



Committee Meeting: Policy & Governance Committee	Date: August 17, 2018
Committee Chair: Kathleen Masiello	
New or Edited Policy: New	

POLICY NAME: Privacy Policy

POLICY TYPE: Board

SUBMITTED BY: Daniel Bartkowiak, Information Security Officer, ITS

ISSUE OR STATEMENT OF PURPOSE: SUNY Erie is committed to protecting student privacy and the privacy of all stakeholders. All websites and departments that collect information must maintain users' privacy. General Data Protection Regulation legislation was enacted and precipitated the creation of this policy. This Board Policy is delegating to management the upkeep of the Privacy Policy to comply as relevant laws and regulations evolve.

CORRECTIVE ACTION PLAN RECOMMENDATION (if any): N/A

NEW OR EDITED POLICY: New

SUNY Erie and any affiliated entities that provide services to students on behalf of the college shall create and maintain privacy standards and procedures which ensure compliance with the General Data Protection Regulation (GDPR) and with all applicable federal, state, and local laws and regulations governing data security and data privacy. These procedures and standards shall be kept current and respond to changes in the GDPR and all other applicable laws or regulations. These standards and procedures shall be made available to students and staff via annual training and communicated by link to Privacy Policy via the website. The current version of privacy procedures are attached as Appendix A.

DOES IT SUPERCEDE A POLICY/WHICH ONE: N/A

POLICY COMMITTEE RECOMMENDED ACTION: Approve

Policy Committee recommends the Board of Trustees approve the Governance policy under the Committee Briefings, Policy & Governance Committee. This Policy supersedes all prior policies/procedures and practices related to Privacy Policy and Procedure.

POLICY COMMITTEE MEMBERS PRESENT:

Trustee Len Lenihan, Trustee Kathleen Masiello, Trustee Susan Swarts, Student Trustee TK Adebayo, Executive Vice President for Administration and Finance Penelope Howard, Provost and Executive Vice President Richard Washousky, Vice President of Enrollment Steven Smith, Vice President of Student Affairs Nora Clark, Director of Registrar Paul Lamanna, Dean of Liberal Arts and Sciences Joanne Colmerauer, Dean of Liberal Arts and Sciences Jamie Smith, College Senate Representative Michael Delaney, Dean of Students Petrina Hill-Cheatom and Director of Talent Management and Employee Engagement Maria Carroll



POLICY NAME: Privacy Policy - **Continued**

DATE OF BOARD APPROVAL: September 27, 2018

POLICY COMMITTEE TEAM FOLLOW-UP:

Following Trustee approval this Board Policy will be included in the Erie Community College Board Policy Manual.

INFORMATION/INPUT CONSIDERED DURING POLICY COMMITTEE DELIBERATIONS:

Based on SUNY Jamestown Community College's privacy policy and created with permission from JCC:

<https://www.sunyjcc.edu/privacy-policy>

<https://www.itgovernance.co.uk/blog/how-to-write-a-gdpr-privacy-notice-with-documentation-template-example/>

https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eu-data-protection-rules_en

[GDPR regulation \(EU\) 2016-679](#)

The Policy has been reviewed and discussed at the Policy Committee meeting of June 22, 2018, July 13, 2018 and August 17, 2018.



Appendix A – Privacy Procedures – August 2018

SUNY Erie’s Commitment to Privacy

At SUNY Erie, we are committed to protecting your privacy and making it easier and more efficient for individuals and organizations to interact with the College. We recognize that it is critical for individuals and organizations to be confident that their privacy is protected when they visit ecc.edu. Sometimes the College needs information to provide services requested, and these Privacy procedures explain our practices.

SUNY Erie does not collect any personal information about you unless you provide that information voluntarily by sending an e-mail, completing a web form, or submitting a completed online application. This policy is consistent with the provisions of the Internet Security and Privacy Act, the Freedom of Information Law, Personal Privacy Protection Law and General Data Protection Regulation.

Information That is Collected Automatically When You Visit ecc.edu

When visiting ecc.edu, SUNY Erie uses Google Analytics to automatically collect, analyze and store the following information about the user’s visit:

- **Page Information**
 - URL – the URL of the page the user is viewing
 - Title – the title of the page the user is viewing
- **Browser Information**
 - Browser name – the browser the user is using
 - Viewport or Viewing pane – the size of the browser window
 - Screen resolution – the resolution of the user’s screen
 - Java enabled – whether or not the user has Java enabled
 - Flash version – what version of Flash the user is using
- **User Information**
 - Location – this is derived from the IP address where the hit originated. The IP address itself is not available in Google Analytics as it is Personally Identifiable Information (PII), which violates the [terms](#) of Google Analytics.
 - Language – derived from the language settings of the browser
 - Frequency and Retention - how many times the user has been on the ecc.edu site and the duration of each visit
 - Source - ISP the user of the site used
 - Device - device type of users browsing (computer, tablet or mobile device)
 - Channels - the keywords and sites that referred the user to the page



SUNY Erie's Commitment to Privacy -- Continued

None of the above-mentioned information is deemed to constitute personal information. The information that is collected automatically is used to improve ecc.edu's content and to help SUNY Erie understand how users are interacting with its website.

This information is collected for statistical analysis and to determine what information is of most and least interest to our users. The information is collected to guide in-house marketing decisions and SUNY Erie will not sell or otherwise disclose the information collected from ecc.edu.

Information Collected When You E-mail ecc.edu

During your visit to ecc.edu you may send an e-mail to SUNY Erie. Your e-mail address and the contents of your message will be collected. The information collected is not limited to text characters and may include audio, video, and graphic information formats included in the message. Your e-mail address and the information included in your message will be used to respond to you, to address issues you identify, to improve our website, and/or to forward your message to other SUNY Erie personnel for appropriate action.

Your e-mail address is not collected for commercial purposes and SUNY Erie will not sell or otherwise disclose your e-mail address for commercial purposes. SUNY Erie does not knowingly collect personal information from children under the age of 18. Google Analytics specifically filters collection of children's information to SUNY Erie. Users are cautioned, however, that the collection of personal information submitted in an e-mail or web form will be treated as though it was submitted by an adult.

Use of Personal Information

Your submitted information will be used to deliver the product, services, or materials you have requested. Your information may be used to communicate information and updates to you regarding SUNY Erie.

Disclosure of Information Through Website

SUNY Erie will only collect personal information through ecc.edu or disclose personal information collected through ecc.edu if the user has consented to the collection or disclosure of such personal information. The voluntary disclosure of personal information to SUNY Erie by the user, whether solicited or unsolicited, constitutes consent to the collection and disclosure of the information by SUNY Erie for the purposes for which the user disclosed the information to SUNY Erie, as was reasonably ascertainable from the nature and terms of the disclosure. However, SUNY Erie may collect or disclose personal information without the consent of the user if the collection or disclosure is:

- 1) necessary to perform the statutory duties of SUNY Erie, or necessary for SUNY Erie to operate a program authorized by law, or authorized by state or federal statute or



SUNY Erie's Commitment to Privacy -- Continued

- regulation;
- 2) made pursuant to a court order or by law;
- 3) for the purpose of validating the identity of the user, or
- 4) if information to be used solely for the statistical purposes that is in a form that cannot be used to identify any particular person.

Further, the disclosure of information including personal information, collected through ecc.edu is subject to the provisions of the Freedom of Information Law and the Personal Privacy Protection Law. SUNY Erie may disclose personal information to federal or state law enforcement authorities to enforce its rights against unauthorized access or attempted unauthorized access to SUNY Erie information technology assets.

Retention of Information Through Website

The Google Analytics information collected through ecc.edu is retained by SUNY Erie for 38 months. Data is automatically deleted at the end of the retention period on a monthly basis. Emails sent to the ecc.edu domain or information submitted via a web form are retained indefinitely on a message archive system which is housed on premises. The message archive system is backed up daily.

Access to and Correction of Personal Information Collected Through ecc.edu

Any user may submit a request to SUNY Erie's Privacy Compliance Officer to determine whether personal information pertaining to that user has been collected through ecc.edu. Any such request shall be made in writing and must be accompanied by reasonable proof of identity of the user. Reasonable proof of identity may include verification of a signature, inclusion of an identifier generally known only to the user, or similar appropriate identification. The form can be filled out here: www.ecc.edu/personaldatarequest.

In the event that SUNY Erie has collected personal information pertaining to a user through ecc.edu and that information is to be provided to the user pursuant to the user's request, the Privacy Compliance Officer shall inform the user of his/her right to request that the personal information be amended, corrected and collected under the procedures set forth in Section 95 of the Public Officers Law and the General Data Protection Regulation (GDPR).

Confidentiality and Integrity of Personal Information Collected Through ecc.edu

SUNY Erie is committed to protecting personal information collected through ecc.edu against unauthorized access, use, or disclosure. Consequently, SUNY Erie limits employee access to personal information collected through ecc.edu to only those employees who need access to the information in the performance of their official duties. Employees who have access to this information follow appropriate procedures in connection with any disclosures of personal information, including signing an acknowledgment of SUNY Erie's confidentiality policy annually.



SUNY Erie's Commitment to Privacy -- Continued

In addition, SUNY Erie has implemented procedures to safeguard the integrity of its information technology assets, including, but not limited to, authentication, authorization, monitoring, auditing, and encryption. These security procedures have been integrated into the design, implementation, and day-to-day operations of ecc.edu as part of our continuing commitment to the security of personal information, electronic content as well as the electronic transmission of personal information.

For website security purposes and to maintain the availability of ecc.edu for all users, SUNY Erie employs software to monitor traffic and to identify unauthorized attempts to upload or change information or otherwise affect the integrity of ecc.edu.

Cookies

The SUNY Erie website may use "cookies," which are text files holding small amounts of data, to collect information to anonymously track how visitors interact with the website, including where they came from or what they did on the website. The College uses this analytical information to improve users' experiences online. The cookies utilized by Google Analytics are stored on the device visiting the site. The information collected by Google Analytics and presented to SUNY Erie does not include single cookie identifiers and therefore SUNY Erie does not derive personal information from cookies.

Users do not need to have cookies turned on to use SUNY Erie's website.

Disclaimer

The information provided in this these privacy procedures should not be construed as giving business, legal, or other advice, or warranting as fail-proof, the security of information provided through ecc.edu.