

# Fulbright

## Privacy Policy Student Records

Version 1.0

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Endorsed by:



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## 1 INTRODUCTION

Fulbright University Vietnam (the University) collects, stores, uses, and discloses the students' personal information and their educational records under the consent of the students. The information is controlled by the University with the appropriate security measures for administrative, statistical, regulatory, and research purposes.

This policy covers the privacy principles, and the rights and responsibilities of individuals and departments within the University, to ensure the privacy of the students' information.

***Important notice:*** *This document is subject to change, and you should expect many new features, upgrades, and significant improvements. Keep your eye out for new versions of this document in One Stop.*

## 2 DEFINITIONS

The following terms used in this policy have the meanings as set out below:

**Students**, as defined in the Student Code of Conduct, are:

- Persons enrolled at Fulbright University Vietnam on a full-time or part-time basis, and pursuing an undergraduate, graduate, continuing education program, or any credit-bearing course or program offered by the University;
- Persons who are not enrolled in a program but who have a continuing educational relationship with the University including alumni;
- Persons who have accepted an offer of admission into Fulbright University Vietnam.

**Student Records** mean the information, in electronic or paper form, that is directly related to the student's application, admission, and enrolment and maintained by the University or by a party acting for the University. It may contain the following:

Basis of admission information

- Directory information
- Personal information
- Sensitive information
- Financial information

Student Records do not include the following:

- Sole possession records (e.g. discussion notes, wellness notes, or the records naturally served as a memory of the creator of the record);
- Student treatment records that are issued by a physician, psychologist, or other official recognized professionals;

**Directory information** is the information in the student education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to:

- Full Name
- Enrollment status (active, deferred, LOA, graduated)
- Major
- Student activities
- Date of graduation
- Degrees and awards received
- The most recent educational institution attended

Directory information does NOT include the following:

- Date of birth
- Gender
- Ethnicity
- Address (mailing and permanent address(es))
- Electronic mail addresses
- Telephone number
- Passion and Expectation at Fulbright
- Parent's information (name, address, electronic mail)
- GPA or grades
- Current credits or class schedule (time, location)
- Information on academic standing
- Financial-Aid package
- Student account balance
- Transcripts

**Personal Information** is any official information such as name, date of birth, gender, etc. that could be used to identify the student in person or in any recorded in any form.

**Sensitive Information** is a subset of personal information including religious beliefs, sexual orientation or practices, or criminal records. It includes health information.

**Health Information** is a restricted sensitive information about a person's physical, mental or psychological health or disability records.

**Financial Information** is information relating to the student's financial-aid rate & history, tuition fees, and other charges, payments, outstanding balance.

**Third-party** is any person or organization other than the University.

### 3 POLICY STATEMENT

This policy applies to any University staff member, faculty, student, or any person who works in a paid or voluntary capacity dealing with the personal information relating to the students and/or alumni.

### 4 PRIVACY PRINCIPLES

The University will collect, store, use and disclose the student information as necessary to carry out its functions, in alignment with this document and the [ISP-04.Information Handling Policy](#) issued by the Fulbright IT team.

#### 4.1 Principle 1: Identifying the purpose

The University will, before or at the time student information is collected, identify the purpose for which information is collected, stored, used, and disclosed.

Most of the information the University collects comes directly from students, their parents, or is collected via surveys, university activities, attendance records, or academic activities.

When student information is collected, the University takes the responsibility to inform and advise on how the information is stored and used.

Information is not collected on the political or religious activities or beliefs of students whether voluntary or not, both within and outside the University.

## **4.2 Principle 2: Consent**

There is a Consent Form that the students and parents or legal guardians of those who are under 18 years old are required to fill and agree on the information collection and use. The University will access the consent of the individual for the collection, storage, use, and/or disclosure of information.

On giving reasonable written notice to the University, the student may withdraw the consent of using a piece of personal information. Upon notice of the withdrawal, the University will notify the related person or organization of the likely consequences of processing the student information from the time of withdrawal of consent.

*Note: The consent form does not cover the student information and their educational records by default stored and/or used in the University systems, nor the service providers systems for business purposes with the relevant legal constraints.*

## **4.3 Principle 3: Limiting Collection**

The University will limit the student information collected only to the appropriate purposes identified by the University.

## **4.4 Principle 4: Accuracy & Security**

The University shall ensure the information collected is accurate along with the purpose for which it was collected, used, or disclosed. The individuals should have the right to examine information about themselves and request changes if any information is missing.

The component of student records, in electronic or paper format, will be classified into the level of sensitivity according to [Section 5](#) in this Policy. The appropriate security methods will be applied to protect the restricted and confidential information of students.

## **4.5 Principle 5: Access**

Information is secure and not vulnerable to unauthorized access and/or modification. Only authorized people or departments can access the information for business purposes. The Office of the Registrar, as a custodian of student information, determines who is authorized to access the student information.

The student may access and verify his or her personal information with the appropriate notice to the Office of the Registrar.

## **5 DATA CLASSIFICATION AND RETENTION**

Student information is by default stored in University's Student Information System (SIS) and classified into different categories based on its level of sensitivity, including public information, internal information, restricted information, and confidential information.

There are different security measures applied to different categories to protect student information. Any parties who access, use and/or disclose this information need to follow the University instructions to keep it secured.

The information is kept as long as it meets the user's purposes or as required by law. Different types of information have different retention periods. The Information Technology Department will support the Office of the Registrar to ensure the security of student data, as well as its effective disposal.

## **6 CONSENT, USE, AND DISCLOSURE**

Based on the Student Consent Form, in compliance with the privacy principles, the University will access, use, disclose and retain the student information for the purpose for which it was collected.

### **6.1 How is the information used?**

The University uses the student records for a number of purposes related to the operations of the University, including but not limited to:

- Teaching, academic evaluation, and supervision;
- Providing support related to financial aid, careers, and learning support services;
- Communication with parents and/or the students to process admissions applications and then to provide the appropriate enrolment services at the University.
- Providing certain specialized services based on the health, psychological, or legal information of the student.
- Processing the administrative functions, including the payment of tuition fees and other fees, organizing the student's activities, etc.

- Communication with the parents or the guardians in case of emergency.
- Using surveys or statistical information derived from student data to inform continuous improvement at the University

If it is required to collect the student information to fulfill another purpose or to provide it to a third party, the University will notify the students and ask for their consent before processing.

## **6.2 When may the information be disclosed?**

The student information is only disclosed when:

- Allowed by the students (signed in the Consent Form)
- Required by Law, if any court or legal orders.
- Permitted by Law, especially in the case of a medical emergency or the suspicion of illegal activities.

## **6.3 Handling of sensitive information**

The sensitive student information requires a higher level of protection. Therefore, there are specific guides to process this sort of information.

### **6.3.1 Health Information**

Health information is submitted by students to complete the official application process at the University. It is used and disclosed where it is necessary to make reasonable adjustments for disability and/or to provide equal opportunities. The University may also use this information (depersonalized) in statistical reports if required by Law.

Health information is accessed by the Residential Life team to ensure the health and safety of the students and staff on the campus and the Residence.

There may also be exceptional circumstances where the health information may need to be shared without the student's consent. Examples are: (a) where you are at risk of causing harm to yourself or others; (b) as a result of testing positive for any infectious disease; etc.

### **6.3.2 Mental Health Information**

The University commits to protect your privacy of mental health information. This restricted and confidential information is only accessed by the Fulbright Wellness Center.



When you use Fulbright Wellness Center services, your information is protected by the Wellness Center consent agreement. You will sign another consent form when entering the Wellness Center Counseling service. Your information will not be released without your written permission. There are certain exceptions to get this information disclosed under the following conditions:

- To protect the student who is at foreseeable and imminent risk of bodily harm or death to themselves or others as a result of the student's actions.
- To follow the court orders.

Students can consent to the release of mental health information to a third party by signing the [Authorization for Release of Mental Health Information form](#) at the Wellness Center. You can revoke this authorization at any time by notifying the Wellness Center.

The student has a right to access their Wellness records by request to the Wellness Center, giving at least 5 working days' notice.

### **6.3.3 Criminal records**

This sort of information is maintained to protect the University community from perceived risks. It will only be disclosed in order to meet legal obligations and requirements.

### **6.3.4 Religious beliefs, sexual orientation**

This information is only recorded if the student volunteers to reveal it and it is relevant to a misconduct investigation or mental health issue. This information is subject to appropriate safeguards as defined above.

## **6.4 Sharing with third parties**

The University's partners and third-party service providers are required to take appropriate measures to protect the student data in line with Fulbright policies.

The University may disclose student data as follows:

- Parents/Guardians: To complete the admissions process, scholarship & financial aid reviews, or in the case of an emergency.
- Service Provides: To support University operations and enhance the student experience at the University.
- Other Universities/Institutions: To support student exchange, visiting students, and the transfer process.

- As required by Law/Local Authorities
- Emergency circumstances: To protect the health and safety of everyone in the Fulbright community.

The information shared with partners and third parties will be the minimum that is required.

## **6.5 Data Transferred overseas**

The student educational records will be transferred overseas to the University partners or other institutions on the occasions of transfer or exchange or any emergency case in another country. Such transfers need to:

- Apply an appropriate level of data protection;
- Comply with the requirement of data protection of the University or Institution receiving the data;
- Follow student consent to the release of that data;

Students can request to update their consent to limit the data transferred overseas.

## **7 RIGHTS AND RESPONSIBILITIES**

### **7.1 Students**

Students are responsible for their Student Consent form, following the instructions of the Office of the Registrar. Personal information is also required to correctly provide to the responsible department(s) to ensure the ongoing business of the University. Students have the right to protect their information at the University.

Under this policy, a student has the right to:

- Inspect and review his/her educational records;
- Request an amendment to the educational records if the student believes the records are inaccurate or misleading;
- Consent to disclosure of personal information;
- Request a review of any leak of personal information which does not follow the consent form signed or violate the Privacy policy;

Depend on the circumstances of the request, the University will process the student information.

## **7.2 Parents/Guardian**

The students who have reached the age of 18 will receive the treatment of an adult by the University. Student information is only disclosed upon the student's consent. Parents, the guardian, or the designated person will only be contacted and in case of emergency or hospitalization of the student.

## **7.3 Faculty and Staff**

All faculty and staff who may access the student information, in compliance with this Policy, are responsible for protecting the privacy of students.

Faculty and staff who may access the student educational records, including but not limited to the enrollment, GPA, Academic Standing, etc. are responsible for protecting such information of the students enrolled in the classes.

The use of any non-directory information is subject to the approval of the Office of the Registrar.

## **8 ROLE OF THE OFFICE OF THE REGISTRAR**

On completion of the student admissions process, the admitted students' data is transferred to and becomes the responsibility of the Office of the Registrar. The Registrar is responsible for the verification of the student's information as well as obtaining the student's Privacy Consent.

The Office of the Registrar is designated as custodian of academic records of students and has the responsibility for protecting such information.

The Registrar is also required to maintain up-to-date student records if a student requests to make an amendment. Furthermore, it is required for the Registrar to review and approve all Forms used for data collection from students.

The Registrar will also serve on the Misconduct Hearing Panel for misconduct cases involving privacy or information processing.

## **9 RELATED LEGISLATION AND DOCUMENTS**

This Policy follows the following related legislative documents and related University policies, guidelines:

- Any applicable law and/or legislation of Vietnam
- [ISP-04. Information Handling Policy](#) issued by Fulbright IT team

## **10 POLICY UPDATES**

This Policy will be reviewed and updated at any time if any change. The approved policy will be published and available on the One-Stop portal.