

**Policy Title: Privacy Policy**

**Policy Number: 042**

**Date Issued: 1/21/2020**

**Responsible Executive: General Counsel and  
Chief Legal Officer**

**Date Last Revised: 1/21/2020**

**Responsible Office: Privacy Office**

## Privacy Policy

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### Policy Statement

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Baylor University (“Baylor”) is committed to respecting the privacy of individuals and protecting the privacy and confidentiality of information provided to Baylor to the extent reasonably practicable while balancing applicable legal requirements, individual rights, ethical considerations, academic freedom, and business necessity.

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### Reason for the Policy

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Baylor’s strategic plan, *Illuminate*, seeks to make Baylor “a recognized leader in understanding the conditions by which humans, communities, and societies flourish.” A substantial portion of human interaction and community today occurs through electronic media and platforms. Facilitating such communication necessarily involves the exchange of personal identity and confidential information and exposes users to the collection, storage, use, and transmission of that data. In furtherance of this ideal, Baylor strives to establish principles to govern these interactions in an ethical and beneficial manner.

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### Individuals/Entities Affected By This Policy

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All members of the Baylor Community are subject to this policy.

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### Exclusions

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NONE

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## Related Documents and Forms

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## Related University Policies and Documents

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[BU-PP 025 Technology Usage Policy](#)  
[BU-PP 026 Directory Information Use](#)  
[BU-PP 027 Employee Personal Information](#)  
[BU-PP 029 Handling of Confidential Information Policy](#)  
[Video Surveillance Policy](#)  
[Digital Analytics and Advertising Practices](#)  
[EU GDPR Privacy Notice](#)  
[Family Educational Rights and Privacy Act of 1974 Policy](#)  
[HIPAA Privacy & Security Information](#)  
[Payment Card Information Data Security Standards Compliance](#)  
[Records Retention and Archival Policy](#)  
[Texas Public Information Act Statement](#)  
[Website and Email Privacy Statement](#)

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## Related Laws and Regulations

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**Children’s Online Privacy Protection Act** 15 USC §6501 et seq and 16 CFR Part 312  
**Electronic Communications Privacy Act** 18 USC §2510  
**European General Data Protection Regulation**  
**Family Educational Rights and Privacy Act (FERPA)** 20 USC §1232g; 34 CFR Part 99  
**Gramm-Leach-Bliley Act**, 15 USC §6801 and 16 CFR Part 313  
**Health Insurance Portability and Accountability Act**, 42 USC §300gg and 1320d; 29 USC §1181 and 45 CFR Parts 146160, 162 and 164  
**Protection of Human Subjects Regulations (“Common Rule”)** 45 CFR Part 46  
**Texas Business and Commerce Code** Chapter 501-503  
**Texas Government Code** Chapter 552 (Texas Public Information Act)  
**Texas Health and Safety Code** Chapter 181 (Texas Medical Records Privacy Act, also known as HB300)

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## Forms and Tools

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[Google Analytics Opt-Out Browser Add-on](#)

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## Definitions

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These definitions apply to terms as they are used in this policy.

<b>Baylor Community</b>	Current and prospective faculty and staff, current and prospective students, affiliated entities, alumni, benefactors, customers, advisors, contractors, business partners, research subjects, and others who interact with Baylor
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<b>Confidential Information</b>	Any information held by Baylor that is business information, research that is non-public, or contains sensitive, private, or personal information. This includes Personal Information, FERPA educational records, and other non-directory information and employee information.
<b>Personal Information (also referred to as Personally Identifiable Information or PII)</b>	Any information that identifies you as an individual, including but not limited to: <ul style="list-style-type: none"> <li>• Name</li> <li>• Street address</li> <li>• Phone number</li> <li>• Email and IP addresses</li> <li>• Social Security, drivers license, passport, BUID, or other government issued identification number</li> <li>• Race, gender, ethnicity, political, and religious identifiers</li> <li>• Family information</li> <li>• Payment card and financial account numbers</li> <li>• IT systems access credentials</li> <li>• Photographs and other biometric identifiers</li> <li>• Health and genetic information</li> <li>• Background check results</li> </ul>

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## Contacts

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<b>Subject</b>	<b>Contact</b>	<b>Telephone</b>	<b>Email</b>
<b>Policy interpretation, violation, enforcement, HIPAA</b>	Chief Privacy Officer/HIPAA Privacy Officer	254-710-1360	Doug_Welch@Baylor.edu
<b>Data breaches and security</b>	Chief Information Security Officer	254-710-4793	Jon_Allen@Baylor.edu
<b>FERPA records</b>	FERPA Privacy Officer	254-710-8824	Jonathan_Helm@Baylor.edu
<b>Employee records</b>	Human Resources	254-710-2000	askHR@Baylor.edu

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## Responsibilities

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Each individual who interacts with Baylor information systems and other non-electronic processes is initially responsible for safeguarding his/her privacy by determining what information to share, how to share it, and to whom access is given.

**BAYLOR EMPLOYEES** are responsible for making themselves aware of this policy and adhering to it.

**THE UNIVERSITY PRIVACY COMMITTEE** is responsible for reviewing and approving a department or operating unit's collection and use of highly sensitive personal information.

It is also responsible for development of policies and uniform practices for handling confidential and personal information. This Committee is comprised of the following members:

- Chief Privacy Officer
- Chief Information Security Officer
- Chief Compliance and Risk Officer
- University Registrar
- Associate Vice President for Advancement Information & Prospect Development
- Assistant Vice President for Internet Services
- Assistant General Counsel
- Director of Development Systems
- Director of Internal Audit
- Human Resources Training Lead
- General Counsel (ex officio)

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## **Principles**

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In furtherance of Baylor's commitment to privacy, and in instances where use and disclosure are not otherwise governed by laws and regulations, Baylor will be guided by these privacy principles:

### **Minimization:**

- Baylor will collect from you only the information necessary to provide services and conduct its regular business activity.
- Baylor will limit internal access to your information to those with a business or educational need, and will not sell or release your information to third parties without your consent.
- Baylor will retain your information only as long as necessary to conduct business or to comply with applicable law, regulations, or contractual agreements.
- Baylor will not collect or maintain highly sensitive information such as social security numbers, driver's license numbers, and financial account information without prior approval by the University Privacy Committee.

### **Choice:**

- Baylor will collect information from you only with your prior consent. When reasonably practicable, Baylor will provide you with either an opt-in or opt-out choice regarding providing your information and an explanation of what services will not be available should you decline to provide information.
- When you access or connect to Baylor's electronic data systems, equipment, and networks or otherwise voluntarily submit information to Baylor, you are consenting to Baylor's collection, use, and disclosure of that information. This consent includes sharing login credential authentication services and the use of cookies, pixel tags, and web beacons.

- Baylor will not sell, release, or transfer your information third parties without your consent.

#### **Transparency:**

- Baylor, when reasonably practicable, will provide notice to you of the data being collected and the intended use of such data.

#### **Access:**

- Baylor will provide you reasonable access to stored information about you upon request to the extent practicable. However, data is stored in many locations, systems, and manners, and Baylor does not link or index all information collected from you. As such, Baylor can not assure you that every piece of information can be retrieved.

#### **Security:**

- Baylor will use commercially-reasonable methods and standards to secure information it receives or collects from you.

#### **Minors:**

- Baylor's information services are not directed to individuals under the age of 13, and Baylor does not knowingly collect information from individuals under 13.

#### **European Economic Area:**

- If you are located in the European Union, Iceland, Liechtenstein, or Norway (European Economic Area), click [here](#) for Baylor's GDPR privacy notice.

In conducting Baylor's regular educational and business activities, certain personal and confidential information is collected, stored, processed, and shared internally, and, when required by legal process or when necessary for the conduct of Baylor's business, with third parties outside of Baylor. Personal Information may be obtained from individuals who interact with Baylor information systems or through other non-electronic means. Baylor uses this information to transact its ordinary operations and to enhance the quality of service provided through, and user relationships with, its electronic platforms.

Baylor tracks users of its electronic data services (including websites, applications, and social media pages) through the use of "cookies" (small pieces of text sent by the web server and stored in your browser), "web beacons" or "pixel tags" (objects embedded in web pages which allow user content access monitoring), and similar technologies to discern how users are interacting and to improve the quality, content, and distribution of web services. This information is transferred to third parties which, among other things, analyze and report back to Baylor on user activities and patterns and serve advertisements for Baylor back to users through connected platforms. You may refuse cookies through your web browser settings, and you may take other steps to browse the internet anonymously or to install a browser [add-on](#) which allow you to opt-out of web analytics tracking.

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## **Policy Monitoring and Enforcement**

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Baylor will monitor the implementation and effectiveness of this policy and may modify it from time to time. Complaints regarding alleged violations of this policy should be reported to the Chief Privacy Officer or, alternatively, to a member of the University Privacy Committee or through [the Baylor Ethicspoint hotline](#).

Violations of this policy may result in certain disciplinary action, including but not limited to denial of access privileges to Baylor systems and employment sanction, suspension, or termination.