



**RU Policy No. 2.2**

**Responsible Unit:** Human Resources

**Originally Issued:** 09/2005

**Last Revised:** 03/2019

**Revised effective date:** 03/2019

## ***Confidentiality Policy***

---

### ***Policy Statement***

Information collected and stored by Roosevelt University remains the property of Roosevelt, and may be considered confidential under various federal, state, and local laws, including but not limited to the Family Educational Rights and Privacy Act of 1974 (“FERPA”), the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), the Graham-Leach, Bliley Act of 1999 (“GLB”). The release of confidential information by any University representative puts the University at substantial risk of both legal and financial repercussions. To that end, this Policy is intended to describe several categories of Confidential Information and to establish the consequences for the distribution or other improper use of Confidential Information.

The University reserves the right to modify or amend this Policy at any time, at its sole discretion. Any change to this Policy will become effective at the time designated above, and the changes will apply to both current and future students and employees. This Policy does not constitute an express or implied contract between Roosevelt University and any past, present, or prospective student, employee (including administrator, faculty, or staff), contractor, or volunteer.

This Policy governs conduct on all of the University’s properties, including but not limited to the Auditorium Theatre of Roosevelt University (“ATRU”). Unless otherwise stated, the term “Employee” as used in this Policy shall refer to all employees (including administrators, faculty, and staff), contractors, and volunteers.

### ***Policy***

No Employee shall disclose Confidential Information in violation of this Policy, without the express written authorization of the appropriate Division Vice President. Specifically: (1) no Employee shall disclose Confidential Information to any third party (*i.e.*, person who is not an Employee of the University) without the prior written authorization of the General Counsel and/or the appropriate Division’s Vice President; and (2) where Confidential Information is known only to certain Employees as a result of their day-to-day duties as an Employee or as part of their University service in another capacity (*e.g.*, as part of the Employee’s participation in Special Services, as defined below), such Employee shall not disclose Confidential Information to an Employee who is not otherwise privy to such information without the prior written authorization of the General Counsel and/or the appropriate

Division's Vice President. An Employee's obligation to protect Confidential Information is an ongoing obligation, continuing even after their participation in a Special Service and/or after their employment with the University ends.

An Employee or volunteer who violates this Policy is subject to disciplinary action, up to and including termination. A contractor who violates this Policy is subject to the termination of the operative contract.

For the purpose of this Policy, the term "**Confidential Information**" shall mean any document, communication, or information – whether written or oral – that is protected as confidential by any law or to which the University otherwise has an expectation of confidentiality, including but not limited to the following:

- **Donor Information**, which includes confidential or privileged information regarding donors, prospective donors, and alumni.

The disclosure of Donor Information, except that which is available in the Roosevelt University Annual Report, to persons who are not otherwise privy to it is prohibited; however, such information may be released with the prior written permission from the individual and to the extent that certain information may be released regarding former students, as described under "Educational Records" above.

Written requests for information from individuals or media representatives requesting this information should be referred to the Vice President for Advancement. To the extent such requests address information contained in student records, they should be directed to the Senior Director of Student Progress.

- **Educational Records**, which includes any document or other material that is directly related to former, current, or prospective students and maintained by the University or by a person acting for the University, including but not limited to: personal information, enrollment records, grades, schedules, participation in activities and photographs. Certain records, such as those maintained by a health professional treating a student, are not considered educational records to which University employees may have access, and are subject to additional confidentiality restrictions. Educational Records are considered confidential and may not be released without the written consent of the student. You have access to information only for legitimate use in completion of your responsibilities as a University Employee.

Only "Directory Information" is considered public, so long as the University annually notifies students of the categories of information designated as such,

and provides a reasonable period of time after such notice is given for a student to notify the University that such information should not be released without the student's consent. After this reasonable period of time has passed without such notice from the student, this information can be released without the student's written permission. Directory Information at Roosevelt University is: the student's name, major field(s) of study, dates of attendance, degrees awarded, and participation in officially-recognized activities. **This Directory Information is the only information you may release without permission from the student in most situations. Employees who encounter student records information in the course of their employment with the University should review the University's complete policy addressing student records, which may be found in the Office of Student Progress.**

An Employee who has access to Educational Records in connection with fulfilling their professional responsibilities for the University (*i.e.*, Employees with legitimate educational interests) are prohibited from disclosing Educational Records to any person – including to Employees who lack a legitimate educational interest, as defined above – without the prior written authorization of the student. Please refer all requests regarding Educational Records to the Office of Student Progress.

- **Enrollment and Financial Information**, including assets; business and financial information; expertise; knowledge; information regarding current and prospective students; operations; markets; products; services; technical data; or other proprietary information relating to actual, planned or possible programs, services, partnerships, and other transactions.
- **Personnel Records** of prospective, current, or former Employees, which may include, among other things, the employee's application, performance evaluations, and pay records; such documents are Personnel Records where they are stored with the Office of Human Resources or elsewhere. Outside of Human Resources and Payroll staff, an Employee's current supervisor is the only other individual who will have access to personnel files; and even in that instance, only limited information will be provided to the Employee's current supervisor, subject to the discretion of the Vice President for Human Resources.

Confidential health or medical records are not included in personnel files, but are also considered Confidential Information, within the meaning of this Policy. Only Human Resources staff will have access to confidential health or other medical records.

Please refer all requests to review an Employee's personnel file to the Office of Human Resources.

- **Other Confidential Information** may present itself when an Employee serves in a capacity that is different or separate from their normal day-to-day duties as an Employee of the University. Such capacities may include, but not be limited to service on the Board of Trustees or its committees, service on the University Senate or its committees, service on a committee or in another capacity as part of the University's Reappointment, Tenure, and Review process, or service on any search committee (collectively, "Special Services"). An Employee performing a Special Service may be exposed not only to Confidential Information (as defined above), but also to the confidential information belonging to a prospect or candidate, the deliberations and votes of the individuals, committees, and other entities involved in the Special Services, the process and status of the Special Service's work, and other information that is not publicly available outside of the University or generally available to members of the University community outside of the Special Service. All such information is considered Confidential Information under this Policy.

#### **Release of Confidential Information to Third Parties**

No Confidential Information will be revealed to a third party, including to a consultant, vendor, or agent of the University without the prior written consent of the University and an explicit written guarantee that the data will be used only for approved reasons, and will not be released to others without prior authorization from the individual whose personal and/or confidential information is contained in those records. For example, the University will cooperate with law enforcement officials, University attorneys or local, state or federal agencies, in accordance with the applicable law.

Please contact the Vice President of Human Resources/Chief Human Resources Officer or General Counsel to discuss the Division from which you must obtain the above-mentioned prior written consent.

#### **Transmission of Confidential Information**

Neither electronic mail nor facsimile are secure methods to transmit information, and for this reason, neither is recommended. If it is necessary to transmit confidential information in this format, it is recommended that the following Confidentiality Notice be used.

**Confidentiality Notice:** This e-mail message or facsimile transmission, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information.

Unauthorized review, use, disclosure, distribution, or copying is prohibited. If you are not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, please contact the sender by reply e-mail or telephone and return the original message to the sender at Roosevelt University, 430 S. Michigan, Chicago, Illinois 60605, via the United States Postal Service. Thank you.

***Entities Affected by this Policy***

All Divisions of the University.

***Related Documents***

None.

***Revision and Implementation***

The Vice President of Human Resources/Chief Human Resources Officer shall have the authority to revise this Policy, subject to the approval of the President's Executive Council (if required).

All Vice Presidents shall have the authority to establish any procedures necessary to implement this Policy.