American College of Sports Medicine

Privacy Policy & Terms of Use

Last Updated: October 2026

1. Introduction

This privacy policy ("**Privacy Policy**") describes how AMERICAN COLLEGE OF SPORTS MEDICINE, INC. ("**ACSM**", "**we**", "**us**" or "**our**") collect, use, store, and share your information when (1) you access and/or use our websites or other digital properties we own and operate, including ("**Websites**"); (2) you use our products and services, including with respect to our membership offerings and related events you may attend or participate in ("**Services**"); (3) you communicate with us in any manner, including by email, direct messaging, telephone, and/or in person ("**Communications**"); and (4) we interact with certain third party partners.

Please note the following sections that include important disclosures related to our Websites and Services:

- Cookies, Advertising, and Tracking Technology Disclosures: To learn more about how our Websites, Products, and Communications use cookies and related technologies (including from Third Parties), see Automatic Information Collection Technologies below.
- Your Choices Disclosures: To learn more about your choices concerning your information, see Your Choices below.

If you are a resident of Europe (including countries in the European Economic Area, the United Kingdom, and Switzerland), you may be entitled to additional rights. Please see the following quick-link below for easy access to additional information for such residents.

- Non-US Residents: If you are a resident outside of the United States, including a member state of the European Union or the United Kingdom, please see our Non-US Privacy Notice below.
- California Disclosure: If you are a resident of California, please see our California "Shine the Light" Law notice below.
- Nevada Disclosure: If you are a resident of Nevada, please see our Nevada Sale of Personal Information Notice below.

2. What Type Of Information Do We Collect?

Depending on how you interact with our Websites and Services, the nature of our Communications, and how we may interact with certain third party partners, we may collect the following pieces of your information:

- Basic Identifying Information. Information you provide when you sign up for an account for our Services such as your full name, postal address, e-mail address, phone number, and account name.

- Company Information. Information you provide about the company you work for, your title, and related contact information.
- Education Information. Information you provide related to your education and degrees, such as when applying for certifications.
- Device Identifier and other Unique Identifiers. Information such as your device identifier, internet protocol (IP) address, cookies, beacons, pixel tags, mobile ad identifier, and other unique identifiers.
- Internet or Other Network Activity. Information such as your browsing or search history, and other information regarding your interactions with our Websites, emails, and advertisements.
- Geolocation Data. Information including imprecise location data (such as location derived from an IP address or data that indicates a city or postal code level) and, with your consent, precise location data (such as latitude/longitude data).
- Payment Information. Information related to your payment method, including your credit card number, card expiration date, security code, and billing address. Payment information may be processed by our payment processor, in which case such payment processor will be collecting and processing such information on our behalf and share with us limited details as necessary for us to verify, record, and fulfil completed transactions.
- Commercial Information. Information such as the products and samples you have purchased and considered, your preferences on various products and brands, photographs of your receipts containing purchases, and related information about your commercial activities.
- Demographic Information. Information such as your age, gender, and date of birth.
- User Content. Information such as your Communications with us and any other content you provide, such as social media profiles, photographs of receipts, images, videos, survey responses, comments, product reviews, testimonials, and other content.
- Audio and Visual Information. Information such as photographs, images, videos, and recordings of your voice (such as when we record customer service calls for quality assurance).
- Inferences. Information such as inferences drawn from or created based on the information identified above.

You may choose to voluntarily provide other information to us that we do not request, and, in such instances, we have no control over what categories of personal information such disclosure may include. Any additional information provided by you to us is provided at your own risk.

More information about how these categories of information may be used when collected can generally be found in How Do We Use Your Information below, as well as specifics on third-party online technologies we employ, which may include cookies, in Automatic Information Collection Technologies below.

3. How Do We Collect Your Information?

We collect your information in three ways: (1) directly from you when you use our Websites, Services, and Communicate with us; (2) automatically using online technologies when you engage with our Websites, Services, and Communications; and (3) from our third party partners.

- Directly from you. We collect information directly from you when you enter your information on our Websites, create an account for our Services, update your profile, access our content, join and renew membership, purchase online education courses or event registration, apply for certification and recertification, take a survey or a polls, engage in Communications with us, or sign up to receive emails, text messages, or certain other Communications from us.

- Automatically Using Online Technologies. When you visit our Websites, open or click on emails we send you or related Communications, or interact with our advertisements, we or other third parties may automatically collect certain information about you using online tracking technologies such as cookies, pixels, web beacons, software developer kits, and related technologies. For more information, see Automatic Information Collection Technologies below.
- From Referrals and Our Partners. We collect information from our third parties, including when members or other users of our Websites or Services provide a referral, as well as from our partners, such as brands, data analytics providers, marketing or advertising providers, fraud prevention service providers, and vendors that provide services. This includes with our partners whom we offer co-branded products.

4. Automatic Information Collection Technologies

A. Types of Automatic Information Collection Technologies Used

• **Cookies**. Cookies are small bits of data cached or stored on your computer based on Internet activity. Information collected through cookies may be obtained directly by or shared with third parties so that those third parties can provide analytics and advertising services to us. We use first party and third party cookies and other tools to monitor individual activity in aggregate to improve the Websites. The information we gather includes IP address, user language, the operating system, browser type, the presence/absence of "flash" plug-ins, screen resolution, connection type, browsing behavior, and information that identifies the cookie.

You may update your cookie preferences by clicking here: Cookie Preferences

• **Pixels**: Pixels (also known as web beacons) are types of code embedded in a website, video, email, or advertisement that sends information about your use to a server. When you access a website, video, email, or advertisement that contains a pixel, the pixel may permit us or a separate entity to drop or read cookies on your browser.

• **Software Development Kits (SDKs)**: Software Development Kits (also known as "SDKs") are sets of tools and code provided by third parties that are embedded in our mobile applications to enable specific functionalities and improve user experience. Some SDKs may collect data directly from your device, such as your IP address, device type, or usage patterns, to support these functions.

• **Analytic Tools**: We use third-party analytics providers such as Google Analytics on the Websites. Google Analytics uses cookies and similar technologies and IP address to collect and analyze information about use of the Services and report on activities and trends. Google Analytics may also collect information regarding the use of other websites, apps, and online resources. You can learn about Google's practices by going to www.google.com/policies/privacy/partners/.

B. How Automatic Information Collection Technologies are Used

• **Functionality, Support and Security**: Some of the online tracking technologies, like the cookies we use, serve a variety of functionality and support purposes, such as recognizing your device, provide checkout features, facilitating navigation, displaying information more effectively, personalizing your experience such as recognizing you when you leave or return to our Websites, maintaining the security of our Websites, managing your account, preventing crashes, fixing bugs, save your preferences, and assisting with basic Site functions and other performance functions. Additional information related to

payment processing in connection with our checkout features is provided in the section Payment Processor below.

- **Session Replay**: Some of the technologies implemented are used in a manner to recreate your session and understand how you navigated our website, what content or Services you looked at, and other related information that helps us assess how our Websites are being used. We may obtain this information through the use of cookies and pixels, and may share this with third parties to obtain related insights. Third-party technologies we have implemented on our Websites and through our Services include the following:

    - **Microsoft Clarity**: We partner with Microsoft Clarity and Microsoft Advertising to capture how you use and interact with our Websites through behavioral metrics, heatmaps, and session replay to improve and market our products/services. Websites' usage data is captured using first- and third-party cookies and other tracking technologies to determine the popularity of products/services and online activity. Additionally, we use this information for our Websites' optimization, fraud/security prevention, and advertising. We may send information back to Microsoft, which may include Device Identifiers and Other Unique Identifiers and Internet and Other Network Activity. For more information about how Microsoft collects and uses your data, visit the Microsoft Privacy Statement.

- **Targeted Advertising and Marketing Measurements**: Pixel tags may be used to market our services to you, measure the success of our marketing campaigns, and compile statistics about Site usage and response rates. In addition, we may use the information we have collected from you to enable us to display targeted third-party advertisements on our website. Some advertisements on this website are served by third-party advertisers, ad networks, and ad servers. These third parties may use cookies, alone or in conjunction with web beacons or other tracking technologies, to collect information about you.

Some of these tracking technologies may track your activities across time and services for purposes of associating the different devices you use, and delivering relevant ads and/or other content to you ("Interest-based Advertising").

Third-party technologies we have implemented on our Websites and through our Services include the following:

- **GoogleAds/DoubleClick**: We use Google advertising and measurement technologies—such as the Google tag and Google Ads remarketing—to help show ads, measure their effectiveness, and understand how people use our Websites. These tools allow Google and other third-party vendors to set and read identifiers (e.g., cookies or device identifiers) and to serve ads based on your past activity on our Websites. We may send information back to Google, which may include Basic Identifying Information, Device Identifiers and Other Unique Identifiers; Internet and Other Network Activity; Geolocation Data and Inferences. For more information about how Google uses this information, please see https://policies.google.com/privacy.

- **Bing Ads**: We use Microsoft's Bing Ads to help show ads, measure their effectiveness, and understand how people use our Website. These tools allow Microsoft and other third-party

vendors to set and read identifiers (e.g., cookies or device identifiers) and to serve ads based on your past activity on our Website. We may send information back to Microsoft, which may include Basic Identifying Information, Device Identifiers and Other Unique Identifiers; Internet and Other Network Activity; Geolocation Data and Inferences. You can learn more about how Microsoft uses your information at https://privacy.microsoft.com/en-us/privacystatement.

- **Website Analytics**: We use analytics services to help us understand how users access and use the Websites through the use and sharing of cookies.
    - **Google Analytics**: We use Google Analytics, and may send information back to Google, including Device Identifiers and Other Unique Identifiers; Internet and Other Network Activity; and Geolocation Data. You can learn about Google's practices by going to https://policies.google.com/privacy.

For information about your choices related to automatic data collection technologies and your ability to opt out of certain sharing of information, please see Your Choices: Automatic Information Collection Technologies; Your Choices: Advertising; and Your Choices: Analytics below.

5. Payment Processor

When you make a purchase through our Site, we use PayPal, Inc. ("PayPal") as our third-party payment processor to securely process your payment information. When you make a purchase through our Site, certain personal data necessary to complete the transaction will be provided to PayPal, or PayPal may collect such data directly from you. This information may include ***Payment Information***, ***Commercial Information***, *Device Identifier and other Unique Identifiers*, and ***Basic Identifying Information*** as provided in What Type of Information Do We Collect? above. We encourage you to review PayPal's Privacy Policy at https://www.paypal.com/us/legalhub/paypal/privacy-full for more information.

6. How Do We Use Your Information?

We use your information for a variety of purposes, including as follows:

- Provide our Websites to You. We use your information to provide our Websites to you, including to: (1) create and manage your account when you sign up to use our Services; (2) facilitate your access and use of our Websites; (3) send you notifications relating to your account; (4) answer your Communications; and (5) perform other related business functions. Information used for such purposes may include Basic Identifying Information, Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, Geolocation Data, Commercial Information, Demographic Information, User Content, and Audio and Visual Information.
- Provide our Services to You. We use your information to provide our Services to you, including: making transactions for Services, including purchasing or renewing your membership, purchasing online education courses or event registration, or applying for certification and recertification, in which case users are required to provide Basic Identifying Information (i.e., name, email address, mailing address, and phone number). We also may collect other Demographic Information Company Information and Education Information to qualify customers for membership type and certification application as well as to provide a more personalized experience on ACSM Websites. We may also collect Payment Information and Commercial Information to fulfill purchases, as

well as Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, and Geolocation Data to monitor and provide the online portion of the Services.

- Improving our Services. ACSM aggregates user information to improve Services and the Website.
- Reporting. ACSM may use information for industry reporting purposes.
- Surveys and Feedback Use. We will occasionally invite users to provide personal information via electronic surveys. Participation in these surveys is voluntary. As such, the user has a choice whether to disclose requested contact and demographic information. ACSM also utilizes features which allow users to submit information to ACSM online (i.e., feedback forms or committee interest forms). Letters to the editor and similar submissions may be made public. ACSM may retain emails and other information submitted for internal customer service and administrative purposes. This generally includes Basic Identifying Information, Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, and User Content.
- Interactive Features. We may offer interactive features, such as a discussion forum. All personal information sent or posted via such features becomes public information for which ACSM is not responsible. This generally includes Basic Identifying Information, Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, and User Content.
- Referrals. We may receive and use information for referral purposes when such information is received by us to market information to the referred individual or company. Basic Identifying and Company Information.
- Communicate with You. We use your information to engage in Communications with you, such as to respond to your requests, inquiries, issues, feedback, and to provide customer service. This information generally includes you Basic Identifying Information, Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, and User Content.
- Market and Advertise. We use your information for marketing and advertising purposes, including sending marketing, advertising, and promotional communications to you by email, text message, or postal mail. We also use your information to show you advertisements for Services and to administer our sweepstakes and other contests. Information generally used includes Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, Commercial Data, Geolocation Data, and Inferences.
- Conduct Analytics and Personalization. We use your information to conduct research and analytics, including to improve our Websites and Services. We also use your information to understand your interaction with our Websites, advertisements, Services, and our Communications with you. We also use your information to personalize your experience, to save you time when you visit our Websites and use our Services, to better understand your needs, and to provide personalized recommendations for our Services. Information generally used includes Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, Commercial Data, Geolocation Data, and Inferences.
- Security and Fraud Prevention. We use your information to detect, investigate, prevent, or take action regarding possible malicious, deceptive, fraudulent, or illegal activity, including fraudulent transactions. We also use your information to enforce our terms and procedures, prevent security incidents, and prevent the harm to other users of our Services. Information generally used includes Device Identifiers and Other Unique Identifiers, Internet and Other Network Activity, and Geolocation Data.
- Legal Obligations. We use your information to comply with our legal and regulatory obligations, to establish and exercise our rights, and to defend against legal claims.

- Business Functions. We use your information to support our core business functions, including to maintain records related to business management, loss prevention, collecting amounts owed, and identifying and repairing errors or problems in the Websites.

7. Permissions For Sponsor and Publisher Information

Users are given the opportunity to choose whether to receive information from our sponsors or publishers and us, not directly related to the registered services. Users also have the opportunity to choose whether to have personal information shared with third parties for marketing purposes. Instructions for how to exercise this choice are contained in e-mails sent by us, on our product Websites, and in each of our publications. Should you wish to not have your information shared with ACSM-approved third parties, please email ACSM at publicinfo@acsm.org. ACSM will endeavor to implement requests within a reasonable time, although for a reasonable time users may continue to receive mailings, etc., transmitted based on information released prior to the implementation of the request. Users will continue to receive information directly related to their registered services.

8. How Do We Disclose Your Information?

We may disclose or share your information with affiliated and non-affiliated third parties, including in the following scenarios:

- With your Consent. We may disclose or share your information with your consent, which may be obtained in writing; online, through "click-through" agreements; when you accept the terms of use on our Websites; orally, either in person or on the phone; or by other means.
- In a Business Transfer. We may disclose or share your information as part of a corporate business transaction, such as a merger or acquisition, joint venture, corporate reorganization, financing, or sale of company assets, or in the unlikely event of insolvency, bankruptcy, or receivership, in which such information could be transferred to third parties as a business asset in the transaction.
- Service Providers. We may disclose or share your information with certain non-affiliated third parties to facilitate your access and use of our Websites, our Services, and to provide us with certain business functions, including but not limited to sharing your information with brand partners, publishers, internet service providers, advertising networks, data analytics providers, governmental entities, operating systems and platforms, payment processors, and other service providers who provide us a service (e.g., customer service, auditing, marketing, debugging to identify and repair errors that impair existing intended functionality on our Websites, and/or protecting against malicious, deceptive, fraudulent, or illegal activity).
- Business Partners. When ACSM offers co-branded, sponsored products and services, or when partnered with other parties to provide specific products or services, ACSM may share (provide and receive) personal information with them. Unless prohibited by law, we do not share credit card information with such third parties. Third parties will use the information in accordance with their respective privacy policies.
- For Legal Process And Protection. We may disclose or share your information to satisfy any law, regulation, legal process, governmental request, or where we have a good faith belief that access, use, preservation, or disclosure of such information is reasonably necessary to:

(1) enforce or apply our agreements; (2) protect our interests, property, or safety of others; (3) in connection with claims, disputes, or litigation; and (4) to protect our Websites.

9. How Do We Protect Your Information?

Although no system can guarantee the complete security of your information, we take all commercially reasonable steps to ensure your information is protected in alignment with all applicable laws and regulations, as appropriate to the sensitivity of your information.

10. How Long Do We Keep Your Information?

We keep your information for as long as is necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations. If we dispose of your information, we will do so in a way that is secure and appropriate to the nature of the information subject to disposal.

11. Links To Third Party Sites

If users elect to use our referral service for informing someone about our Websites and Services, ACSM may request contact information. ACSM will store and use this data to provide information about ACSM and related products and services. The referee may contact ACSM as specified in the message to request that no further communications be sent.

The Websites contain links to other sites for which ACSM is not responsible for the privacy practices or content of such other sites. ACSM is not responsible for the misuse of ACSM's name, products, or services listed on other sites.

12. Your Choices

A. Account / My Profile

You may access, update, or remove certain information that you have provided to us through your account by logging in and accessing the tab "My ACSM" and then selecting "My Profile" therein. Additionally, a user may contact us at publicinfo@acsm.org or 317-637-9200 to change their personally identified information or notify ACSM of the wish to no longer receive communications, product(s), and/or service(s).

Please note that we will retain and use information about you as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

B. Communications

The following is information about how to opt out of receiving certain communications from us, depending on means of delivery:

- E-mails. You can opt out of receiving promotional emails from us at any time by following the instructions as provided in emails to click on the unsubscribe link, or emailing us at the email address set out in the Contact Us section below with the word UNSUBSCRIBE in the subject field of the email. Please note that you cannot opt out of non-promotional emails, such as those about your account, transactions, servicing, or our ongoing business relations.

- Phone & SMS Text Messaging. You can opt out of receiving text messages or calls to your phone number at any time by (i) for text messages, texting "STOP" in response to any text message you receive from us or contacting us as set out in the Contact Us section below and specifying you want to opt out of text messages; and (ii) for calls, requesting opt out during any call you receive from us or contacting us as set out in the Contact Us section below and specifying you want to opt-out of calls.
- Push Notifications. If you have opted in to receive push notifications on your device, you can opt out at any time by adjusting the permissions in your device or uninstalling our mobile application.

C. Automatic Information Collection Technologies

The following disclosures relate to your choices in connection with cookies and other tracking technologies:

- Do Not Track. Your browser settings may allow you to automatically transmit a "Do Not Track" signal to online services you visit. We do not currently monitor or take action with respect to "Do Not Track" signals. For more information on "Do Not Track," visit http://www.allaboutdnt.com.
- Cookies and Pixels. Most browsers accept cookies by default. You can instruct your browser, by changing its settings, to decline or delete cookies. If you use multiple browsers on your device, you will need to instruct each browser separately. Your ability to limit cookies is subject to your browser settings and limitations. Below are links to instructions for managing cookies on commonly used browsers:
    - Google Chrome: https://support.google.com/chrome/answer/95647
    - Microsoft Edge: https://support.microsoft.com/en-us/microsoft-edge/delete-cookies-in-microsoft-edge-63947406-40ac-c3b8-57b9-2a946a29ae09
    - Mozilla Firefox: https://support.mozilla.org/en-US/kb/clear-cookies-and-site-data-firefox
    - Safari (macOS): https://support.apple.com/en-us/H+T201265

  Please be aware that if you disable or remove tracking technologies, some parts of the Service may not function correctly. If you disable or refuse cookies, some parts of the Websites may then be inaccessible or not function properly.
- Mobile Application and Location Technologies. You can stop all collection of information via our mobile application by uninstalling the mobile application. You can also reset your device Ad Id at any time through your device settings, which is designed to allow you to limit the use of information collected about you. You can stop all collection of precise location data through the mobile application by uninstalling the application or withdrawing your consent through your device settings.

Please be aware that if you disable or remove tracking technologies, some parts of the Service may not function correctly.

D. Analytics

Google provides tools to allow you to opt out of the use of certain information collected by Google Analytics at https://tools.google.com/dlpage/gaoptout and by Google Analytics for Display Advertising or the Google Display Network at https://www.google.com/settings/ads/onweb/.

E. Advertising

The companies we work with to provide you with targeted ads are required by us to give you the choice to opt out of receiving targeted ads. Most of these companies are participants of the Digital Advertising Alliance ("DAA") and/or the Network Advertising Initiative ("NAI"). To learn more about the targeted ads provided by these companies, and how to opt out of receiving certain targeted ads from them, please visit: (i) for website targeted ads from DAA participants, https://www.aboutads.info/choices; (ii) for app targeted ads from DAA participants, https://www.aboutads.info/appchoices; and (iii) for targeted ads from NAI participants, https://www.networkadvertising.org/choices/. Opting out only means that the selected participants should no longer deliver certain targeted ads to you, but does not mean you will no longer receive any targeted content and/or ads (e.g., in connection with the participants' other customers or from other technology services).

Google Ads: Users can opt out of Interest-Based Advertising by visiting Google's Ads Settings page or by opting out of cookies from all participating advertisers by visiting the Network Advertising Initiative's Opt-Out page (discussed in this section above).

Bing Ads: Users can opt out of Microsoft's use of information for Interest-Based Advertising by visiting the Network Advertising Initiative's Opt-Out page.

Please note that if you opt out using any of these methods, the opt out will only apply to the specific browser or device from which you opt out. We are not responsible for the effectiveness of, or compliance with, any opt out options or programs, or the accuracy of any other entities' statements regarding their opt out options or programs.

F. Your Legal Rights Under Applicable Laws

Depending on where you reside, you may have certain legal rights in relation to your information.

- United Kingdom and European Economic Area Residents: If you are a data subject in the United Kingdom ("UK") or any part of the European Economic Area ("EEA"), please see the section Additional Information for European Residents.

13. Your Responsibilities

As a user of ACSM service and as a customer of ACSM, you agree to abide by the ACSM Communications Interaction Conduct policy which outlines upholding respectful and professional interactions. The policy is as follows:

Purpose

The American College of Sports Medicine's (ACSM) is dedicated to upholding a standard of excellence in all professional relationships. We ask that all members, certified exercise professionals, vendors, and customers join us in maintaining an environment where mutual respect, ethical conduct, and professional collaboration guide every interaction.

Policy

This policy outlines the expectations for how staff, members, certified exercise professionals, customers, partners, and the public should mutually treat each other and interact in all forms of communication and engagement.

1. Treat one another with respect and professionalism.

All individuals interacting within ACSM are expected to maintain a professional and courteous tone in every exchange—whether written, verbal, or digital. Disrespectful, discriminatory, aggressive, or harassing behavior is not tolerated. Differences of opinion should be expressed constructively. All individuals are entitled to a safe and respectful work environment.

2. Communication should be collaborative and respectful.

Interactions should be defined by communications that are timely, honest, and in a direct manner. Clearly communicate needs, concerns, or feedback using appropriate channels. Engage in good-faith dialogue with an openness to mutual understanding. ACSM values collaboration between staff, members, certified exercise professionals, and customers to achieve shared goals. Interactions should be in the spirit of cooperation, partnership, and shared responsibility. Recognize the expertise and professionalism of each party.

3. Report concerns responsibly.

Should an issue or concern arise, customers are encouraged to directly contact ACSM HR (jstoelting@acsm.org) who will follow proper channels to resolve concerns. For ACSM members and certified professionals, failure to adhere to this policy may be subject to formal review by the applicable ethics processes.

14. Children

Our Websites and Products are not intended for children under the age of 13. This includes any links to other websites that we provide for your convenience. We don't knowingly collect the information of children under 13 for any reason.

15. Changes to Our Privacy Policy

We may change this Policy from time to time. Any and all changes will be reflected on this page, and where appropriate provided in person or by another electronic method. The effective date will be stated at the top of this Policy. You should regularly check this page for any changes to this Policy.

16. Accessibility

If you require a copy of this Privacy Policy in an alternative format, please Contact Us.

17. Contact Us

If you have any comments or questions, please contact us through the following methods:

Physical Address: American College of Sports Medicine, Inc.

6510 Telecom Drive, Suite 200
Indianapolis, IN 46278

Email: publicinfo@acsm.org

18. Use of Artificial Intelligence

Artificial intelligence (AI) tools may be used in content. All final decisions and final content are intended to have human oversight.

19. California "Shine The Light" Law

If you are a California resident, you have the right to request information from us once per calendar year regarding the customer information we share with third parties for the third parties' direct marketing purposes. To request this information, please send an email to publicinfo@acsm.org with 'Request for California Privacy Information' in the subject line and in the body of your message. We will provide the requested information to you via an email response.

20. Nevada Sale Of Personal Information Notice

A. Sale of Personal Information

If you are a Nevada resident, you have the right to submit a request directing us not to make any sale of your personal information. We do not sell your personal information as defined under Nevada law. However, to request email confirmation that we do not sell your personal information, please send an email to publicinfo@acsm.org with "Nevada Opt-Out of Sale" in the subject line and in the body of your message. We will provide the requested information to you via an email response.

21. Additional Information for European Residents

A. Role and Data Controller Contact Details

The General Data Protection Regulation ("GDPR") and data protection laws in Europe distinguish between organizations that process personal information for their own purposes (known as "controllers") and organizations that process personal information on behalf of other organizations (known as "processors").

We act as a controller with respect to personal information collected from you as you engage with our Websites, Offices, Services or via Communications with us. If you have questions with respect to our processing of your information as a controller, you can contact us by email at the email address set forth in the section entitled Contact Us below.

B. Lawful Basis for Processing

The GDPR and data protection laws in Europe require a "lawful basis" for processing personal information. Our lawful bases include the following:

- To fulfill obligations in the agreement between you and Company. To use our Websites or Services, you and Company entered into an agreement under the applicable terms of use,

and in order for us to fulfill our obligations with respect to providing our Websites or Services under such agreement, we must collect your personal information to provide the necessary functionality. The information we collect and how it is used by us is further detailed in the sections entitled What Type of Information Do We Collect? and How We Use Your Information? above.

- To pursue our legitimate interests. Our legitimate interests include, among others, understanding how our Websites or Services are functioning, improving our Websites or Services, developing new products and services, and preventing fraud. To pursue the foregoing, we process personal information. Where we rely on a legitimate interest to process personal information, we carry out a balancing test to weigh the legitimate interest against your right to protection of your personal information; however, our processing of your personal information will never override your fundamental rights and freedoms, and you can always exercise your right to object to such processing.
- Consent. In certain situations where you provide us with consent, we may process your personal information.
- To comply with law. In limited circumstances, we may process personal information in order to comply with legal obligations. To the extent we have received such information from third parties with whom we have agreed to certain contractual requirements or obligations (e.g., standard contractual clauses), we will use our reasonable efforts to dispute the disclosure of personal information, unless legally required to do so.

C. Onward Transfer

If you choose to provide us with your information, you consent to the transfer and storage of that information on our servers located in the United States. The information we collect is subject to state and federal law in the United States. If you are accessing our Websites from outside the United States, please be advised that you are transferring your personal information to us in the United States where data protection and privacy laws may be different or less stringent than the laws of your country.

If the GDPR applies and your data is transferred by us to another entity outside the UK, Switzerland, or the EEA, we will transfer your personal information subject to appropriate safeguards, such as an adequacy decision by the European Commission on the basis of Article 45 of Regulation (EU) 2016/679 or Standard Contractual Clauses, as provided from time to time by the European Commission. You can receive additional information about where your personal information is transferred and the appropriate safeguards by contacting us.

D. Your Data Subject Rights

Your Rights. If you are a data subject under the GDPR, subject to certain conditions, you have the right to:

- Access, rectify, or erase any personal information we process about you;
- Data portability – that is, asking us to transfer your personal information to any third party of your choice;
- Restrict or object to our processing of your personal information; and
- Where applicable, withdraw your consent at any time for any processing of your personal information.

You may exercise your rights by contacting us at:

Chief Operating Officer
American College of Sports Medicine, Inc.
6510 Telecom Drive, Suite 200
Indianapolis, IN 46278

publicinfo@acsm.org

(317) 637-9200

E. Complaints

If you have a complaint about our use of your personal information or our response to your request(s) regarding your personal information, you may submit a complaint to the Data Protection Supervisory Authority in your jurisdiction. We would, however, appreciate the opportunity to address your concerns before you approach a data protection regulator and welcome you to first direct an inquiry to us.

In addition to our contact details set out above, you can also contact our designated individual overseeing compliance of this Privacy Policy by writing us at:

Chief Operating Officer
American College of Sports Medicine, Inc.
6510 Telecom Drive, Suite 200
Indianapolis, IN 46278

publicinfo@acsm.org

(317) 637-9200