



<b>SUBJECT:</b> Records Access and Use Policy  <b>Responsible Authority:</b> Asst. VP Advancement Services  <b>Scope:</b> Defines the FAU Foundation policy on the confidentiality of the different databases used by the Foundation	<b>Effective Date:</b> 06/24/2013	<b>Policy Number:</b> 13
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**Records Access/Use Policy**

The Florida Atlantic University Foundation (FAUF) maintains three (3) databases for the purposes associated with meeting the Foundation’s missions and generating financial support for Florida Atlantic University. The **donor database (RE)** contains biographical and gift information for all university alumni, friends and other constituencies. The **financial database (FE)** contains all financial transactions pertaining to the business affairs of the Foundation. The **web database (NetCommunity)** contains all web content and necessary web transactions. The information contained in each of these databases is intended to be used exclusively for the business purposes of the FAU Foundation, the FAU Alumni Association and for the philanthropic missions of the Division of Institutional Advancement.

The above mentioned database systems and appropriate servers are maintained by the Department of Advancement Service with the Division of Institutional Advancement to provide on-going assistance for all programs, communications, and events which aim to involve and engage alumni, donors, and friends of the University in philanthropy. In order to best provide service to those needing such information for a legitimate and approved business purpose, the following policy has been developed.

This policy maintains that all information contained in each database is strictly confidentiality and the sole property of the FAU Foundation, Inc. All requests for information must be approved by the Foundation’s Chief Executive Officer and Vice President for Institutional Advancement or, if assigned and designated, the Assistant Vice President for Advancement Services. All requests must unequivocally support of one or many approved alumni and foundation related activities listed below.

## **Approved Alumni Related and Foundation Related Activities**

1. Alumni Relations and Programming
2. Cultivation and Stewardship
3. Fundraising
4. Communications to Alumni and related constituents
5. Foundation business

### **Statement of Information Release**

The following may request information from the Foundation's databases provided that the information is to be used in support of the approved activities listed above in this policy. The information obtained by the affiliates listed below may include both Public and Other information as defined in this document (see list of Public and Other Information).

1. University Affiliates
  - a. FAU Alumni Association or Alumni Groups/Chapters
  - b. FAU Division of Institutional Advancement
  - c. FAU President's Office
  - d. FAU Academic units
  - e. FAU Athletics Program
  - f. FAU Administrative units

In case of a dispute about whether a requesting organization has a legitimate affiliation with the University, the final decision will rest with the Foundation's Chief Executive Officer and Vice President for Institutional Advancement or if assigned and designated, the Assistant Vice President for Advancement Services.

2. External Non-University Organizations
  - a. Law enforcement agencies
  - b. Student loan agencies
  - c. Alumni locator agencies and services (e.g. AlumniFinder, HEP, etc.)
  - d. Contracted Research Companies (WealthPoint, Blackbaud, etc.)
  - e. Software Provider (Blackbaud, Inc.)
  - f. Media (see External Communications Policy)
    - i. All requests for information from members of the media must be referred to the Chief Executive Officer of the Foundation. If the request comes through the University's Communication/Media Relations Office, that designated requestor must provide to the Chief Executive Officer in writing the media request.

In the case of a dispute regarding whether a requesting organization has privileges to confidential information, the final decision will rest with the Foundation's Chief Executive Officer and Vice President for Institutional Advancement.

3. Alumni or Donor

- a. If their biographical information is established in the donor system, an alumni or donor may request public information for up to three (3) alumni or donors, provided that the request for public information is made in writing and clearly states the reason for the requested information. Only public information as defined below will be released once permission is received from the persons whose information is being sought.
- b. Once the written request is received, a staff member will then contact the sought after person so that person can decide whether or not to contact the requestor or to have their information shared. Written permission is required if authorization is given to share information. No information will be released for records coded "Anonymous", "Do Not Contact", or "Remove from Database". A fee may be charged for such information.
- c. The Vice President for Institutional Advancement, or his/her designee, reserves the right to decline any request on the grounds of privacy if it is felt that the request is unreasonable or suspicious.

## **Definitions**

1. Public Information available for release is limited to:
  - a. Full name
  - b. Preferred address, telephone number and e-mail address
  - c. Degree(s) and date of degree(s) awarded by FAU
  - d. College(s)/School(s)/Majors(s) of graduation
2. Other Information available for release is limited to:
  - a. Employment Information
  - b. Student Group Affiliations
  - c. Alumni Participation activities
  - d. Degrees obtained from other Schools
  - e. Miscellaneous comments, awards, text, etc.
  - f. Gift/Pledge data (internal research only or with permission of Chief Executive Officer)
3. Formats Available for distribution:
  - a. Lists, both electronic and hard copy
  - b. Labels, both electronic and hard copy
  - c. Data storage devices (tapes, diskettes, etc.)
  - d. Authorized and Secure Electronic Transfers

## **Acceptable Use of Database Information**

The following statements specify the acceptable internal uses of information from a Foundation database:

1. It is the responsibility of the unit/person requesting information to maintain the absolute confidentiality of the information received as specified in this policy statement.
2. Information maintained by the Foundation is not available for release for non-related commercial, private or political purposes.

3. If the information provided will result in the preparation of a list or directory that is to be published in a book, magazine, newsletter, web page or any other form of non-Foundation/Institutional Advancement material, prior to publishing the information each individual included must be provided the opportunity to indicate in writing whether he/she wishes to be excluded.

4. If the requested data is to be provided to an outside vendor (e.g. data processing consultants, direct mail firms, marketing and merchandise firms, etc.) for the approved purposes identified above, the vendor must agree to use the information only for the purpose intended by the University client. The sale or transfer of the information by the vendor is strictly prohibited. The vendor must have a signed Data Release Agreement on file with the Foundation and have read and understood the terms of this policy before any information is released. In all cases where data is released to an outside vendor, the vendor must:

- a. Promptly, upon completion of project, return to the Foundation any supplied electronic data storage device.
- b. Guarantee the absolute confidentiality of the information provided.

### **Donor Confidentiality Record Release Statement**

The Florida Atlantic University Foundation Inc. is a non-profit 501(c)(3) direct-support organization of Florida Atlantic University responsible for generating private financial assistance for the University. The Foundation's ability to assure donors, prospective donors, and/or alumni that their personal and financial information will be held in confidence is essential to fulfilling its mission of raising private support for FAU. The Florida Legislature acknowledges this need for confidentiality in Florida Statutes Section 1004.28 (5). Accordingly, Foundation records are confidential and exempt from Florida public records laws.

All fund-raising activities undertaken by a Foundation board member, volunteer, FAU staff member, FAU faculty member or FAU student are to be coordinated through the Division of Institutional Advancement and the Foundation and undertaken only on behalf of the Foundation for the benefit of the University. All individual and/or organization records, and any information or documents associated with these records, that are in the possession of any aforementioned person and are to be used for any fund raising purposes or activities are considered records of the Foundation and are to be treated as confidential records according to **Florida Statute 1004.28 (5)**.

### **Assigned Access to Foundation Databases**

The Vice President for Institutional Advancement, the Assistant Vice President for Institutional Advancement (Advancement Services) and the FAU Foundation Assistant Vice President for Finance and Administration must approve users granted access to the appropriate Foundation databases for purposes of carrying out the missions of the Foundation and the Division of Institutional Advancement. Access will be assigned to only those FAU employees paid via the Foundation or Institutional Advancement budgets. All other university employees seeking access to any of the Foundation's databases must request approval through the Vice President for Institutional Advancement and have a related Foundation or fundraising function. If at any time it is determined that an employee that is granted access to the Foundation databases is abusing privileges (breaching confidentiality of records or creating a shadow database), access can and will be denied.

## Compliance

Failure to abide by this policy may result in denial of access to information contained in any of the Foundation databases or denial or any requested records release. Request for a re-instatement to access any of the Foundation's databases must be approved by the Chief Executive Officer of the Foundation and the Vice President for Institutional Advancement or, if assigned and designated, the Assistant Vice President for Advancement Services. Request must be in writing. Any third party vendor that breaches the conditions of this policy will be taken off the Foundation's vendor's list.

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### FAU Foundation

*Initiating Authority:*

*Interim Chief Executive Officer*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: David Kian

*Chairman*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Patricia McKay

*Asst. VP Finance and Administration*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Sharon Brown

### Office of Advancement Services

*Initiating Authority:*

*Asst. VP Advancement Services*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Keith Fries