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**Section 4:** Confidentiality and Information Security

**Policy:** Confidentiality

**Number:** CIS-1

**Effective Date:** 7/1/2014

**Last Revision:** 9/20/2020

**Related Documents:**

**Developed by:** Institutional Advancement

**Author:** Otterbein University

**Approved by:** VPIA

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This policy is designed to protect the privacy of alumni and other constituents of Otterbein University (“university”) and to maintain standards of confidentiality associated with Advancement Division operations and information.

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**Policy Statement**

The Otterbein University Division of Institutional Advancement maintains data of a biographical nature and related to gift/pledge information about university alumni and friends in accordance with the general needs and expectations of the university community. The information contained in this database is intended exclusively for purposes related to Otterbein University’s programs.

This includes but is not limited to: Millennium, Telefund, and all hard files.

All Otterbein University employees have an ethical and professional obligation to respect the privacy of university constituents, and to protect and maintain the confidentiality of all information concerning constituents and related individuals.

This policy governs general Division of Institutional Advancement operations and all access to constituent information as defined herein. University-wide policies and handbook provisions, including but not limited to those related to confidentiality, information security and appropriate use, supersede this policy in all instances of conflict and omission.

It is the desire of the Division of Institutional Advancement to support the ongoing activities of the university by providing assistance for programs, communications, and events which bring together alumni, donors, and friends of the university. In order to provide the best possible service to those with legitimate needs for such information, and at the same time maintain the confidentiality of the information entrusted to us by our alumni, the following policies have been developed.

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## Definitions

**Confidential Constituent Information:** Confidential constituent information consists of any Constituent-related information

- Not specifically exempted in applicable legislation;
- Not specifically exempted by university policy (e.g. the University's official definition of "Directory Information"); and
- Considered to be Personally Identifiable Information, as defined below, or marked "confidential."

**Confidential Information:** Confidential information consists of confidential constituent information, as defined above, and all other proprietary university information, including non-public information related to advancement operations and performance.

**Constituent:** Constituents include all university donors, prospective donors, alumni, students, faculty, staff, and volunteers.

**Contract Organizations:** Contract organizations are individuals, companies, organizations, or institutions that have a contractual agreement with Otterbein University. Typically a contract organization provides goods and/or services to the university.

**Directory Information:** Directory Information refers to information contained in a record of a constituent that would not generally be considered harmful or an invasion of privacy. This includes name, address, telephone listing, email address, participation in officially recognized activities and sports, and dates of attendance. The university may disclose "directory information" to third parties without consent.

**Personally Identifiable Information:** Personally identifiable information consists of any information linked to an individual's name (in whole or part), address, phone number, social security number, university ID number, date of birth, or any other data that would reasonably associate the information with the individual.

**Record:** The Division of Institutional Advancement has access to records including but not limited to: directory information, employment information, financial information, relationship information, giving history, and prospect data. Records are available on alumni, donors, parents, former parents, faculty, staff, and family members of the aforementioned.

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## Roles and Responsibilities

**Vice President for Institutional Advancement:** The Vice President for Institutional Advancement has responsibility to determine a requestor's legitimate affiliation with the university before information is released. The Vice President may assign this responsibility

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to other Institutional Advancement staff if he/she feels it is for the best interest of the university.

**Executive Director of Advancement Services and Strategy Solutions:** The Executive Director of Advancement Strategies, Services, and Infrastructure has the responsibility for oversight and maintenance of all constituent records.

**Director of Advancement Technology:** The Director of Advancement Technology has responsibility of security of constituent records. As a member of the advancement services team, the Director has the responsibility for supporting the development management information system and other systems used in the Division of Institutional Advancement to support the overall development effort.

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## Specific Policies and Procedures

### I. Advancement Division Information Access

Direct and indirect access to Advancement Division data bases, electronic information, paper records, and other information is granted to faculty, staff, and volunteers, assigned by Institutional Advancement, acting in the university's interests.

Access to Advancement Division databases is authorized and granted pursuant to university access policies and procedures for Otterbein employees, volunteers and agents who (a) have received authorization from the Advancement Division and (b) have been issued a unique and personal password (for password protected systems). Information from these databases may only be shared with other employees, volunteers and agents from whom a confidentiality agreement has been secured. Advancement Division system passwords may not be shared with other users, including new employees who have not yet obtained their own passwords. Persons or organizations accessing Advancement Division information must comply with Division's Restricted Use Policy Statement (as stated below), which in turn must accompany all confidential information delivered to third parties.

For quality control and tracking purposes, the Division's official data request forms should be completed for all data requests – including but not limited to, mailing lists, gift lists, and custom reports.

### II. General Guidelines for Release of Constituent Information

The table below lists the level of access per constituent group. In order to gain access to information not permitted in the table below, a data request form must be submitted and approved by the Vice President for Institutional Advancement or an appointed I.A. staff member.

Level 1	Directory Information	Key Volunteers, Alumni, Faculty, Staff, Contractors
Level 2	Directory Information + Employment Information	Key Volunteers, Faculty, Staff, Contractors,
Level 3	Above + Relationship Information	Faculty, Staff Contractors, and Key Volunteers
Level 4	Above + Giving History	I.A. Staff, Contractors, Key Volunteers*
Level 5	Above + Prospect Data	Development Staff, Contractors & Key Volunteers

\*Volunteers, as warranted and approved by the Exec Dir Adv Services, may be given access to gift ranges to provide context in developing asks. Department Chairs (or equivalent) and Coordinator Liaisons, have access to single instances of gifts made to their department by alumni, parents and friends, unless the donor asks to be anonymous.

### III. Information Release to Other University Employees, Volunteers or Agents

Confidential Information, in any format, may not be distributed outside the Advancement Division without approval of the Vice President for Institutional Advancement or his/her designee. Distributed information must be limited in form and content to that required for fulfilling specific university-authorized tasks. Confidential constituent information may be released for personal or non-university purposes only with the explicit approval of all persons whose data is being released.

Confidential Information provided to university volunteers, agents or contractors (e.g., consultants, data screening vendors, mail houses, etc.) may not be reproduced, distributed, sold, or stored, electronically or otherwise, without the written consent of the Advancement Division. The Advancement Division’s “Restricted Use Policy Statement,” as set forth below, must accompany all such provisions. Information provided on paper and other media must be returned to the Advancement Division for archiving and/or disposal unless otherwise specified.

Additionally, the University will provide information in compliance with requests from an associated governing body, a judicial order, or a lawfully issued subpoena. Otterbein will make a reasonable attempt to notify the affected constituent(s) in writing in advance of compliance.

### IV. Information Usage Guidelines

Advancement Division information may not be released to unaffiliated organizations or individuals for uses construed as third-party fundraising, solicitation, or marketing of any kind. The use of such information for these purposes is limited to Otterbein University in service of advancing its institutional mission and goals.

Advancement Division information may not be released to any person, group, or agency for political purposes.

Advancement Division information may not be used for any purpose other than that which has been officially approved.

### V. Confidentiality Agreement

All recipients and users of Advancement Division data bases and/or data must read and sign a confidentiality agreement.

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## Enforcement

Failure to comply with rules, regulations, policies, and procedures of Otterbein University, as well as federal and state laws applicable to your relationship to the university, will be subject to the following action(s).

- Revoking of authorization and/or access to confidential information
- Termination of employment
- Legal or disciplinary action

The Director of Advancement Technology will submit a written recommendation to the Vice President of Institutional Advancement in the case of suspected violations. The Vice President will promptly advise the Director to either (a) take no action at this time or (b) limit access immediately. The Vice President will then follow the policies and procedures as written in the Otterbein University Employee Manual, available at the Office of Human Resources.

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## Restricted Policy Use Statement

All confidential Information distributed by Otterbein University shall contain the following restricted policy use statement:

*This **confidential information** has been compiled by Otterbein University for its exclusive use. It is not available for private use of any kind, including but not limited to, commercial solicitations or the expression of personal, political, social, or economic views. I understand that I will be held responsible for the misuse or wrongful disclosure of confidential information*

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*and/or for my failure to safe guard my system username, password, or access codes to confidential information and further acknowledge responsibility for all activities undertaken using my system username, password or access codes. This information may not be reproduced, distributed, or sold, either electronically or otherwise, without the written consent of an authorized representative of Otterbein University.*

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### Employee/Agent/Volunteer Agreement

By signing below, I agree to abide by the policies set forth in this document, Confidentiality and Information Security Policy. I shall not release this information to the public, including but not limited to co-workers who have not been authorized by the Division of Institutional Advancement.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Please **print** your name and title or role below.

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