

## NYS DIVISION OF TAX APPEALS INTERNET PRIVACY POLICY

Issued 6/12/02

### *Introduction*

Thank you for visiting the Division of Tax Appeals' website. This website is designed to make it easier and more efficient for individuals and businesses to interact with the Division of Tax Appeals. The Division of Tax Appeals recognizes that it is critical for individuals and businesses to be confident that their privacy is protected when they visit the Division of Tax Appeals' website.

Consistent with the provisions of the Internet Security and Privacy Act, the Freedom of Information Law, and the Personal Privacy Protection Law, this policy describes the Division of Tax Appeals' privacy practices regarding information collected from users of this website. This policy describes what information is collected and how that information is used. Because this privacy policy only applies to this website, you should examine the privacy policy of any website, including other state agency websites, that you access using this website.

For purposes of this policy, "personal information" means any information concerning a natural person which, because of name, number, symbol, mark, or other identifier, can be used to identify that natural person. **The Division of Tax Appeals does not collect any personal information about you through this website unless you provide that information voluntarily by sending an e-mail.**

### *Information Collected Automatically When You Visit this Website*

When visiting this website, the Division of Tax Appeals automatically collects and stores the following information about your visit:

- (i) User client hostname. The hostname or Internet Protocol address of the user requesting access to a state agency website.
- (ii) HTTP header, "user agent." The user agent information includes the type of browser, its version, and the operating system on which that browser is running.
- (iii) HTTP header, "referrer." The referrer specifies the web page from which the user accessed the current web page.
- (iv) System date. The date and time of the user's request.
- (v) Full request. The exact request the user made.
- (vi) Status. The status code the server returned to the user.
- (vii) Content length. The content length, in bytes, of any document sent to the user.

- (viii) Method. The request method used.
- (ix) Universal Resource Identifier (URI). The location of a resource on the server.
- (x) Query string of the URI. Anything after the question mark in a URI.
- (xi) Protocol. The transport protocol and the version used.

None of the foregoing information is deemed to constitute personal information.

The information that is collected automatically is used to improve this website's content and to help the Division of Tax Appeals understand how users are interacting with the website. This information is collected for statistical analysis, to determine what information is of most and least interest to our users, and to improve the utility of the material available on the website. The information is not collected for commercial marketing purposes and the Division of Tax Appeals is not authorized to sell or otherwise disclose the information collected from the website for commercial marketing purposes.

### ***Cookies***

Cookies are simple text files stored on your web browser to provide a means of distinguishing among users of this website. The use of cookies is a standard practice among Internet websites. To better serve you, we occasionally use "session cookies" to enhance or customize your visit to this website. Session cookies can be created automatically on the device you use to access this State agency website, do not contain personal information and do not compromise your privacy or security. We may use the cookie feature to store a randomly generated identifying tag on the device you use to access this website. A session cookie is erased during operation of your browser or when your browser is closed.

The software and hardware you use to access the website allows you to refuse new cookies or delete existing cookies. Refusing or deleting these cookies may limit your ability to take advantage of some features of this website.

### ***Information Collected When You E-mail this Website***

During your visit to this website you may send an e-mail to the Division of Tax Appeals. Your e-mail address and the contents of your message will be collected. The information collected is not limited to text characters and may include audio, video, and graphic information formats included in the message. Your e-mail address and the information included in your message will be used to respond to you, to address issues you identify, to improve this website, or to forward your message to another State agency for appropriate action. Your e-mail address is not collected for commercial purposes and the Division of Tax Appeals is not authorized to sell or otherwise disclose your e-mail address for commercial purposes.

The Division of Tax Appeals does not knowingly collect personal information from children or create profiles of children through this website. Users are cautioned, however, that the collection of personal information submitted in an e-mail will be treated as though it was submitted by an

adult, and may, unless exempted from access by federal or State law, be subject to public access. This Agency strongly encourages parents and teachers to be involved in children's Internet activities and to provide guidance whenever children are asked to provide personal information on-line.

### ***Information and Choice***

As noted above, the Division of Tax Appeals does not collect any personal information about you unless you provide that information voluntarily by sending an e-mail. You may choose not to send us an e-mail. While your choice not to participate in this activity may limit your ability to receive specific services or products through this website, it will not normally have an impact on your ability to take advantage of other features of the website, including browsing or downloading information.

### ***Disclosure of Information Collected Through This Website***

The collection of information through this website and the disclosure of that information are subject to the provisions of the Internet Security and Privacy Act. The Division of Tax Appeals will only collect personal information through this website or disclose personal information collected through this website if the user has consented to the collection or disclosure of such personal information. The voluntary disclosure of personal information to the Division of Tax Appeals by the user, whether solicited or unsolicited, constitutes consent to the collection and disclosure of the information by the Division of Tax Appeals for the purposes for which the user disclosed the information to the Division of Tax Appeals, as was reasonably ascertainable from the nature and terms of the disclosure.

However, the Division of Tax Appeals may collect or disclose personal information without consent if the collection or disclosure is: (1) necessary to perform the statutory duties of the Division of Tax Appeals, or necessary for the Division of Tax Appeals to operate a program authorized by law, or authorized by State or federal statute or regulation; (2) made pursuant to a court order or by law; (3) for the purpose of validating the identity of the user; or (4) of information to be used solely for statistical purposes that is in a form that cannot be used to identify any particular person.

Further, the disclosure of information, including personal information, collected through this website is subject to the provisions of the Freedom of Information Law and the Personal Privacy Protection Law.

The Division of Tax Appeals may disclose personal information to federal or State law enforcement authorities to enforce its rights against unauthorized access or attempted unauthorized access to the Division of Tax Appeals' information technology assets.

### ***Retention of Information Collected Through this Website***

The information collected through this website is retained by the Division of Tax Appeals in accordance with the records retention and disposition requirements of the New York State Arts

& Cultural Affairs Law. Information on the requirements of the Arts & Cultural Affairs Law may be found at <http://www.archives.nysed.gov/services/recmgmt.htm>. In general, the Internet services logs of the Division of Tax Appeals, comprising electronic files or automated logs created to monitor access and use of Agency services provided through this website, are retained for a minimum of three months. Information, including personal information, that you submit in an e-mail is retained in accordance with the records retention and disposition schedule established for the records of the program unit to which you submitted the information. Information concerning these records retention and disposition schedules may be obtained through the Internet privacy policy contact listed in this policy.

### ***Access to and Correction of Personal Information Collected Through this Website***

Any user may submit a request to the Division of Tax Appeals' privacy compliance officer to determine whether personal information pertaining to that user has been collected through this website. Any such request shall be made in writing and must be accompanied by reasonable proof of identity of the user. Reasonable proof of identity may include verification of a signature, inclusion of an identifier generally known only to the user, or similar appropriate identification. The address of the privacy compliance officer is:

nysdota@nysdta.org

or

Privacy Compliance Officer  
New York State Division of Tax Appeals  
Riverfront Professional Tower  
500 Federal Street  
Troy, NY 12180-2893

The privacy compliance officer shall, within five (5) business days of the receipt of a proper request, provide access to the personal information; deny access in writing, explaining the reasons therefore; or acknowledge the receipt of the request in writing, stating the approximate date when the request will be granted or denied, which date shall not be more than thirty (30) days from the date of the acknowledgment.

In the event that the Division of Tax Appeals has collected personal information pertaining to a user through the State agency website and that information is to be provided to the user pursuant to the user's request, the privacy compliance officer shall inform the user of his or her right to request that the personal information be amended or corrected under the procedures set forth in section 95 of the Public Officers Law.

### ***Confidentiality and Integrity of Personal Information Collected Through this Website***

The Division of Tax Appeals is strongly committed to protecting personal information collected through this website against unauthorized access, use or disclosure. Consequently, the Division of Tax Appeals limits employee access to personal information collected through this website to

only those employees who need access to the information in the performance of their official duties. Employees who have access to this information follow appropriate procedures in connection with any disclosures of personal information.

In addition, the Division of Tax Appeals has implemented procedures to safeguard the integrity of its information technology assets, including, but not limited to, authentication, monitoring, auditing, and encryption. These security procedures have been integrated into the design, implementation, and day-to-day operations of this website as part of our continuing commitment to the security of electronic content as well as the electronic transmission of information.

For website security purposes and to maintain the availability of the website for all users, this Agency employs software to monitor traffic to identify unauthorized attempts to upload or change information or otherwise damage this website.

### ***Disclaimer***

The information provided in this privacy policy should not be construed as giving business, legal, or other advice, or warranting as fail proof, the security of information provided through this website.

### Contact Information

For questions regarding this Internet privacy policy, please contact:

nysdota@nysdta.org

or

Privacy Compliance Officer  
New York State Division of Tax Appeals  
Riverfront Professional Tower  
500 Federal Street  
Troy, NY 12180-2893