

1. BUILDING BEATS PRIVACY POLICY

These terms were last updated: January 2022.

1. Introduction

Building Beats (“We”, “Us”, “Our” or “the Company”) are committed to protecting the privacy of personal information we collect and maintain relating to our students, users and employees (“You”). The Company takes its responsibility seriously and has prepared and adopted this Privacy Policy (the “Policy”) to help explain who we are and how we collect, share and use personal information. “Personal Information” means any information that identifies or can be used to identify an individual directly or indirectly (e.g., first and last name, date of birth, email address, gender, occupation, or other demographic information). The Policy also details how you can exercise your privacy rights. Your visit to the Company’s website (the “Website”) and any other electronic communications by the Company is subject to this Policy. By accessing or using any portion of this Website or any service or content on this Website, you are acknowledging that you have read, understand, accept and agree to be bound by this Policy. If you do not agree to this Policy, please do not use this Website.

2. Why is Privacy Important to the Company?

Each one of us knows how important our Personal Information is, and how we would not like our Personal Information accessed or used for inappropriate purposes. It is not surprising that our students, users and fellow employees feel the same about their information.

It should also not be surprising that having a good record on privacy helps build the goodwill and brand recognition of the Company, which we do not want to jeopardize. Our Company is made up of individuals, all of whom must understand and respect the importance every individual associates with his or her Personal Information and act accordingly. As a Company, our goal is to treat the Personal Information of our students, users and fellow employees in a proper and secure manner.

3. Scope of the Company’s Privacy and Security Policies

Everyone who may have access to Personal Information as a result of working for or with the Company is responsible for protecting Personal Information. Therefore, the Company’s policies apply to all Company employees, contractors and vendors. Depending on an individual’s role, duties, and access to Personal Information, each individual is likely to have different specific obligations. However, the Company’s overarching principle of protecting Personal Information and using it only for permitted purposes applies to everyone.

4. Information We Collect

From time to time, you may provide the Company with your Personal Information when using the Website. For example, the Company will ask you for Personal Information, such as your name, physical location, age and email address, upon your request to sign up for the Building Beats Program, the bbLeaders Program, and/or the Company mailing list. The Company also collects non-personal

information such as interests, a “stage name”, and experience/interests with digital production. Except when you submit it to the Company, the Company does not collect any Personal Information about you.

When you submit your Personal Information on the Website, you are giving your consent to the collection, use and disclosure of your Personal Information as set forth in this Privacy Policy. If you have provided the Company with your Personal Information and would like to change your communication preferences or opt-out of the Company’s use of your information, please see Section 13 below.

The Website automatically collects some anonymous “non-personally identifiable” information about visitors when pages on the Website are requested through a browser. The Company maintains and uses this information only in the aggregate for statistical purposes and to help the Company monitor generally how guests navigate the Website, allowing the Company to tailor its services for the majority of visitors. For example, the Company may collect the number and frequency of visitors to the Website, information about its visitors’ browsers (e.g., Chrome, Safari, Edge), operating systems (e.g., Windows, iOS), Internet Service Providers, the number of times particular content is viewed and other similar information.

The Company uses Squarespace, Inc. (“Squarespace”) to host its website. Squarespace collects certain personal information, including the collection of the IP addresses that connect you to the Website, which the Company has access to through Squarespace. An IP address is a number assigned to your computer by a Web server when you are connected to the Internet. This information is generally only used for non-user-specific purposes such as determining how many users visited a specific area of the Website. However, the Company reserves the right to use such information to identify a user if the Company believes it is necessary in order to resolve safety and/or security issues or to comply with legal requirements.

The Website uses “cookies” to track and target the interests of the Company’s users to enhance their experience on the Website. Cookies are text files that are placed in your computer’s browser to store your preferences. If you choose to provide information to the Company through the Website, this information may be linked to the data stored in the cookies. You can configure your browser to accept 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. We honor "do not track" signals and do not track, plant cookies, or use advertising when a "do not track" browser mechanism is in place.

5. How Information is Used

The information you provide may be used by the Company: (i) to present the Website and its contents to you and allow you to participate in interactive features on our Website, (ii) to create and deliver to you the Company’s emails, mailings, surveys or other communications concerning the organization and its programs and initiatives, (iii) to take attendance and track progress during certain classes and programs put on by the Company, (iv) to carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including with respect to processing contributions, (v) in aggregate form, for internal business purposes such as generating statistics and developing marketing plans, and (vi) for any other purposes described when you provide the information and/or with your consent.

We may also use your information to contact you about our own and third parties’ goods and services that may be of interest to you. If you do not want us to use your information in this way, please use the unsubscribe option found at the bottom of our marketing emails. For more information, see Section 7.

6. Disclosure of Your Information

The Company will not sell or rent your Personal Information to third parties without your consent, except as disclosed in this Policy.

We may disclose Personal Information that we collect or you provide as described in this Policy to contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them. Such third parties may be provided with access to Personal Information needed to perform their functions, but their use of your information is limited to providing the Company with their services.

The Company may disclose any information, including Personal Information, it deems necessary, in its sole discretion, to the government or private parties in order to comply with any applicable law, regulation, legal process, investigation or governmental request. The Company may also disclose such information where it believes it is necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person to verify or enforce compliance with the policies governing the Website and applicable laws, or as otherwise required or permitted by law or consistent with legal requirements.

7. Security

The Company implements various security measures to protect the security of your Personal Information. Unfortunately, however, no data transmission over the internet can be guaranteed to be 100% secure. As a result, while the Company strives to protect your Personal Information, it cannot guarantee or warrant the security of any information you transmit to or from the Website, and you do so at your own risk. The Company is not responsible for circumvention of any privacy settings or security measures contained on this Website.

8. Retention

The Company retains Personal Information and other data submitted by you until you ask to be removed from the Company's database. When you request to be removed from the Company's mailing list, you will no longer receive emails from the Company, but your information will remain in the Company's database. If you would like to be removed from the Company's database, please see Section 13 below. Please note that when information is removed from the Company's databases it may continue to exist in backup archives maintained by the Company.

9. Links to Other Sites

Students and users may find content on the Website that links to the sites of the Company's partners, sponsors or other third parties. Please be aware that the Company is not responsible for the privacy practices of other sites. This Policy applies only to the information the Company collects on this Website and does not apply to any information collected by third party sites or any content or applications that may link to or be accessible from or on the Website. The Company encourages you to read the privacy policies of other sites you link to from the Website or otherwise visit. TO THE EXTENT PERMITTED

BY LAW, THE COMPANY HEREBY DISCLAIMS ANY AND ALL LIABILITY FOR ANY TYPE OF DAMAGES INCLUDING, BUT NOT LIMITED TO, INDIRECT, INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES, OR LOSSES OR EXPENSES, FOR THE ACTIONS AND CUSTOMER INFORMATION PRACTICES OF ANY SITE TO WHICH THE WEBSITE LINKS OR REFERS.

10. Business Transfers

As the Company continues to develop, it may sell or liquidate certain of its assets or combine its operations with those of another entity. In such transactions, user information, including Personal Information, generally is one of the transferred business assets, and by submitting your Personal Information on the Website you agree that your data may be transferred to such parties in these circumstances.

11. Choice/Opt-Out

When you complete a form or participate in one of the Company's programs, you may opt out of receiving email communications from the Company. Additionally, if you no longer wish to subscribe to the Company's mailings or would like to change your email preferences, you may do so at any time by clicking the "unsubscribe" link at the bottom of each email you receive from the Company or by emailing the Company at info@buildingbeats.org. You may remove your name from the Company's database or remove your information from the list provided to third party organizations by emailing the company at info@buildingbeats.org, including the language "Opt-Out" in the subject line.

12. Contact Information

Please be assured that the Company takes your concerns about privacy seriously. If you have any questions, comments or concerns about the Company's privacy practices, please contact us at:

Building Beats Incorporated
37 North 15th Street, Suite 210
Brooklyn, NY 11222
Phone: 347-762-5669
info@buildingbeats.org

13. Updates

This Policy will be reviewed periodically and revised as needed to comply with applicable laws, regulations, and contractual obligations. We reserve the right, in our sole discretion, to change, add or remove portions of this Policy at any time and for any reason. If we change this Policy, we will post the revised document here, and such changes will be effective immediately upon that posting.

14. California Consumer Privacy Act (“CCPA”)¹

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information. We adopt this notice to comply with the CCPA. The CCPA provides consumers with specific rights regarding their Personal Information. You have the right to request that businesses subject to the CCPA (which may include our students or users with whom you have a relationship and under certain circumstances us) disclose certain information to you about their collection and use of your Personal Information over the past 12 months. In addition, you have the right to ask such businesses to delete Personal Information collected from you, subject to certain exceptions. If the business sells Personal Information, you have a right to opt-out of that sale. Finally, a business cannot discriminate against you for exercising a CCPA right.

This section applies solely to users, visitors to the Website and contacts who qualify as a "consumer" under the CCPA and reside in the State of California (“Consumers” or “you”). Any capitalized terms not defined elsewhere in this Policy shall have the meaning ascribed to it in the CCPA, and solely for this section the term “Personal Information” has the meaning given in the CCPA and not as defined and used elsewhere in this Policy. Personal Information does not include:

- Publicly available information from government records
- Deidentified or aggregated Personal Information related to a Consumer.
- Employment-related Personal Information collected from California-based employees, job applicants, contractors, or similar individuals.
- Personal Information reflecting a written or verbal business-to-business communication (“B2B Personal Information”), where applicable and subject to any limitation contained in the CCPA.

How We Collect, Use, and Share Your Personal Information.

We have collected the following categories of Personal Information from Consumers within the last twelve (12) months:

Category	Examples	Collected
Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES

¹ The Company is exempt from the CCPA because it is a non-profit organization; however, the Company may, at times, enter into a joint-venture with a for-profit subject to the CCPA or contract with an entity through an agreement that requires compliance with the CCPA.,

Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
Geolocation data.	Physical location or movements.	YES
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
Professional or employment-related information.	Current or past job history or performance evaluations.	YES
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

We obtain the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete.

- Indirectly from you. For example, from observing your actions on our Website through users voluntarily providing information through submission of a form.

Your California Rights.

You have certain rights regarding the Personal Information we collect or maintain about you. Please note these rights are not absolute, and there may be cases when we decline your request as permitted by law.

Access to Specific Information and Data Portability Rights.

You have the right to request that we disclose certain information to you about our collection and use of your Personal Information over the past 12 months. Once we receive and confirm your verifiable Consumer request, we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting or selling that Personal Information.
- The categories of third parties with whom we share that Personal Information.
- The specific pieces of Personal Information we collected about you (also called a data portability request).

We do not provide these access and data portability rights for B2B Personal Information.

Deletion Request Rights.

You have the right to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable Consumer request, we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another Consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546et. seq.).
6. Enable solely internal uses that are reasonably aligned with Consumer expectations based on your relationship with us.
7. Comply with a legal obligation.
8. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We do not provide these deletion rights for B2B Personal Information.

Exercising Access, Data Portability, and Deletion Rights.

To exercise the access, data portability, and deletion rights described above, please submit a verifiable Consumer request to us by using the contact information in the Contact Us section of this Policy.

Only you, or someone legally authorized to act on your behalf, may make a verifiable Consumer request related to your Personal Information. You may only make a verifiable Consumer request for access or data portability twice within a 12-month period. The verifiable Consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative, which may vary based on the nature of your request.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you.

Making a verifiable Consumer request does not require you to register with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

We will only use Personal Information provided in a verifiable Consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format.

We will confirm receipt of your request within 10 (ten) business days. We endeavor to substantively respond to a verifiable Consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding receipt of the verifiable Consumer request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable Consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination.

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.

- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that ***can result*** in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your Personal Information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Other California Privacy Rights.

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [info@buildingbeats.org] or write us at: [Building Beats Incorporated, 37 North 15th Street, Suite 210, Brooklyn, NY 11222].

Contact Us.

If you have any questions or comments about this section, the ways in which we collect and use your Personal Information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at the information provided in Contact Us Section 15 of this Policy.