



PRIVACY POLICY

LAST UPDATED: September 15, 2023

The nonprofit mission of The Constellation Project, Inc. (“**Constellation**”) includes the expansion of our multipart dataset (“**Dataset**”) that strives to assemble information about LGBTQ+ parents/guardians/caregivers, and parents/guardians/caregivers of LGBTQ+ children throughout the United States (“**Parents**”) (i) in order to help expand membership and support for non-profit and other entities serving Parents (“**LGBTQ+ Partners**”), and (ii) to facilitate public health and public policy research on the Parent population. Constellation’s activities (collectively, the “**Projects**”) include, among other things, maintaining, expanding and enriching the Dataset; recruiting participants to participate in the Dataset and in the Projects; conducting outreach campaigns; screening, analyzing, and appending information included within the Dataset; pseudonymizing, de-identifying, and/or aggregating (“**De-personalizing**”) information for research, analytics and other purposes; using information to assist our LGBTQ+ Partners with their projects and advocacy, and assisting qualified researchers to recruit candidates for public health and public policy related research. See How We Use Your Information and How We Share Your Information, below, to read more about activities that comprise the Projects, including analytics we may perform on information provided by our LGBTQ+ Partners, and please note that we may ask through a separate agreement for your express permission to be connected with researchers who are performing public health or public policy research.

In this Privacy Policy (“**Policy**”), we describe how Constellation collects, uses, and discloses information that we obtain about individuals whose information we collect in furtherance of Projects; information that we obtain about visitors to our website, www.theconstellationproject.org, and to the jointly branded microsites that our LGBTQ+ Partners operate, where such microsites include a link to this Policy and Constellation’s [Terms of Use](#) (such microsites, together with our website are the “**Sites**”); and information that we otherwise obtain about you from other sources. Our LGBTQ+ Partners own such microsites, are responsible for their administration, cookies and tracking technologies. By participating, visiting the Sites, or otherwise providing your information to us, you agree that your personal information will be handled as described in this Policy.

Application of Terms of Use and Arbitration Agreement and Class Action Waiver

Your use of the Sites, participation in any of our Projects, and any dispute over privacy shall be subject to this Policy, our [Terms of Use](#) (and any legal agreement you have entered into with us including, if you choose, the [Terms of Participation](#)),

including applicable limitations on damages and provisions regarding resolution of disputes (including specifically the arbitration agreement and class action waiver). The Constellation Terms of Use are incorporated by reference into this Policy.

The Information We Collect About You

We collect information directly from you, from our LGBTQ+ Partners and from other sources, and, if you use our Site, www.theconstellationproject.org, automatically.

Information We Collect Directly From You. The information we collect from you depends on how you interact with us, including how you participate in our Projects or use the Sites. If you are participating in one of our Projects, we will collect your name, zip code and email address, and we may also collect additional information that you volunteer. For certain Projects, if registration is required to participate, then you will be required to register, as applicable, and/or you may be required to agree to additional terms and conditions, such as the [Terms of Participation](#).

Information We Collect From Other Entities. In order to carry out our Projects, we may collect information about you from our LGBTQ+ Partners, unaffiliated data sources, such as databases, data vendors and public records.

If we receive your information from one of our LGBTQ+ Partners, we and other persons acting on our behalf (e.g., service providers) may append this information to other information that we have about you in order to enrich our Dataset or others' datasets, or De-personalize your personal information as part of the Projects. We will also perform analytics and demographic analysis on your information and share the revised information with our LGBTQ+ Partners.

If at any time, you would like to opt out of receiving communications from us, please unsubscribe through the email you received or contact us using the information provided under Contact Us below.

Information We and Others Collect Automatically. We automatically collect information, which may be considered personal information under certain laws, about your use of our Site, www.theconstellationproject.org, through cookies, web beacons, analytics and other technologies. To the extent permitted by applicable law, we combine this information with other information we collect about you, including your personal information. Please see the section Cookies and Other Tracking Mechanisms below for more information. The information we collect, which may be considered personal information under certain laws, includes: domain name; your browser type and operating system; web pages you view on our Site; links you click on our Site; your IP address; the length of time you visit our Site; the referring URL, or the webpage that led you to our Site.

In addition, our Site, www.theconstellationproject.org, is designed for any member of the general public to visit and is hosted by Squarespace, and the information listed in the previous sentence is collected automatically by Squarespace and used for its own purposes. We encourage you to read its privacy policy for more information at www.squarespace.com/privacy.

How We Use Your Information

We use your information, including your personal information, for the following purposes:

- To carry out Projects and other services.
- To conduct outreach campaigns to obtain additional information about you or other individuals.
- To communicate with you about your participation in the Projects, including to respond to your questions.
- To conduct outreach to you, including, without limitation, using advertisements, and to refine our ability to conduct outreach, including tailoring the content and information that we and others may send or display to you.
- To send you information about Constellation, our Projects, LGBTQ+ Partners, or other entities or activities that we think may be of interest to you. Additionally, we may send you information about research and studies, for which a separate registration may be required. Researchers may include individuals from such entities as academic medical centers, policy institutes, government-funded research organizations, and non-profit service organizations.
- To solicit donations on behalf of other non-profit organizations.
- To send you news and newsletters.
- To better understand how users access and use our Sites. For example, we will use this information to evaluate which features of our Sites are most (or least) used by users and provide more relevant content.
- For research and analytics purposes. For example, we may:
 - screen, analyze and combine or append your information with other information about you or others in order to maintain, update and improve the Dataset;
 - use your information to model and assist recruitment for the Dataset or for our Projects;
 - work with others to facilitate public health and public policy research;
 - recruit participants and conduct outreach campaigns to obtain additional information;
 - use your information to assist qualified researchers to recruit candidates for public health and public policy related research; and
 - work with researchers and other advocates, who are supporting and performing public health or public policy research (including, to query you about participating). Researchers may include individuals from such entities as academic medical centers, policy institutes, government-funded research organizations, and other non-profit service organizations.
- To administer surveys and questionnaires, such as for research or member satisfaction purposes.

- To comply with legal obligations and to protect us and others.
- For our general operations, or for other organizational administration purposes.
- To create, analyze, maintain and update our Dataset and to create demographic and other analysis.
- To De-personalize information, including personal information, for research, analytics and any other purposes.
- Where we believe necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, harassment, situations involving potential threats to the safety of any person or violations of law, our Terms of Use, Terms of Participation, and other agreements or policies (including this Policy).
- As described above, we may De-personalize personal information, including, without limitation, our Dataset and other information we collect from and about you, at which point such information is no longer considered personal information.

You have the option to withdraw your personal information from our Dataset at any time. If you would like to withdraw your personal information from our Dataset, please send your request to us using the information in the Contact Us section below. Please note, however, that if you opt out of, or withdraw from, our Dataset, we may continue to use your information in De-personalized form, and our LGBTQ+ Partners may continue to use their information upon which we provided updates, analysis, augmentation or revision before your withdrawal. Please note also that your withdrawal applies to personal information over which we are a controller. You may have direct relationships with our LGBTQ+ Partners, researchers or other parties, and we recommend that you contact them directly to review their privacy policies, their terms and/or to exercise your rights.

How We Share Your Information

We may share your information, including personal information, as follows:

- **Non-Profit LGBTQ+ Partners.** With or without assistance from service providers (such as to update and conform address information, sometimes called data hygiene), we may process, analyze and augment information provided by our LGBTQ+ Partners, overlay demographic information on the LGBTQ+ Partners' data sets, De-personalize personal information, and provide the revised information back to those LGBTQ+ Partners and others. With our LGBTQ+ Partners, we may share information you provide in response to our efforts or solicitations (or your lack of response), and related analytics. Our LGBTQ+ Partners will use your information according to their own privacy policies, which may differ from Constellation's, and we are not responsible for the acts of the LGBTQ+ Partners or any other third party in processing your information.
- **Service Providers.** We will disclose the information we collect from you to service providers, contractors or agents who perform functions on our

behalf. These persons may, for example, provide support for development, hosting, analysis, outreach, and operations. In addition, they may send direct emails on our behalf or provide information technology support. We may also use service providers to run outreach and distribute email messages or web-based newsletters and other information. These service providers will be contractually obligated to maintain the confidentiality of the personal information that they receive.

- **Researchers.** We may connect you (usually pursuant to a separate agreement) with researchers from such entities as academic medical centers, policy institutes, government-funded research organizations, and other non-profit service organizations, who are performing public health or public policy research. Such an agreement would be supplementary to this Policy and our [Terms of Use](#).
- **Advertisers/Analytics Providers.** As set forth above, we share information with third parties such as when we place a beacon on our Site, www.theconstellationproject.org, or other tracking technology in our emails to you. Often the information that we share is collected from you through cookies and other tracking technologies on our Site as described below. We and other parties collect and share certain information to target outreach to you, to measure and analyze the use of the Sites and the results of campaigns, to understand what parts of the Sites are most popular or to improve upon the Sites. See the section entitled Cookies and Other Tracking Mechanisms below for more information.

Other Parties. We may share your information if we notify you and/or you provide your consent. For example, we may ask through a separate agreement such as the [Terms of Participation](#) for your express permission to be connected with researchers who are performing public health or public policy research.

We also disclose information in the following circumstances:

- **In Response to Legal Process.** We disclose your information to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.
- **To Protect Us and Others.** We disclose your information when we believe it is appropriate to do so to investigate, prevent, or take action regarding illegal activities, suspected fraud or harassment, situations involving potential threats to the safety of any person, violations of our [Terms of Use](#) or this Policy, as evidence in litigation in which we are involved or for other similar purposes.
- **De-personalized Information.** We may share De-personalized information about users with unaffiliated entities for outreach, research or any other purposes. Generally, De-personalized information is not personal information unless otherwise specified under applicable law.
- **Corporate Transfers.** If (i) we or our affiliates are or may be acquired by (in whole or in part), or merged with another entity, or (ii) if any of our assets are or may be sold or transferred to another entity, whether as part of a bankruptcy or insolvency proceeding or otherwise, we may sell or transfer the information we have collected from you to the other entity. As part of the corporate transfer process, we may share certain of your information with advisors, including attorneys, consultants and auditors. The

information that we collect or compile relating to Parents, including our Dataset, will be Constellation's assets, ownership of which will not be assigned, transferred or conveyed to any person or entity not qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding section of any future federal tax code. In the event that Constellation is subject to any bankruptcy or insolvency proceeding, Constellation's Board of Directors may be entitled to choose the entity to which Constellation's information assets will be transferred. In no way limiting the prerogative of the Board of Directors to choose the entity to receive the transferred assets, all of the following are non-exhaustive examples of permitted entities: Columbia University Mailman School of Public Health, Harvard T. H. Chan School of Public Health, The Fenway Institute, Tufts University School of Medicine's Public Health Programs, Vanderbilt University School of Medicine, Yale School of Public Health, Drexel Dornsife School of Public Health, University of Virginia School of Medicine's Department of Public Health Sciences, UCLA Fielding School of Public Health, Kaiser Permanente Bernard J. Tyson School of Medicine. The entity chosen to receive the transferred assets may only continue to use the transferred assets in compliance with this Policy, a position supported by the U.S. Federal Trade Commission in its letter regarding XY.com, XY Magazine, dated July 1, 2010. Without limiting the foregoing, the prohibitions on the use, sale or lease of 'personally identifiable information' (as such term is defined in the United States Bankruptcy Code (the "Bankruptcy Code")) under section 363(b)(1) of the Bankruptcy Code or the corresponding section of any future federal bankruptcy code will apply to Constellation's assets, and no trustee in bankruptcy in violation of the Bankruptcy Code and this Policy will be permitted to use, sell or lease personally identifiable information that Constellation holds or possesses.

Cookies and Other Tracking Mechanisms

We and/or third party analytics companies and our service providers use cookies and other tracking mechanisms to track visitor activity on our Site, www.theconstellationproject.org. We may combine this information with other information we collect from you. Please note that although we receive your information including personal contact information from our LGBTQ+ Partners whose Sites include a means for you to consent to this Policy and Constellation's [Terms of Use](#), and from our LGBTQ+ Partners regarding certain emails on which our LGBTQ+ Partners' names and ours appear, which are distributed via their email management systems, we do not own and are not responsible for the cookies and tracking mechanisms in use via LGBTQ+ Partner Sites and email management systems, and you should read the privacy policies of our LGBTQ+ Partners to understand their and their third parties' use of your information and any rights and choices you may have.

Cookies. Cookies are alphanumeric identifiers that we transfer to your device through your web browser. Some cookies allow us to make it easier for you to navigate our Site, to conduct advertising and analytics activities or to allow us to track your activities at our Site.

Disabling Cookies. For advertising trackers, you can visit the Digital Advertising Alliance's industry opt-out tool at <http://www.aboutads.info/choices> page to learn more about interest based advertising and to see your opt-out choices for

participating companies. If you choose to opt out, you will still see ads, but these ads will not be customized based on your interests generated from your visits over time and across different sites. In addition, most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block some cookies in the future. The Help portion of the toolbar on most browsers will explain your options. Visitors to the Sites who disable cookies will be able to browse certain areas of the Sites, but some features may not function. You must opt out on each browser and on each device, and if you clear your cookies, you may have to set your preferences again.

Clear GIFs, Pixel Tags and Other Technologies. Clear GIFs are tiny graphics with a unique identifier, similar in functionality to cookies, which are embedded invisibly on web pages. Clear GIFs (also known as web beacons, pixel tags, or action tags, among other names), are deployed by our LGBTQ+ Partners, in connection with the Sites and with the email management services of our LGBTQ+ Partners, to perform functions like tracking the activities of visitors, helping manage content, and compiling statistics about usage of the Sites. We do not own and are not responsible for the Clear GIFs and tracking mechanisms in use via LGBTQ+ Partner Sites and email management systems, and you should read the privacy policies of our LGBTQ+ Partners to understand their and their third parties' use of your information and any rights and choices you may have. From certain emails on which the names of an LGBTQ+ Partner and Constellation appear, which are distributed via the LGBTQ+ Partner's email management system, they and others may use the data provided by clear GIFs for tracking email response rates, identify when emails are viewed, and track whether emails are forwarded.

Embedded Scripts. We may use embedded scripts, which is code designed to collect information about how visitors interact with content, such as the website which linked them to our Site.

Analytics. We may use automated devices and applications, such as Google Analytics, to evaluate usage of our Site. We also may use other analytic means to evaluate the Sites. We use these tools to help us improve the Sites' performance and user experiences. The entities operating these tools may use cookies and other tracking technologies, such as web beacons, to perform their services. To learn more about Google's privacy practices, please review the Google Privacy Policy at <https://www.google.com/policies/privacy/>. You can also download the Google Analytics Opt-out Browser Add-on to prevent your data from being used by Google Analytics at <https://tools.google.com/dlpage/gaoptout>.

Do-Not-Track. Currently, our systems do not recognize browser "do-not-track" requests. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies).

Links to Other Websites

The Sites may contain links to unaffiliated websites. Any access to and use of such linked websites is not governed by this Policy, but instead is governed by the privacy policies of those websites. We are not responsible for the information practices of third parties.

Security of Your Personal Information

We have implemented reasonable precautions to protect the personal information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that no data security measures can guarantee security. You should take steps to protect against unauthorized access to your device by, among other things, signing off after using a shared device, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private.

What Choices Do You Have Regarding Your Personal Information?

You may modify personal information that you have submitted by contacting us at the address set forth below in the Contact Us section. Where you have registered, we may require you to log in to confirm your identity and update or access your information, if such functionality is available.

Subject to the restrictions from our data sources or applicable law, we may send periodic emails to you. You may opt-out of promotional emails by following the opt-out instructions contained in the email. If you opt out of receiving promotional emails, we may still send you transactional emails about the Projects, any services, or other information about changes to this Policy, for example.

If you would like to withdraw from our Dataset, please send your request as described in the Contact Us section below.

Children

Our Services are not designed for children. If we discover that a child has provided us with personal information in violation of applicable law, we will delete such personal information from our systems.

Contact Us

If you would like to withdraw from our Dataset, please use the email address you entered for registration to email your request to us at:

protocols@theconstellationproject.org

or write by USPS to:

The Constellation Project, Inc.
142 West 57 Street, Floor 11
New York, NY 10019-3590

Questions about the privacy aspects of our Sites or Projects should be addressed to:

The Constellation Project, Inc.
142 West 57 Street, Floor 11
New York, NY 10019-3590

Any physical office of Constellation is not authorized to receive legal notices. Please see Constellation's [Terms of Use](#) and [Terms of Participation](#) for additional requirements relating to legal concerns and notices. Legal concerns and notices must be addressed only to:

The Constellation Project, Inc.
c/o Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

Changes to this Policy

This Policy is current as of the Effective Date set forth above. We may change this Policy from time to time, so please be sure to check back periodically. We will post any changes to this Policy on www.theconstellationproject.org. By using the Sites after Constellation has updated the Policy, you are agreeing to all of the terms of the updated Policy. If you do not agree with the current or updated Policy, you must stop using the Sites and any services provided by Constellation.

Survival of Terms

Subject to the provisions of the Changes to this Policy section above, the terms of this Policy shall survive the termination or discontinuation of your use of the Sites and your participation, if any, in an Additional Agreement (as defined in the [Terms of Use](#)).