



# Privacy Policy

Last Updated: May 11, 2020

## YOUR PRIVACY

This is the website of Houston Grand Opera (“HGO,” “we,” “us” or “our”). Your privacy is important to us. By using our website, [www.houstongrandopera.org](http://www.houstongrandopera.org), and other company operated pages and sites, and otherwise interacting with the programs and services we provide (together, the “Services”), you agree to our Privacy Policy which outlines how we collect, use and share your personal information (information that can be used to personally identify you, hereafter, “Information”) while delivering the best possible Services to you.

Your use of our website is also subject to our Terms of Use found at <http://houstongrandopera.org/about-us/terms-of-service-and-privacy-policy/>

Please note the arbitration provision set forth below, which may require you to arbitrate any claims you may have against HGO on an individual basis. **ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED OR REPRESENTATIVE CAPACITY.**

### **What Information do we collect from you and how do we use it?**

1. When you visit our website, we automatically collect your IP address and the web page from which you came. We use your IP address to administer and optimize the website for you and to diagnose problems with our website. We use cookies to record session information, such as pages visited, articles downloaded and items that you add to your shopping cart. For more details regarding our use of cookies, please see the “How does HGO use cookies?” section below.
2. We also collect names, email and postal mailing addresses as well as telephone numbers that are volunteered to us by you in connection with a request for information, services, programs or purchases from HGO, or when you create an account. This Information may be used to contact you regarding an order and you may receive periodic mailings, emails or phone calls from us regarding new products, services, events or donations, if you choose to receive such communications.
3. We do not collect or retain credit card information from you on our website. Information for payments or donations made over the phone or at the box office window is not

retained and is handled by employees who have been trained to handle personal financial information. For your protection, you should not send credit card information via email, mail or other unsecure method. This information may be encrypted and stored for logging purposes, and portions of this information will be used to confirm your purchase to you. After you make a purchase, we may send follow up e-mail(s) regarding the transaction. It includes contact information, record of the online purchase and/or donation.

## **How does HGO use cookies?**

We use cookies and other similar technologies. Cookies are small text files placed on your device that uniquely identify your device and which a website can transfer to a user's hard drive to keep records of his or her visit to a website. Cookies serve several functions that enhance the user experience with things like retaining what you have in your cart, remembering your user ID or helping you navigate between pages, for example. It also allows HGO to collect data on visitor and browsing patterns, which helps us track the effectiveness of marketing campaigns, target ads toward areas of visitor interest, and identify problems with our website. Different cookies are used to perform different functions, which we explain below:

- Essential. Some cookies are essential in order to enable you to move around our website and use their features, such as accessing secure areas of our website. Without these cookies, we cannot enable appropriate content based on the type of device you are using.
- Analytics. We use analytics cookies to measure how you interact with our website and to improve your user experience. In particular, we use Google Analytics. To learn more about Google Analytics privacy practices and opt-out mechanisms, please visit the Google Analytics Security and Privacy Principles page [here](#). Google also provides a complete privacy policy and instructions on opting-out of Google Analytics [here](#).
- Targeted Advertising. We, and third parties we allow, such as Google Tag Manager, use cookies and other similar technologies to collect or receive information from our website and elsewhere on the Internet and use that information to provide you with targeted ads. If you would like to opt-out of such advertising practices on the particular device on which you are accessing this Privacy Policy, please go to <http://optout.aboutads.info/>.

There are several ways to manage cookies. You can control the use of cookies at the browser level, by instructing your browser to accept cookies, disable cookies or notify you when receiving a new cookie. Please note that if you reject cookies, you may still use our website, but your ability to use some features or areas of our website may be limited. The Network Advertising Initiative also offers a means to opt-out of a number of advertising cookies. Please visit <https://www.networkadvertising.org> to learn more. Note that opting-out does not mean you will no longer receive online advertising. It does

mean that the company or companies from which you opted-out will no longer deliver ads tailored to your preferences and usage patterns.

### **How is Information shared with third parties?**

We may share or disclose your Information to the following categories of third parties and for the following reasons:

- We share with third party service providers, agents or independent contractors who help us maintain our Services and provide other administrative services to us.
- When you make a donation, we share your Information with unaffiliated third parties. Data regarding donors, including contact information, is otherwise not shared without your permission or unless ordered to do so by a court of law and we do not send donor mailings on behalf of other organizations.
- We do, on occasion, engage in blind postal mail list exchanges through a third-party vendor with other non-profit arts organizations. The Information we exchange includes the name and mailing address of those who have purchased tickets from HGO. Use of customer data is authorized for a limited number of mailings and is for marketing purposes only. Lists are brokered through a secure vendor pre-approved by HGO; the receiving non-profit does not have access to the data. You can add your name and address to our "Do Not Share" list by emailing us [here](#).
- We may share your Information in the course of any reorganization process including, but not limited to, mergers, acquisitions, and sales of all or substantially all of our assets.
- We may disclose your Information to law enforcement, government agencies, and other related third parties, in order to comply with the law, enforce our policies, or protect our or others' rights, property or safety.

### **What about collection of Information from children?**

We do not knowingly collect Information from children under the age of 13 and in the event we learn that a person under the age of 13 has provided such Information to us, we will delete it as soon as possible.

### **What steps are taken to ensure the security of Information collected on the website?**

1. We do not retain credit card information within our records or databases. All credit card transactions for ticket purchases are processed through our Tessitura software.
2. We implement reasonable security measures to protect against the loss, misuse or alteration of Information that we have collected from you. Please understand, however,

that no data transmissions over the Internet can be guaranteed to be 100% secure. Consequently, we cannot ensure or warrant the security of any Information you transmit to us and you understand that any Information that you transfer to us is done at your own risk. If we learn of a security systems breach, we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Services or providing Information to us, you agree that we can communicate with you electronically regarding security, privacy and administrative issues relating to your use of the Services. We may post a notice via our website if a security breach occurs. We may also send an email to you at the email address you have provided to us in these circumstances. Depending on where you live, you may have a legal right to receive notice of a security breach in writing.

### **What about other links to other websites provided on the Houston Grand Opera website?**

Our website contains links to other websites operated by other parties. Some of these other websites contain our organization's name and trademarks and other intellectual property that we own; others do not. When you click on these links and visit these other websites, regardless of whether or not they contain our brand names, trademarks and other intellectual property, you need to be aware that we may not control these other websites or these other websites' business practices, and that this Privacy Policy does not apply to these other websites. Consequently, the operators of these other websites may collect different kinds of Information about you, and may use and disclose that Information in different ways than we would if it were collected on our website. We encourage you to review their privacy policies and remind you that we will not be responsible for their actions.

### **What is Houston Grand Opera's unsubscribe and data-removal policy?**

If you wish to unsubscribe from communications from HGO, please email us [here](#) with the name and address you originally provided to us. Please put, "Do Not Contact" in the subject line. If you wish us not to share your name and mailing address with other non-profit organizations, please email us with "Do Not Share" in the subject line and include the name and address you originally provided to us. When logged in to your account, you are also able to update your preferences regarding what communications you would like to receive. We will process your request as soon as possible in accordance with applicable law, but please be aware that in some circumstances you may receive a few more communications until the unsubscribe is processed.

Additionally, we may send you communications regarding our Services, such as details about changes to our policies and other notices and disclosures required by law. Generally, you cannot opt out of these communications, but they will be primarily informational in nature, rather than promotional.

If you wish to have your Information deleted from HGO's records please email us [here](#) with the name and address you originally provided to us. Please put "Delete My Information" in the subject line. In your request, state what Information you would like to have changed or removed from our database. We will attempt to comply with your request as soon as reasonably practicable. Please note that we may need to retain certain Information for record keeping purposes and/or to complete any transactions that you began prior to requesting deletion from our database.

## **International Data Transfers**

We are located in the US. If you choose to provide us with Information, please understand that your Information may be transferred to the US and that we may transfer that Information to our affiliates and subsidiaries or to other third parties, across borders, and from your country or jurisdiction to other countries or jurisdictions around the world. If you are visiting from the European Union ("EU") or other regions with laws governing data collection and use that may differ from US law, please note that you are transferring your Information to the US and other jurisdictions which may not have the same data protection laws as the EU. We put in place appropriate operational, procedural and technical measures in order to ensure the protection of your Information. You acknowledge you understand that by providing your Information: (i) your Information will be used for the uses identified above in accordance with this Privacy Policy; and (ii) your Information may be transferred to the US and other jurisdictions as indicated above, in accordance with applicable law.

## **Assignment**

In the event that all or part of our assets are sold or acquired by another party, or in the event of a merger, you grant us the right to assign the Information collected via the Services.

## **Dispute Resolution and Agreement to Arbitrate**

By using the Services, you and HGO agree that, if there is any controversy, claim, action, or dispute arising out of or related to your use of the Services, or the breach, enforcement, interpretation, or validity of this Privacy Policy or any part of it ("Dispute"), both parties shall first try in good faith to settle such Dispute by providing written notice to the other party describing the facts and circumstances of the Dispute and allowing the receiving party thirty (30) days in which to respond to or settle the Dispute. Notice shall be sent to:

- Us, at Houston Grand Opera, 510 Preston Street, Houston, TX 77002 or
- You, at the address we have on file for you.

Both you and we agree that this dispute resolution procedure is a condition precedent that must be satisfied before initiating any litigation or filing any claim against the other party. IF ANY DISPUTE CANNOT BE RESOLVED BY THE ABOVE DISPUTE RESOLUTION PROCEDURE, YOU AGREE THAT THE SOLE AND EXCLUSIVE JURISDICTION FOR SUCH DISPUTE WILL BE DECIDED BY BINDING ARBITRATION ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED, OR REPRESENTATIVE CAPACITY. Other rights that you and we would otherwise have in court will not be available or will be more limited in arbitration, including discovery and appeal rights. All such disputes shall be exclusively submitted to JAMS (www.jamsadr.com) for binding arbitration under its rules then in effect, before one arbitrator to be mutually agreed upon by both parties.

The arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute arising under or relating to the interpretation, applicability, enforceability, or formation of this Privacy Policy, including any claim that all or any part of this Privacy Policy is void or voidable.

### **Choice of Law**

This Privacy Policy has been made in and shall be construed in accordance with the laws of the State of Texas without giving effect to its conflicts of law provisions. Any disputes or claims not subject to the arbitration provision discussed above shall be resolved by a court located in the State of Texas and you agree and submit to the exercise of personal jurisdiction of such courts for the purpose of litigating any such claim or action.

### **Changes to this Privacy Policy**

Our Privacy Policy may change from time to time; changes will be effective upon posting on this website. When we do, we will also revise the "Last Updated" date at the top of this Privacy Policy. If we make material changes to the Privacy Policy, we will notify you by placing a prominent notice on our website and via email at the email address we have on file for you. We encourage you to periodically review this Privacy Policy to keep up to date on how we are handling your personal information.

### **Who should I contact if I have questions?**

If you have any questions or comments about our Privacy Policy, or if you believe that this website is not complying with this Privacy Policy, we can be reached via e-mail [here](#) or at [customercare@houstongrandopera.org](mailto:customercare@houstongrandopera.org). Please make sure to include "Privacy Policy Inquiry" in the subject line. If you do not have email, you can send us a

note via the U.S. Mail to: Houston Grand Opera, Privacy Policy Inquiry, 510 Preston Street, Houston, TX 77002 or call 713-228-6737.