



Privacy Policy

Effective date: February 19, 2019

The Stanley Smith Horticultural Trust (“Trust”, “we,” or “our”) stewards the charitable intentions of May and Stanley Smith beyond their lifetimes. This Privacy Policy describes the treatment of information we collect from and about you when you visit our smithht.org website, or other websites and services that contain a link to this Privacy Policy or otherwise state that this Privacy Policy applies to them (the “Service”). Our Privacy Policy also describes other sources we use to obtain information about you; tells you how we use, share and protect your information, and what choices you have about how your information is used and shared. By using the Service, you agree to the terms and conditions of this Privacy Policy and consent to our collection, use, and disclosure of your personal information in the manner set out below.

We do not permit anyone under age 18 to register for any content, product, or Service, and we do not knowingly collect, use, or disclose personal information about users under age 16.

Information Collection and Use

We collect several different types of information.

Information You Provide

- If you request information about our grantmaking or operations, we may request that you provide your first and last name, email address, and phone number. If you represent an organization, we may also ask for your organization name and organization address.
- If you apply for a grant, we may request that you provide information including your first and last name, email address, phone number, and physical address. If you represent an organization, we may also ask for certain information, including your organization name, organization address, names of officers in your organization, tax ID number, bank account number, financial documents, IRS information returns, and

details about your organization's activities.

- If you send us an email, we will collect the information, including personally-identifiable information, provided in your email.
- User accounts and our online grants portal are provided by and administered by a third party, Fluxx. Please read their privacy policy (<https://www.fluxx.io/privacy-policy>) for information about how they handle information you submit through your user account and the online grants portal. Fluxx provides the Trust with information you submit to Fluxx through your user account and the online grants portal, or otherwise. In addition, we may provide Fluxx with information related to your user account or grant that you provide to the Trust.
- From time to time, we may send you surveys or otherwise solicit feedback from you, either on our own or through a third party. If through a third party, their privacy policy will apply to information you submit. In any case, information you submit in connection with a survey will be shared with us, and may be associated with other information we have collected from and about you.

Information We Collect Automatically

In addition to information you choose to provide to us, we and our service providers also use standard technologies to automatically collect certain additional information. For example:

IP address and other identifiers. When you access and interact with our Service, we and our service providers may collect information about your visits in order to permit you to connect to and obtain the Service and to understand the frequency with which specific visitors visit various parts of our Service. For example, we may collect your Internet Protocol ("IP") address, which identifies the computer or service provider that you use to access the Service, or information about your browser type, authentication identifiers, the pages of the Service that you visit, time and date of your visit, time spent on those pages, and other software and hardware information. If you access the Service through a mobile or other device we may collect your mobile device identifier, geolocation data (including your precise location), type of mobile device you use, your mobile operating system, type of internet browsed used, or other transactional information for that device. We may combine this information with other information that we have collected to make our Service and our communications to you more targeted to your interests.

Cookies. Our Service may also use cookies. Cookies are small text files that are stored on a user's computer and allow websites to remember information about users. We and our service providers use cookies for a variety of purposes, including to enhance the quality of our sites. We and our service providers may use transient (also called "session ID") cookies to provide continuity from page to page, and persistent cookies, which allow certain parts of our site to recognize your browser when you return after your first visit. You have the

choice to set your browser to accept all cookies, reject all cookies, or notify you when a cookie is set. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences. Please note that by blocking any or all cookies you may not have access to certain features, content, or personalization available through the Service.

Web beacons and other tracking technologies. We and our service providers may use other tracking tools, including so-called "pixel tags," "web beacons," "web bugs," "clear GIFs," etc. (collectively "Web Beacons"), to collect information about your activities on the Service. These are small electronic images embedded in web content and email messages and are ordinarily not visible to users. Like Cookies, Web Beacons enable us to track pages and content accessed and viewed by users. Also, when we send HTML-formatted (as opposed to plain text) emails to you, Web Beacons may be embedded in such emails to allow us to monitor readership levels so that we can identify aggregate trends and individual usage to provide our audiences with more relevant content. Web Beacons in emails may recognize activities such as when an email was opened, how many times an email was forwarded, which links in the email were clicked on, etc. Web Beacons cannot be declined when delivered via a regular web page. However, Web Beacons can be refused when delivered via email. If you do not wish to receive Web Beacons via email, you will need to disable HTML images or refuse HTML (select Text only) emails via your email software.

Information from other sources. We and our service providers may supplement the information we collect from and about you with information from other sources, such as publicly available information about your online and offline activity from social media service, commercially available sources, and other types of publicly-available information.

Third-party Service Providers

We rely on a number of other companies, agents, and/or contractors to perform services on our behalf and to assist us in operating and providing the Service to you. For example, we may engage such service providers to provide marketing, communications, website hosting, infrastructure and IT service, to personalize and optimize the Service, provide customer service, conduct surveys, and analyze and enhance data. In the course of providing such services to us, these companies may obtain information about you, including personal information, and that information may be shared with us. We do not authorize these companies to use or disclose your personal information except in connection with providing the service we request from them.

One of our service providers is Google Analytics, which collects information such as how often users visit this site, what pages they visit when they do so, and what other sites they used prior to coming to this site. To learn more about how Google Analytics collects and uses your data when you use the Service, and how you can control the information sent to Google Analytics, please review <https://www.google.com/policies/privacy/partners>.

Another of our service providers is Fluxx. We use Fluxx to manage your user account and to accept and manage applications from grantees and prospective grantees. To learn more about how Fluxx collects and uses your data when you interact with its service, or provide data to it, please review Fluxx's privacy policy, which can be accessed from the grants portal it hosts for the Trust at <https://adminitrustllc.fluxx.io> or at <https://www.fluxx.io/privacy-policy>.

Use of Data

The Stanley Smith Horticultural Trust uses, and its third party service providers may use, the data we collect from and about you:

- To provide, maintain, and manage the Service, deliver content and services that you request, improve the Service, and enhance your experience on the Service.
- To notify you about changes to our Service.
- To process, track, and communicate with you about your grant applications, grant awards, and grant reports.
- To communicate with you about the content and services in which you may be interested, or to respond to your inquiries or comments
- To administer our grant programs.
- To send grant funds to you, including via electronic bank transfer.
- To perform analysis or for other purposes to improve the quality of our operations and our Service.
- To detect, prevent, and address technical issues and security issues, and to protect the rights of the Trust and others.
- To send you surveys and information about the Trust and its activities, unless you have opted not to receive such information.
- In accordance with your consent.

Transfer of Data

The Service is hosted in and managed from the United States. If you are a user located outside the United States, you understand and consent to having any personal information (which may include information collected through the use of cookies and other technologies, as described above) processed in the United States or in any other country in which we have facilities or in which we engage service providers. United States and other countries' data protection laws may not be the same as those in your jurisdiction. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in the United States may be entitled to access your personal information.

Disclosure of Data

The Trust does not sell or rent personal information. The Trust may disclose information it collects from and about you to the following parties:

To third party service providers. As discussed above, the Trust shares certain information it collects with third-party service providers.

To the public or any third party. The Trust reserves the right to disclose (through its website, through social media, or otherwise) the names of organizations that it grants or has granted money to, to describe how the grant funds were used, to disclose reports provided to the Trust describing how the grant funds were used, to share publications or studies produced with grant funds, and to share aggregate, anonymized information about site usage, grants made, and the like.

In the event of a merger or transfer. If the Trust were to make a transfer of its assets or is otherwise involved in a merger or transfer of all or a material part of its operations (including in connection with a bankruptcy or similar proceedings), we may transfer your information to the party or parties involved in the transaction as part of that transaction.

To protect the rights of the Trust or others. We may use or disclose your information to protect the rights of the Trust or others, including when we have a good faith belief that such use or disclosure is necessary in order to: (i) protect, enforce, or defend the legal rights, privacy, safety, or property of the Trust or our employees, grantees, agents, and contractors (including enforcement of our agreements and our terms of use); (ii) protect the safety, privacy, and security of users or members of the public; (iii) protect against fraud, assist with audits, or for other risk management purposes; (iv) comply with the law or legal process; or (v) respond to requests from public and government authorities.

In accordance with your consent, if you consent to additional sharing of information.

Security of Data

We take a number of commercially reasonable measures to safeguard information in our possession from loss, theft and unauthorized use, disclosure, or modification. However, no one can guarantee the complete safety of your information.

Our Policy on "Do Not Track" Signals

Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked. At this time, the Service does not respond to Do Not Track signals sent from web browsers.

Your California Privacy Rights

California Civil Code Section 1798.83 allows California residents to request and obtain from us a list of what personal information (if any) we may have disclosed to third parties for direct marketing purposes in the preceding calendar year, including the names and addresses of those third parties. Requests may be made once a year and are free of charge. If you would like to make a request pursuant to California Civil Code Section 1798.83, you

must do so in writing via email. Please include the phrase “Request for California Privacy Information” in the subject line and in the body of your message. As of the effective date of this Privacy Policy, the Trust did not provide information to third parties for direct marketing purposes.

Your Privacy Choices

You may opt out of receiving marketing emails and surveys by contacting us directly, or by clicking on the “Unsubscribe” link in such emails.

If you would like to access, update, correct, or delete any information we have collected from or about you, please contact us and we will evaluate your request. Your request may not be honored in all situations (for example, where we have the legal right to continue processing information, if we have a legal obligation to retain information, etc.). Verification of identity may be required.

Links to Other Sites

If you click on or interact with a hyperlink that you find on the Service, you may leave our Service or send information to a different website or application. Our Privacy Policy does not apply to your interactions with third-party websites or mobile apps, even if you find a link to them on or access them through our Service, so you should read the privacy policy of the third-party provider to see how your personal information will be treated on its site. We have no control over such third-parties, their Internet sites, or their products or services.

Changes to This Privacy Policy

This Privacy Policy may be amended from time to time, and if we make material changes to it, we will provide notice through the Service, or by other appropriate means. Your continued use of our Service after a revised privacy policy is posted will constitute your acknowledgement that the collection, use, and sharing of your personal data is subject to the updated policy. The “effective date” of this policy is referenced and displayed at the beginning of this policy.

Contact Us

If you have any questions about this Privacy Policy, please contact us:

- By email: privacy@smithht.org
- By phone number: 415.332.0166