



**UNIVERSITY SENATE**

**PROPOSAL**

**Submitted on:**

**NAME/TITLE**

**EMAIL**

**UNIT**

**PHONE**

**CONSTITUENCY**

**DESCRIPTION OF ISSUE**

**DESCRIPTION OF CHANGE YOU WOULD LIKE TO SEE**

**SUGGESTION FOR HOW YOUR PROPOSAL WOULD BE PUT INTO PRACTICE**

**ADDITIONAL INFORMATION**

# DRAFT

## University of Maryland Privacy Policy

### I. PRIMARY PRINCIPLES: FREEDOM OF EXPRESSION AND RESPECT FOR INDIVIDUALS' PRIVACY

Freedom of expression and an open environment to pursue scholarly inquiry and for sharing of information are encouraged, supported, and protected at the University of Maryland. These values lie at the core of our academic community.

Concomitant with free expression are personal and institutional obligations of each member of our community to collect and use Personally Identifiable Information ("PII") responsibly, ethically, transparently, and in a manner which accords both with the law and respects the rights and reasonable expectations of individuals. The University depends first upon a spirit of mutual respect and cooperation to create and maintain a culture of respect, transparency, and accountability.

### II. PURPOSE:

To establish a framework for compliance, responsibility, and accountability regarding individuals' privacy, including the collection, use, and protection of PII.

### III. SCOPE:

This policy is applicable to all members of the University of Maryland community and visitors to the University, including but not limited to students, scholars, faculty, lecturers/instructors, staff, third-party service providers or collaborators, and others with access to PII. This policy also applies to all locations and operations of the University including but not limited to applications, projects, systems, or services that seek to access, collect, or otherwise use Personally Identifiable Information ("PII") as defined herein.

### IV. POLICY:

#### A. Principles

The following Privacy Principles inform University and unit business decisions that may impact individuals' privacy. These Principles are designed to help the University Community identify and develop proportionate and effective measures to ensure that individuals' privacy is respected.

#### *i. Respect*

The University seeks to balance its collection, use, and storage of PII with the interests of impacted individuals. Privacy risks, including an individual's rights, dignity, and expectation of privacy, must be considered prior to such collection, use, or storage.

#### *ii. Transparency*

The University will make information available to individuals regarding its collection, use, and storage of PII. Individuals will always have the ability to discover the purpose for which their data is used.

#### *iii. Accountability*

Collection, use, and storage of PII is subject to enterprise-level policies and procedures that address data security, sharing, and stewardship. Projects that create risk must be proactively reviewed to ensure such risks are understood and, where appropriate, mitigated.

#### *iv. Relevance*

The University limits what PII is collected, stored, and used to only that which is relevant to accomplish clearly-defined outcomes that support legitimate educational or business purposes. PII will be securely deleted when no longer needed, subject to any records retention requirements

#### B. Expectation of Privacy

In the interest of promoting academic freedom and an open, collegial atmosphere, the University recognizes a reasonable expectation of privacy of its employees, affiliates, and students; such expectation is subject to applicable state and federal laws and University policies and regulations, including the policy, standards, and guidelines set forth herein. Further, some PII may be subject to disclosure under the Maryland Access to Public Records Act (Public Records Act).

### V. IMPLEMENTATION

#### A. Standards and Guidelines

This Policy is supplemented by Standards and Guidelines incorporated herein. The University's Chief Information Officer or a designate may issue, amend, or rescind such Standards and Guidelines as are required to comply with legal obligations and University Policy, or to meet the needs of the University Community. Current Privacy Standards and/or Guidelines can be found [\[\[insert hyperlink\]\]](#)

#### B. Exceptions

The University Chief Information Officer or a designate may grant exceptions to this Policy. When considering requests for exceptions, the Chief Information Officer, in consultation with appropriate University stakeholders, will evaluate the documented business purpose for the exception and the privacy risks to the individuals impacted.

#### C. Notice

Where reasonably practicable, and subject to the University's legal obligations or circumstances that necessitate immediate access, the University will provide advance notification to an individual prior to providing access to the individual's PII pursuant to an exception request. In certain instances where an individual is, for any reason, unavailable to receive such advance notification, access may also be permitted without prior notification.

#### D. Interpretation

Any questions regarding the content of this Policy or supplemental Guidelines and Standards should be referred directly to the Chief Privacy Officer ([umd-privacy@umd.edu](mailto:umd-privacy@umd.edu)), who has responsibility to interpret.

### VI. POLICY VIOLATIONS

Federal, state, and/or local governments have enacted various laws and regulations relating to privacy to which the University is bound. Compliance with this Policy is designed to ensure that the University is complying with its various privacy-related obligations. To the extent any violation of this Policy results in, leads to, or is responsible for a reportable security incident or other penalties imposed by government regulators or agencies, then that specific department or unit operating in violation of this Policy may be required to cover all University costs associated with the resulting reportable incident and/or associated government penalties. University employees or students who violate this Policy and/or supplemental Standards and Guidelines may be subject to disciplinary action.

## VII. DEFINITIONS

Personally Identifiable Information (“PII”) means information that is created, received, processed, stored, or transmitted by or on behalf of the University that, alone or in combination with other information, enables the identification of an individual, including but not limited to:

- i. Full name
- ii. Social Security Number
- iii. Driver’s License or other State Identification Number
- iv. Passport number
- v. Biometric information including physiological, biological, or behavioral characteristics, including an individual’s DNA, that can be used singly or in combination with other identifying data to establish individual identity.
- vi. Geolocation Data
- vii. Internet or network activity, including browsing history, search history, and information regarding an individual’s interaction with an internet website, application, or advertisement
- viii. Financial account number, credit card number, or debit card number that, in combination with any required security code, access code, or password, would permit access to an individual’s account.
- ix. Identifiable health information related to the past, present, or future physical or mental health or condition of an individual.

## VIII. FURTHER INFORMATION:

For questions, additional detail, or to request changes to this policy, please contact the Privacy Office at [umd-privacy@umd.edu](mailto:umd-privacy@umd.edu).