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|  | <b>UNIVERSITY OF PASADENA (UPAS)</b><br><b>Operational Procedures</b> |  |                    |
|   | Doc # :PO-OP-04.2   | Title: Confidentiality and Privacy Policy  |                    |
|   | Rev # : 07  | Approved By: Chief Executive Officer (CEO) | Date : 06 Sep 2021 |

| REVISION HISTORY |  |                                |                |
|------------------|--|--------------------------------|----------------|
| Rev No           | Description of change                    | Author                         | Effective Date |
| 1                | New Procedure                            | Chief Operations Officer (COO) | 14 Oct 2015    |
| 2                | No Change                                | Chief Operations Officer (COO) | 12 Oct 2016    |
| 3                | No Change                                | Chief Operations Officer (COO) | 11 Oct 2017    |
| 4                | No Change                                | Chief Operations Officer (COO) | 10 Oct 2018    |
| 5                | No Change                                | Chief Operations Officer (COO) | 09 Oct 2019    |
| 6                | Added policy on Student Academic records | Chief Operations Officer (COO) | 02 Nov 2020    |
| 7                | No Change                                | Chief Operations Officer (COO) | 06 Sep 2021    |

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### **1. Purpose**

11 University of Pasadena is committed to protecting the privacy and confidentiality of students, staff, Board members, volunteers and stakeholders in the way information is collected, stored and used.

12 This policy outlines University of Pasadena’s legal obligations and ethical expectations related to privacy and confidentiality.

### **2. Scope**

21 The University respects individual privacy and the laws governing it. UPAS remains committed to protecting and safeguarding the Personal and Academic Information of our students and Personal information of faculty, staff, alumni and others who access its products and services.

22 This University complies with The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99). FERPA is a Federal law that protects the privacy of student education records.

### **3. Definitions**

31 Confidentiality ensures that information is accessible only to those authorized to have access, need to know and is protected throughout its lifecycle. Confidential information is deemed confidential by its nature, e.g. it is information that is not available in the public domain.

32 Privacy provisions govern the collection, protection and disclosure of personal information provided to University by students, faculty, staff and advisory board members.

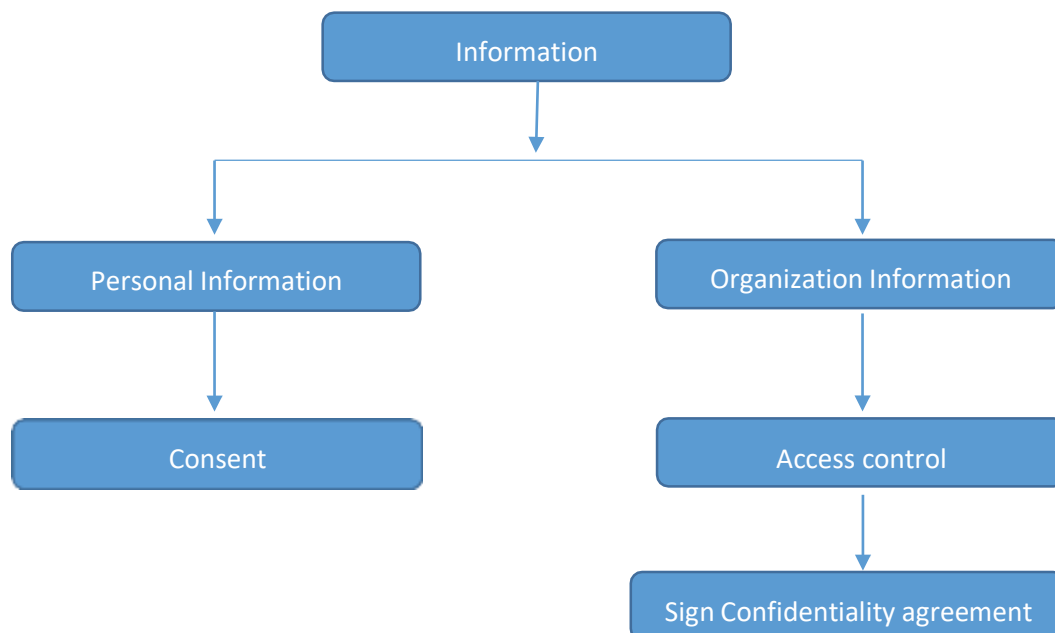
### **4. Responsibility**

41 The Chief Operation Officer (COO) is responsible for the effective implementation of the policy.

### **5. Procedure / Process**

University of Pasadena holds three types of information that are covered by this policy; Academic, personal and organizational. The personal information privacy and confidentiality are compliant through the consent forms and organizational information is protected through data access control system.

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### 5.1 Consent

The University obtains the consent of its students, staff, faculty, alumni and others accessing its products and services to disclose personal Information. Consent can be provided in writing, electronically by email or through an authorized representative, or it can be implied where the purpose of disclosing the Personal Information would be considered obvious and the individual voluntarily provides Personal Information for that purpose.

The University may collect, use or disclose Personal Information without an individual’s knowledge or consent when permitted by law including, by way of example:

- When the collection, use or disclosure is required or authorized by law (e.g., Directory Information permitted by FERPA;

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- In an emergency that threatens an individual’s life, health, or personal security.
- When the Personal Information is available from a public source (e.g., a telephone directory); and
- When the University seeks or otherwise requires legal advice from an attorney.

### 5.2 Use of Personal Information

The University limits its collection, use and disclosure of Personal Information for purposes that would be considered reasonable in the circumstances and only such information is required for the purposes of providing services, products or information to students, faculty, staff and others who access its products and services.

The University uses only fair and lawful methods to collect Personal Information. The University’s use of Personal Information is limited to the purposes described in this policy. The University does not use or disclose an individual’s Personal Information for any additional purpose without consent.

### 5.3. Disclosure of Personal Information

All information concerning faculty, staff, alumni, donors and others who access University products and services is held in strict confidence and, except in limited circumstances, not revealed to anyone else unless expressly or implicitly authorized by such individuals. Where the University is obliged or permitted to disclose Personal Information without consent, the University does not disclose more information than necessary.

Personal Information collected by the University is collected for its own requirements and the University does not sell, loan or share such Personal Information with outside entities; however, the University may publish or otherwise release certain Personal Information as Directory Information as authorized pursuant to the Family Educational Rights and Privacy Act (FERPA) and various University policies, rules and procedures related thereto.

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5.4. Data access control system.

The data is protected by a strict access control mechanism so that only the person who needs to know the data has access to it. All personal data is protected by strong password and access is tracked and logged. Anyone who accesses the personal data without proper approval or access will be subject to strict disciplinary actions including termination.

The Institution staffs are required to sign the confidentiality agreement that they will follow the privacy policy and related procedures in a proper manner relating to collection, storage, access and disposal of records.

5.5. Student Records

5.5.1. Family Educational Rights and Privacy Act (FERPA) Notification Statement

The following notification statement is made available to students enrolled UPAS to apprise them of their rights concerning access and review of their education records maintained at the University.

- The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar or other appropriate University official written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided

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to the student when notified of the right to a hearing.

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is defined as a person employed by the University in an administrative, supervisory, academic or support staff position (including law enforcement and health staff); a person or company with whom the University has contracted (such as an attorney, auditor or collection agent); a person serving on the Board of Trustees; or assisting another school official in performing his or her tasks. The university uses contractors, volunteers, in-service providers to provide university services and functions. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility
- Upon request, the University may disclose education records without consent to officials of another school in which a student seeks or intend to enroll. Examples of this are any collaborative programs that Clarion is involved in with sister PASSHE universities. These collaborative programs result in dual enrollment at both schools and Clarion will disclose certain information from the student's education records to the other institution under the program. 5. The right to file a complaint with the U.S. Department of Education concerning Failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-460

5.5.2. Policy:

Student academic and personal records are confidential in nature and protected by the Family Educational Rights and Privacy Act of 1974. Records shall be released only to appropriate faculty and administrative personnel and to parents and guardians if the student has provided the Registrar with a signed, written release. Release of these records to others, including institutions or governmental and legal agencies, shall occur only upon approval by the student or graduate, or upon subpoena. Transcripts of academic work are available to the student or graduate at the Office of the Registrar when requested in writing. There is a limit of three transcripts per request per day. No transcript shall be issued to a student who is financially indebted to the college. All

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enrolled, degree-seeking students are charged a one-time academic records fee which is added to their statement of charges from the Accounts Receivable Office.

The Family Educational Rights and Privacy Act of 1974 prohibits the release of educational records, other than to certain defined exceptions, without the student's consent. The Office of the Registrar will send grades to parents upon request if the student has completed a release of information. Grades are available via the Web through LMS.

Directory Information: UPAS shall disclose nothing more than "directory information" without the student's written consent unless the Family Educational Rights and Privacy Act of 1974 permits the disclosure. One of those permissible disclosures is to faculty who has a legitimate educational interest. The following are considered to be "directory information": the student's name, local and permanent addresses and telephone numbers, university E-mail address, age, names of parents, major field of study, dates of registered attendance, enrollment status (e.g., undergraduate or graduate; full-time or part-time), participation in officially recognized activities and sports, any degrees and the date they were conferred, any honors and awards received, and the most recent educational agency or institution attended. **A student may request that directory information not be released by submitting a signed, written, request to withhold directory information**

## **6. Review**

The university reviews the Confidentiality and Privacy Policies every year.