Guidelines for Responding to Requests for Lists of Faculty or Staff Information

These guidelines are established for offices receiving requests for, or wishing on their own to provide, faculty or staff contact information for communications aimed at targeted audiences. They are intended to address privacy issues in responding to such requests, and to provide assistance in evaluating under what circumstances faculty and staff information may be shared. The guidelines are informed by Penn's Human Resources Policy 201, which addresses the privacy rights of faculty and staff members, and by the Affirmative Action Policy Statement. For more information, please visit www.upenn.edu/privacy.

I.   Overall approach

Offices considering disclosing faculty and staff information must initially determine whether this information is directory information or non-directory information. Once this determination has been made, specific guidance applies as described below:

In addition to the analysis below for directory information and non-directory information, special rules apply for:

- Requests pursuant to court orders, subpoenas, or requests from law enforcement or other governmental agencies
- Requests for data for use in research (including survey research)
- Requests regarding large mailings to faculty and staff (e.g., beyond school-based mailings by Deans)

Attachment A contains a form for individuals to submit requests for lists of faculty or staff data. This form should be used in situations where a request is made for lists of data beyond a School or Center. It may also be appropriate to use this form for requests for data within a School or Center.

II.   Directory Information and Non-Directory Information

When faced with a request for faculty or staff list information, offices should first determine whether the information at issue is directory information or non-directory information and follow the guidance below:

A.   Directory Information – May Be Shared for Any Purpose Consistent with Privacy Settings

Under University policy, directory information, which covers most contact information, may be made available to anyone and for any purpose consistent with a faculty or staff member's record in Penn's online directory (taking account of whether the record is available to the general public or only to the Penn community).

For example, an office seeking a list of faculty or staff members e-mail addresses from a certain School to share externally may do so *for those faculty or staff members who have*

permitted their e-mail to be displayed <u>in the public view</u>. A request for lists of faculty or staff mailing addresses from a student group may also be honored *for those faculty or staff who have listed their mailing address <u>in the Penn View</u>* (because Penn students are authorized under the Penn View).

While it is permissible under Penn policy to share directory information honoring individual privacy settings as described above, determinations about whether to do so must be made on a case by case basis and you are encouraged to consult with the University's Chief Privacy Officer, the Office of Human Resources, the Provost's Office, or the Office of University Communications. In evaluating whether to honor such requests, the following factors are appropriate for consideration:

- Is the purpose of the request clear? This information should only be shared if there is a clear understanding of how it will be used.
- Is the purpose of the request supportive of Penn's mission? This information should generally be shared if the use supports Penn's missions of education, research, and service.
- Has there been appropriate due diligence to assess the legitimacy of the organization? (e.g., is the student group registered with VPUL?)
- Particularly for outside entities, are there contractual provisions in place to protect the confidentiality of such data?
- Is generating the data cost-justified? Generating data will have resource implications for Penn and in most cases, especially for lists of data, there will be a fee to be paid by the requester.
- Can the data be provided in the timeframe desired, consistent with other operational needs?

B. <u>Non-Directory Information: May Be Shared For University Purposes</u>

Non-directory information (as well as directory information) about faculty or staff, may be shared, regardless of an individual's privacy settings, with University officials, and authorized individuals performing work for the University who require the information for the performance of their duties.

Requests for non-directory information made by individuals who are not working in collaboration with or on behalf of the University generally should be denied.

Requests for non-directory information made by a staff or faculty member, or with a student or student group working in collaboration with or on behalf of the University, may be granted under the following circumstances:

- The information is being used for the performance of duties at Penn.
- In the case of the student or student group working in collaboration with or on behalf of the University, the information should be provided to, or reviewed and approved by, a representative of an appropriate University office.
- The scope of the information provided should be tailored to the purpose for which it will be used and should be appropriately limited.

III.   Special Rules in Special Contexts

   A. Requests pursuant to court orders, subpoenas, or requests from law enforcement or other governmental agencies.

   Offices receiving requests for data pursuant to legal mandate, such as a subpoena, should contact with the Office of General Counsel at 215-746-5200 immediately.

   B. Requests for data for use in research (including survey research)

   In the case of requests for information to be used in research, including survey research, the information shall not be provided until the requester documents approval by Penn's Institutional Review Board.

   C. Requests for large mailings to staff or faculty (e.g., beyond school-based by Deans)

   Requests for faculty or staff list information (whether e-mail, telephone, or postal mail contact information), beyond a School or Center-based list, must be approved by one of the following authorized individuals:

   - The Executive Director of Human Resource Information Management in the Office of Human Resources,
   - The Executive Director of External Affairs in the Office of the Provost,
   - In the case of e-mail mailings to faculty and staff, the Vice President for Communications,
   - In the case of requests for faculty or staff data on the basis of race, sex, or other protected class, the Executive Director of Affirmative Action.

Please direct any questions to the individuals named above as appropriate or to Penn's Chief Privacy Officer at 215-P-COMPLY or privacy@pobox.upenn.edu.

ATTACHMENT A
University of Pennsylvania
Request for Student, Staff, or Faculty Data

I am writing to request, on behalf of _____ (organization / individual / myself), to request information about Penn students, staff, and/or faculty for the purposes described below and agree, on behalf of the organization or individual named above, to abide by the terms described below.

Please provide me the following information:
_____
_____
_____

I will use the information for the following purpose(s):
_____
_____
_____

The purpose(s) described above advance the mission of Penn in the following way:
_____
_____
_____

I request that the data be provided by the following date: _____

1. I understand that I may use this data only for the purpose(s) described above.
2. I understand if granted, this authorization is for "one time use" of the data provided.
3. I understand that any additional use of the data I receive beyond what is stated in this form is prohibited. A new request must be submitted and approved separately.
4. I have made and will make every effort to collect and share only necessary data.
5. I will take appropriate steps to protect such data from unauthorized access, use or disclosure. See www.upenn.edu/privacy "Protecting Penn Data" for more information.
6. I will securely destroy any remaining data after use as soon as practicable.
7. If I am using the data for purposes of research, including survey research, subject to Institutional Review Board (IRB) approval, I have attached documentation of the Penn IRB approval.
8. If I have any questions regarding appropriate use, sharing and protection of the data I am provided, I will contact the Authorized Penn staff member named below or Penn's Office of Audit, Compliance, and Privacy at privacy@pobox.upenn.edu or 215-P-COMPLY.

I have read and agree to abide by the guidelines stated above.

| **Requester** | **Authorized Penn Staff** ☐ ☐ |
| | APPROVED DENIED |

Name_____   Name_____

Signature_____   Signature_____

Organization _____   Organization _____

Affiliated School / Center _____   Affiliated School / Center _____

Email address_____   Email address_____

Telephone number _____   Telephone number _____

Date_____   Date_____

March 20, 2006