UNIVERSITY OF RICHMOND

Policy Manual

Policy #:	IRM-4006	**Policy Title:**	General Data Privacy Regulation (GDPR) Privacy Notice
Effective:	09/10/2018	**Responsible Office:**	Office of Compliance, Title IX, and Non-Discrimination
Date Approved:	09/10/2018	**Approval:**	Vice President and General Counsel
Replaces Policy Dated:	N/A	**Responsible University Official:**	Director of Compliance & Intellectual Property Protection

PURPOSE:

The University of Richmond ("Richmond") is committed to safeguarding the privacy of personal data. This policy is in response to Regulation (EU) 2016/679 (commonly known as the General Data Protection Regulation or the GDPR), and provides individuals located in the European Union ("EU"), and in the European Economic Area (EEA) with the required notice of how Richmond collects, uses, and disclosures personal information provided to Richmond.

SCOPE:

This policy applies to all individuals located in the European Union (EU) and in the European Economic Area (EEA), who submit personal information and/or use Richmond's websites and other services. This policy supplements additional Richmond privacy notices which can be found here and which are incorporated herein by reference. When information is submitted to Richmond, or an individual uses Richmond's websites and other services, they consent to the collection, use, and disclosure of that information as described in this privacy notice. On those occasions when Richmond transfers data to a third-party processor, individuals will then be subject to the privacy policy of that processor.

This policy does not apply to processing of personal data prior to May 25, 2018.

INDEX:

IRM-4006.1.....Definitions

IRM-4006.2.....Data Protection Officer

IRM-4006.3.....The Identity and Contact Details of the Controller

IRM-4006.4.....Richmond's Purpose and Legal Basis for Processing Personal Data

IRM-4006.5.....Data Disclosed to Third Parties

IRM-4006.6.....Retention and Destruction of an Individual's Data

IRM-4006.7.....Transfer of Personal Data to the United States

IRM-4006.8.....An Individual's Rights to Control Their Personal Data

IRM-4006.9.....The Right to File a Complaint with the Supervisory Authority

POLICY STATEMENT:

IRM-4006.1 – Definitions

The GDPR defines (a) "personal data" as information that identifies an individual, or may be used to identify an individual, such as name, an identification number, location data, an online identifier, or factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity, (b) "sensitive personal data" as information that relates to racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life, or details of criminal offences. (c) "controller" as the entity that determines the purposes and means of the processing of personal data, (d) "processor" as the entity that processes personal data on behalf of the controller, and (e) "data subject" as a natural person who is identified, or can be identified, by reference to his or her personal data.

IRM-4006.2 – Data Protection Officer

Richmond is not a public authority or body. At present, Richmond's core activities do not include the regular and systematic monitoring of data subjects on a large scale, nor does it process on a large scale either special categories of data (as described in GDPR Article 9) or personal data relating to criminal convictions and offenses (as described in GDPR Article 10). For these reasons, Richmond is not subject to the GDPR requirement to designate a data protection officer ("DPO"). If, in the future, Richmond voluntarily designates a DPO, this notice shall be updated to identify and include contact information for the DPO.

IRM-4006.3 – The Identity and Contact Details of the Controller

Under the GDPR, Richmond, in most cases, will be deemed the "controller" of an individual's personal data. To contact Richmond in its capacity as controller, please direct all questions and concerns to GDPR@richmond.edu.

IRM-4006.4 – Richmond's Purpose and Legal Basis for Processing Personal Data

Richmond will only process personal data for lawful purposes under the GDPR related to Richmond's charitable, educational, and scientific purposes and arising from: (a) the individual's relationship with Richmond as a prospective, current, or former student (or such a student's parent or guardian), faculty or staff member, contractor, donor, research subject, or visitor to Richmond or attending a Richmond event; or (b) an individual's use of or access to Richmond's website(s).

Richmond will ordinarily collect and process personal data because it has legitimate interest in doing so or is fulfilling its rights and obligations under a contract to which the individual is a party. When Richmond cannot rely on either of such legal grounds, it will seek an individual's prior consent.

The purposes for which Richmond collects personal data, and the legal bases for processing such personal data, are summarized in the chart that appears below.

In the chart, each reference to (a) Richmond's "**legitimate interest**" shall require a determination by Richmond that its legitimate interest in processing personal data is not overridden by an individual's interest or fundamental right and freedom in protecting such personal data; and (b) "**necessary for the performance of a contract**" shall be deemed to mean, "Necessary for the performance of a contract or agreement to which an individual is a party, or preliminary steps leading up to such a contract or agreement;" (c) "**prior consent**" shall mean an individual's voluntarily consent, given prior to the processing of any personal data.

Purpose for Processing	**Legal Basis for Processing**
Student Admissions Applications and Other Student Data: Obtaining admissions applications, transcripts, test scores and related documents from applicants to determine their qualification for admission, and preparing related correspondence, including acceptance and rejection letters; obtaining job applications, resumes, background checks, motor vehicle records, and other background materials from students applying for jobs	• Richmond has a **legitimate interest** in collecting information needed to evaluate an applicant's personal, educational, and work background in order to make admissions and employment decisions and otherwise process such applications, and in compiling statistical information to, among other purposes, evaluate Richmond's diversity, affirmative action, and equal opportunity performance OR • An individual's **prior consent**
Staff and Faculty Job Applications: Preparing acceptance and rejection letters; obtaining job applications, resumes, background checks, motor vehicle records, and other background materials from job applicants	• Richmond has a **legitimate interest** in collecting information needed to evaluate an applicant's personal, educational, and work background in order to make an employment decision and otherwise process such applications, and in compiling statistical information to, among other purposes, evaluate Richmond's diversity, affirmative action, and equal opportunity performance. OR • Such processing is **necessary for the performance of a contract** OR • An individual's **prior consent**

Managing Student Accounts: Establishing and administering student accounts, issuing invoices, processing payments and refunds, preparing related correspondence, and, if necessary, pursuing collection efforts	• Richmond has a **legitimate interest** in charging tuition, fees, and other charges and collecting amounts due related to a student's education in order to maintain Richmond's fiscal stability OR • Such processing is **necessary for the performance of a contract**
Managing Payroll Accounts: Collecting forms needed to satisfy regulatory requirements (such as IRS W-4 and W-9 forms), and other documents necessary to prepare payroll checks, bank account information, make withholdings, issue IRS W-2 forms, process pension and retirement contributions and payments, and related employee payroll matters	• Richmond has a **legitimate interest** in collecting necessary information so that Richmond can, in a timely and accurate manner, and in compliance with applicable laws, pay its employees their salaries, make appropriate withholdings, and make required reports to and file required documents with the IRS OR • Such processing **is necessary for the performance of a contract** OR • An individual's **prior consent**
Managing Benefits Accounts: Collecting and processing benefit election and claim forms in order to manage employee benefits including medical, vision, dental, and other insurance coverages, pension and retirement accounts, transit benefits, FSA and HSA accounts, beneficiary designations, and related employee benefit matters.	• Richmond has a **legitimate interest** in collecting necessary information so that Richmond can, in a timely and accurate manner, and in compliance with applicable laws, provide employees, their dependents, and retirees with employee benefits, and make required reports to and file required documents with the IRS and other government bodies and third-party benefit administrators OR • Such processing **is necessary for the performance of a contract** OR • An individual's **prior consent**

Managing Expenses, Purchasing, and Reimbursements: Collecting, issuing, and processing expense requests, purchasing invoices, receipts, approvals, payment records, bank accounts, checks, and electronic payments	• Richmond has a **legitimate interest** in collecting necessary information so that Richmond can account for expenses, pay bills on time, recover amounts owed to Richmond, and otherwise administer Richmond's day-to-day financial affairs OR • Such processing is **necessary for the performance of a contract**
Administering Grant, Scholarship, and Financial Aid Programs: Accepting, reviewing, and making decisions related to financial assistance programs, including preparing, executing, monitoring, and enforcing grant, scholarship, and loan agreements and notes documenting such financial assistance	Richmond has a **legitimate interest** in helping students find financial resources to pay for their education, in complying with third-party lender and federal and state requirements, and documenting and administering such financial assistance programs OR • Such processing **is necessary for the performance of a contract** OR • An individual's **prior consent**
Class Registration, Enrollment, and Education Records: Registering students for courses, confirming completion of required course work, accepting, reviewing, and evaluating student course work, operating education software to support teaching, conducting institutional statistical research to measure effectiveness, and for accreditation and collaborative purposes	• Richmond has a **legitimate interest** in establishing that students are enrolled and completing classes necessary to satisfy enrollment requirements (which may also be a condition to eligibility for certain benefits) and degree requirements, and scheduling and staffing courses, in assigning and evaluating homework, administering tests, and facilitating group instruction and learning OR • Such processing is **necessary for the performance of a contract**

Evaluating Academic Performance and Granting Degrees: Assigning grades and other performance measures; confirming satisfaction of required classwork and out-of-class requirements applicable to the awarding of degrees; preparing transcripts and diplomas; maintaining long-term graduation and performance records and providing these to employers	• Richmond has a **legitimate interest** in evaluating student performance, awarding degrees, recognizing outstanding achievements, holding graduation ceremonies, and providing its graduates and prospective employers with information confirming such performance, degrees, and achievements OR • Such processing is **necessary for the performance of a contract** OR • An individual's **prior consent**
Evaluating Faculty and Staff Performance: Preparing and processing evaluations (including self-evaluations), maintaining personnel and disciplinary files, compiling other performance measure data	• Richmond has a **legitimate interest** in evaluating the performance of faculty and staff members for purposes of promotions, tenure decisions, disciplinary action, setting salaries, and improving productivity OR • Such processing is **necessary for the performance of a contract**
Issuing and Use of University Identification: Issuing identification cards bearing faculty, staff or student photos and embedded with personal information for use in accessing university facilities, events, and resources; and making payments	• Richmond has a **legitimate interest** in identifying whether an individual is a student, faculty, or staff member, or who is otherwise authorized to be on Richmond property and to access Richmond programs and services, in classifying persons as either Richmond community members or trespassers, in establishing the authority of individuals to take certain actions, and in facilitating the flow of persons, information, and payments throughout Richmond OR • Such process is **necessary for the performance of a contract**

Operating Dining Halls and Other Food Service Facilities: Running cafeterias, restaurants, snack bars, and on-campus convenience stores, and administering credit, debit, and payment programs related to such services	• Richmond has a **legitimate interest** in confirming that only authorized persons use food service facilities, in verifying that such use conforms to meal plan and payment requirements, and in identifying personal dietary constraints and preferences in order to offer appropriate food options OR • Such processing is **necessary to the performance of a contract**
Providing Student Housing: Providing and operating dormitories and other student housing and residence life programs	• Richmond has a **legitimate interest** in controlling access to student housing so that housing facilities are occupied only by eligible persons and accessed only by permitted persons at permitted times in order to safely and securely operate such facilities, and in collecting and maintaining personal information for use in cases of emergencies OR • Such processing is **necessary for the performance of a contract** OR • An individual's **prior consent**
Providing Student Support Services: Providing accommodations under disabilities laws, offering tutoring services and supplemental instruction, student conduct, providing physical and mental health and wellness care and counseling, and operating a fitness center	• Richmond has a **legitimate interest** in promoting, assisting, and monitoring student accessibility, educational progress, physical and mental health and well-being, and evaluating the use and outcomes of such services OR • Such processing is **necessary for the performance of a contract** OR • Your **prior consent**

Campus Security Measures: Taking measures to protect persons and property (both physical, personal, and digital) through encryption, firewalls, password, reset questions, surveillance cameras, login systems, card-swiping and similar entrance/exit tracking devices, and other security efforts.	• Richmond has a **legitimate interest** in insuring the physical and digital security of its campus and the members of the Richmond community, and in preventing, detecting, and taking enforcement action with respect to criminal and other unlawful and/or unauthorized activity; such legitimate interest includes sharing security information with federal, state, and local law enforcement authorities, as required or permitted by law OR • Such processing is **necessary for the performance of a contract**
Complaint and Grievance Procedures: Enabling students, staff and faculty to file and process complaints and grievances by such means as Helpline, public safety and sexual harassment complaints, Title IX complaint process, Human Resources complaints, the Financial Aid and Bursar financial dispute process, student conduct proceedings, and the academic grievance appeals process	• Richmond has a **legitimate interest** in providing procedures for Richmond members to report dishonest behavior, wrongful actions, injurious conduct, and conflicts of interest, and to contest Richmond decisions that are perceived to be unfair or otherwise inappropriate OR OR • Such processing is **necessary for the performance of a contract**
Offering Access to University Information Services: Providing a user identity account including Richmond email account, storing information on Richmond servers (and servers of third party processors), allowing students, faculty, staff, and alumni, and other authorized persons the right to use university-licensed software, providing access to educational platforms, assessment tools, social media, library applications, archives, and digital collections	Richmond has a **legitimate interest** in providing access to Richmond information services for learning and communication purposes, in assuring Richmond's compliance with applicable licenses and contracts relating to the use of such services, in securing data on such systems, in monitoring the system, and in performing system maintenance, analytics, and upgrades OR OR • Such processing is **necessary for the performance of a contract**

Ticketing: Processing information related to selling or otherwise issuing tickets for athletic, musical, theatrical, and other university events and conferences	• Richmond has a **legitimate interest** in holding events open both to the Richmond community and to the general public and in charging and collecting admission fees for such events OR • Such processing is **necessary for the performance of a contract**
Recruitment and University Marketing: Tracking inquiries and website activity (including through the use of "cookies" and similar tracking files) to identify and recruit prospective students, faculty, and staff	• Richmond has a **legitimate interest** in identifying both qualified students to attend Richmond and qualified faculty and staff to work at Richmond OR • An individual's **prior consent**
Research: Conducting educational, scientific, and other research and related statistical analysis	• Richmond has a **legitimate interest** in carrying out experiments, interviews, clinical evaluations, longitudinal studies and other research activities to advance knowledge and translate such research into activities and applications that benefit society OR • An individual's **prior consent**
Alumni and Advancement Communications: Maintaining contact and other personal information for alumni and donors in order to send correspondence, magazines, newsletters, online communications, invitations, and to seek and accept gifts and donations	• Richmond has a **legitimate interest** in maintaining an ongoing relationship with alumni for informational, networking, job placement, continuing education, and fund-raising purposes, and in communicating Richmond's programs and successes to the general public

Insurance Claim Processing: Obtaining and evaluating personal information pertaining to claims of bodily injury, property damage, and other liability claims, including collecting medical reports and health insurance information, personal financial data, police reports, or other relevant information, including information required by Richmond's insurers	• Richmond has a **legitimate interest** in obtaining the factual information needed to evaluate the merits of a claim so in order to decide on the appropriate resolution of incidents involving loss or injury OR • Such processing is **necessary for the performance of a contract** OR • An individual's **prior consent**
Complying with Legal Obligations: Compiling and providing information required under applicable laws, including, without limitation, the Internal Revenue Code, Title IV and Title IX, U.S. Department of Education laws and regulations, the Immigration and Naturalization Service, and the Department of Homeland Security	• Richmond has a **legitimate interest** in complying with legal obligations imposed under federal, state, and local laws

IRM-4006.5 – Data Disclosed to Third Parties

In transferring personal data to a processor, Richmond will employ suitable safeguards to protect the privacy and security of personal data so that it is only used in a manner consistent with the individual's relationship with Richmond and this privacy notice.

As otherwise permitted by applicable law or regulation, Richmond may disclose data to third parties as follows:

- Consent: Richmond may disclose an individual's data with prior consent.
- Emergency Circumstances: Richmond may share an individual's data, when necessary to protect an individual's interests and when the individual is physically or legally incapable of providing consent.
- Employment Necessity: Richmond may share an individual's data when necessary for administering benefits in accordance with applicable law and subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.
- Charitable Organizations: Richmond may share an individual's data with other not-for-profit organizations in connection with charitable giving subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.

- Public Information: Richmond may share an individual's data if that individual has manifestly made it public.
- Archiving: Richmond may share an individual's data for archiving purposes in the public interest, and for historical research, and statistical purposes.
- Performance of a Contract: Richmond may share an individual's data when necessary to administer a contract the individual has with Richmond.
- Legal Obligation: Richmond may share an individual's data when the disclosure is required or permitted by international, federal, or state laws and regulations.
- Service Providers: Richmond uses third parties who have entered into a contract with Richmond to support the administration of Richmond operations and policies. In such cases, Richmond shares data with such third parties subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.
- De-Identified and Aggregate Information: Richmond may use and disclose data in de-identified or aggregate form without limitation.

IRM-4006.6 – Retention and Destruction of an Individual's Data

The GDPR requires that an individual's personal data be kept no longer than necessary. The applicable time period will depend on the nature of such personal data and will also be determined by legal requirements imposed under applicable laws and regulations. Richmond's Record Retention Policy and Record Retention Schedule can be found at:

Record Retention Policy and Schedule

IRM-4006.7 – Transfer of Personal Data to the United States

Personal data that an individual provides while in the EU, will be transferred to the United States. The GDPR permits such transfer when Richmond has a legitimate interest in doing so, when it is necessary for the performance of a contract between the individual and Richmond, or if Richmond obtains the individual's explicit consent to such transfer. By using Richmond websites, online platforms, applying to Richmond, applying for admission to Richmond, attending Richmond, applying for employment at Richmond, or requesting services from Richmond, individuals are consenting to having their data processed in the United States.

IRM-4006.8 – An Individual's Right to Control their Personal Data

Articles 15-21 of the GDPR give individuals the right to control their personal data by directing Richmond as Controller, to do one or more of the following, subject to certain conditions and limitations:

(a) allow the individual access to their personal data to see what information Richmond has collected concerning the individual;

(b) correct (rectify) any inaccuracy in the individual's personal data;

(c) delete (erase) an individual's personal data, unless Richmond can demonstrate that retention is necessary or that Richmond has other overriding legitimate grounds for retention;

(d) restrict the processing of an individual's personal data;

(e) transfer an individual's personal data to a third party (portability); and

(f) upon an individual's objection, stop processing personal data when Richmond is relying on a legitimate interest basis for processing such data unless Richmond can demonstrate compelling legitimate grounds for processing that override the individual's interests in prohibiting such processing.

(g) if an individual has provided consent to the use of their data, they have the right to withdraw consent without affecting the lawfulness of Richmond's use of the information prior to receipt of that request.

Individuals may exercise these rights by contacting GDPR@richmond.edu. Richmond will ask you for information verifying the individual's identity, and will respond to the request within a reasonable timeframe

IRM-4006.9 – The Right to File a Complaint with the Supervisory Authority

If an individual believes their privacy rights under the GDPR have been violated, the GDPR gives the individual the rights and remedies set forth in GDPR Articles 77-82. These include the right to file a complaint with the appropriate supervisory authority in the EU or EEA.

RELATED POLICIES:

Information Services: https://www.richmond.edu/legal/privacy-policy.html

HRM-1005 HIPPA Policy: https://policy.richmond.edu/documents/policy-pdfs/Public/HR/hipaa_policy.pdf

CAPS Privacy Practice: https://caps.richmond.edu/Appointments-and-Services/privacy.html

ACD-1004 FERPA Policy: https://registrar.richmond.edu/ferpa/statement/index.html

POLICY BACKGROUND:

This policy was reviewed by President's Cabinet and approved by University General Counsel in September 2018.

This policy was reviewed in August 2023 with minor revisions.

This policy was reviewed in August 2026 with non-substantive revisions to update titles and links.

POLICY CONTACTS:

Director of Compliance & Intellectual Property Protection