

**WEBSITE PRIVACY NOTICE**  
**NC ABLE PROGRAM**  
Revised January 2023

The North Carolina Department of State Treasurer (the “Department”) and the North Carolina ABLE Program Board of Trustees (the “Board”), public entities of the State of North Carolina, administer the NC ABLE Program. This Privacy Policy summarizes the key information collected on and through this website ([nc.savewithable.com](http://nc.savewithable.com)) and the main uses of such information.

**Program Contractor**

As a contractor for the NC ABLE Program, Ascensus College Savings Recordkeeping Services, LLC (“Ascensus”) provides program management, recordkeeping, enrollment, account processing, distributions, and customer service directly to account owners in the NC ABLE Program. In its role, Ascensus collects, stores, and uses Personal Information (as defined below), including sharing Personal Information with its contractors (such as Fifth Third Bank, N.A.). Ascensus protects the privacy and security of Personal Information in compliance with applicable law and Ascensus’s Privacy Management Policy (located at <https://www2.ascensus.com/privacy-management/>) and Security Policy (located at <https://www2.ascensus.com/security/>).

**Information Collected**

The NC ABLE Program, through Ascensus, collects information on or through this website, including without limitation the following:

1. Personal information that you provide about you or another individual for the purpose of participating in the NC ABLE Program, such as name, address, telephone number, Social Security Number, Taxpayer ID, date of birth, bank account number, or email address (collectively, “Personal Information”);
2. Account transactions and other account information, such as investment selections, contributions, and withdrawals; and
3. Website usage and analytics information (including your IP address) by use of such methods as log information and cookies, which are files placed on your computer (collectively, “Website Information”). You may refuse the use of cookies by selecting the appropriate settings on your browser; however, if you do this, you may not be able to use this website or all of its functionality.

**Use of Information**

Personal Information may be used by the State (as defined below), Ascensus, and any contractors of the State or Ascensus (including without limitation Fifth Third Bank, N.A.) (1) to provide services related to NC ABLE Program accounts, (2) pursuant to your request or consent, (3) pursuant to the plan disclosure documents (located at <https://cdn.unite529.com/jcdn/files/UABLE/pdfs/nc-programdescription.pdf>), or (4) as otherwise permitted or required by law.

Personal Information also may be transferred to another party pursuant to a change of control in Ascensus' business (whether by merger, sale, or otherwise).

Website Information may be used by the State and Ascensus and may be shared with other parties.

Additional information on the use of Personal Information and Website Information is available here: <https://www.retsupport.com/resources/pdfs/privacy/AscensusPrivacyPolicy.pdf>.

### **Disclaimer of Liability**

The Department, the Board, the State of North Carolina, and their respective employees, members, and agents (collectively, the “State”) reserve all immunities, defenses, rights, and actions arising out of its sovereign status or under the Eleventh Amendment to the U.S. Constitution, and no waiver of any such immunities, defenses, rights, or actions shall be implied or otherwise deemed to exist.

The State assumes no liability or responsibility for the use of this website or any information contained on this website, including without limitation any delay in, or failure of, operation or transmission, or any error, omission, interruption, deletion, or defect.

This website and the information on it are provided on an “as is” basis. All warranties of any kind, express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer virus, and non-infringement of proprietary rights are disclaimed.

The State is not responsible for the content or privacy practices of any off-site pages referenced by, or linked from, this website. Links from this website to another site do not constitute or imply an endorsement or referral.

### **User's Acceptance of These Terms**

By using the NC ABLE Program’s website, you acknowledge and agree that your use of this website shall comply with all applicable laws and regulations and shall not violate the rights of any third parties. Use of this website constitutes your consent to the terms set forth herein. IF YOU DO NOT WISH TO BE BOUND BY ALL OF THE TERMS SET FORTH HEREIN, DO NOT ACCESS THE NC ABLE PROGRAM’S WEBSITE OR USE ANY OF THE SERVICES PROVIDED ON THE WEBSITE.

### **Changes in Our Privacy Notice**

The Department reserves the right to change this Privacy Policy without notice at any time. Any changes to this privacy policy will be effective as of the day they are posted. Use of this website following these changes signifies acceptance of the revised privacy policy. Users are encouraged to visit this page regularly to look for any updates or changes. The changes covered by this section include without limitation a change by Ascensus to one of the linked policies that is incorporated into this Privacy Policy.

### **Choice of Law**

Any dispute or claim regarding, or interpretation of, this Privacy Policy shall be governed by the laws of the State of North Carolina.

**Contact Information**

If you have any questions about this Privacy Policy, please contact:

NC ABLE Program  
North Carolina Department of State Treasurer  
3200 Atlantic Avenue  
Raleigh, NC 27604