us to Comply With a Legal Obligation.** We may process your personal information to comply with legal obligations to which we are subject. This may include any requirement to produce audited accounts, any legal obligation to share information with law enforcement agencies, public or governmental authorities, and to comply with legal process.
- **Necessary for the Exercise or Defense of Legal Claims.** If you bring a claim against us or we bring a claim against you, we may process your personal information in relation to that claim.

Depending on the situation, we may be the controller or the processor for personal information collected from residents of the EU, EEA, UK or Switzerland. If you have any questions about or need further information concerning the legal basis on which we collect and use your personal information for any specific processing activity, please contact us using the “Contact Us” section below.

Cross-Border Transfers of Personal Information

Our Services are operated in the United States. Personal information about you provide while in the EU, an EEA member state, the UK, or Switzerland may be transferred to the United States. The United States does not have an adequacy decision or adequacy regulation. The GDPR permits such transfers when necessary for the performance of a contract between you and us, if we obtain your explicit consent to such transfer, or if it is in our legitimate interest to transfer the personal information. The laws in the United States may not be as protective as the GDPR or the laws of other jurisdictions where you may be located. If we transfer personal information from the EU, EEA, UK, or Switzerland, or another country with cross-border transfer obligations, we will provide an appropriate safeguard, such as using standard contractual clauses.

To obtain a copy of the safeguard(s), please contact us using the information provided in the “**Contact Us**” section below.

6. How Long Is Your Personal Information Kept

We will retain your personal information until the personal information is no longer necessary to accomplish the purpose for which it was provided. We may retain your personal information for longer periods for specific purposes to the extent that we are obliged to do so in accordance with applicable laws and regulations, to protect you, other people, and us from fraud, abuse, an unauthorized access, as necessary to protect our legal rights, or for certain business requirements.

We will delete your personal information when it is no longer necessary for the purpose for which it was collected, or upon your request, subject to exceptions as discussed in this Statement or under applicable law, contract, or regulation.

You can access and update certain personal information USA Climbing holds about you at any time by logging into your account via the Services.

7. Our Commitment to Data Security

The security of your personal information is important to us. We take various reasonable organizational, administrative, and technical measures to protect your personal information from unauthorized access, disclosure, alteration, or destruction. If required by law to do so, we will notify you and/or the relevant supervisory authority in the event of a data breach.

However, we cannot and do not guarantee complete security, as it does not exist on the Internet.

8. Where Your Personal Information Is Held

We process personal information on our servers in the United States of America, and may do so in other countries. If you use our Services or otherwise provide us with information from outside of the United States, you expressly consent to the transfer of your data to the United States, the processing of your data in the United States, and the storage of your data in the United States.

9. Third Party Links

USA Climbing's Services may contain links to third-party websites. When we provide links, we do so only as a convenience and we are not responsible for any content of any third-party website or any links contained within. It is important to note that this Statement only applies to USA Climbing's Services. We are not responsible and assume no responsibility for any personal information collected, stored, or used by any third party as a result of you visiting third-party websites. We also advise that you carefully read the privacy notice of any third-party websites you choose to visit.

10. Children's Privacy

Collection of Children's Information. Protecting the privacy of the very young is especially important. Some of our Services are intended for children under 13 years of age. We do not knowingly collect or otherwise process personal data from anyone under 13 without first obtaining verified permission from that child's parent or legal guardian, such as through the attestations during account registration. This Policy, along with any additional parental consent forms provided as part of the provision of the Services to children, describes our privacy practices including the way we collect and process your child's information.

USA Climbing does not ask for or require children to provide personal information beyond that which is reasonably necessary to support the operation of USA Climbing's Services.

Obtaining Your Consent. Before your child uses our Services, we will obtain your affirmative and verifiable consent. We will obtain your consent via your attestation in the registration process.

Information We Collect About Children. When you create an account for our Services on behalf of your child and you consent to the processing of your child's personal data, we will collect the information listed in this Policy from you about your child. We may also collect certain information from you (the parent or guardian), as required by law or regulation. The information we collect about children under 13 includes Account Information, Athlete Information, and Contact Information as applicable. If you are aware of a user under the age of 13 who has provided USA Climbing personal data without the appropriate parental consent, please contact us at info@usaclimbing.org.

How We Use and Share Information About Children. After we receive your permission to provide Services to your child, we will collect, store, and disclose personal data necessary to provide those Services to your child. We may share information about your child and your child's use of the Services with service providers and otherwise, as required or permitted by law or regulation.

Your Choices About Your Child's Information. You have control over the ongoing collection, use, and disclosure of your child's personal data. You may also request deletion of your child's personal data at any time. You have the right to consent to USA Climbing's collection and use of your child's personal data while withholding consent for disclosure of that personal data to third parties. If you elect for us to refrain from sharing your child's personal data with our service providers, your child may not be able to continue accessing our Services. You may review, delete, or prohibit further collection of your child's information at any time through the USA Climbing account. If you have further questions or requests related to our online collection of information from children, please contact info@usaclimbing.org.

11. Policy Changes

This Statement may change from time to time. If we need to change this Statement at some point in the future, we will post any changes on this page. If we make a significant or material change to this Statement we will notify you via email. You should check these terms when you use the Site. Your

continued use of the Services constitutes acceptance of the most current version of this Statement.

12. Contact Us

If you have any questions about this Privacy Policy, please contact us by email at info@usacimbing.org or at P.O. Box 4043, Salt Lake City, UT 84110.