

Standard Operating Procedure Advancement Data Use & Donor Privacy Guidelines

Authority: Vice Chancellor for University Advancement

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Related Policies: POL03.00.1, Coordination of Fundraising Activities and Acceptance of Private Donations (Gifts)
Standard Operating Procedures for Acceptance of Gifts

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Introduction:

This document is to provide employees and volunteers of NC State with the principles of ethical fundraising, in order to safeguard the interests of our organization, our employees, our volunteers and, especially, our donors. The development process rests upon the relationships we create with and among our supporters, and the need to protect those relationships is one of our highest priorities. The nature of the work we do often involves information of a confidential nature, requiring us to exercise care and caution in protecting the privacy of others. These guidelines build upon established organizational and professional policies and offer specific instructions for the careful management of sensitive data.

General Principles:

- All employees and volunteers of NC State are responsible for following the established policies and standard operating procedures regarding the appropriate use of confidential, proprietary, and highly sensitive information, most notably the [Standard Operating Procedures for the Acceptance of Gifts](#), found on the Advancement Services website.
- When handling information regarding donors and prospective donors to NC State, we are further guided by ethical policies and guidelines of relevant professional associations, notably:
 - [AFP Code of Ethics](#)
 - [APRA Statement of Ethics](#)
 - [DMA Ethics Guidelines](#)
 - [PPP Model Standards](#)
 - [Donor Bill of Rights](#)

- Data gathered and maintained by employees, volunteers or consultants of NC State – at the international, national, regional, and local levels – is considered institutional data. NC State owns institutional data, and each authorized user of this data is responsible and held accountable for its appropriate and authorized use.
- Use of donor data for purposes other than for Institutional Advancement, especially for commercial or political purposes, is strictly prohibited.
- Information maintained in hard copy or electronic files as part of an official university record shall be viewed only by authorized NC State employees and representatives (including selected volunteers) who need such information for legitimate institutional business.
- NC State employees and volunteers who access or use donor data are reminded that the full range of information collected on any living or deceased individual – including donor records, departmental files and individual files in hard copy and electronic form – may be subpoenaed or the subject of a court order or warrant or entered into the public record of a court case. Appropriate discretion must be exercised in the drafting of any document, such as a contact report, that will be stored in any electronic or paper file on the international, national, regional, or local level, and may ultimately be disclosed if required by law.

Definitions:

As used in these guidelines, the following terms shall have these meanings:

- **Non-Confidential (Public) Information** – Information is considered public when NC State does not place limits on the media in which it may appear or the persons who may have access to it. In regard to donors, information considered public includes:
 - Donor names – including those with designated gift levels – that will be published in any form of annual report and/or posted on NC State web sites.
 - Donor-approved press releases, announcing specific gifts.
 - Information about donors who provide named funds shared in materials about programs their funds support.

In general, only information NC State chooses to make public for recognizing contributions and/or attracting similar support from other potential donors will be considered public. Even data gathered from public sources, such as wealth screening information, which is then converted to NC State donor data, shall be treated as confidential.

In addition, the rights and wishes of donors will be granted primary consideration. The information of donors who wish to remain anonymous, for example, will not be considered public information.

If an employee or volunteer receives a public records request, he or she must forward it immediately to the Vice Chancellor for University Advancement, who will then forward it to the University Records Officer for processing in compliance with the University regulation REG04.00.02.

- **Confidential Information** – Confidential Information is knowledge, records or data, in any form (written, electronic, or oral), that NC State has a legitimate interest in protecting from unauthorized disclosure, except as may be required by law. Examples include contents of project files, strategic plans, terms, and conditions of gift agreements completed or under negotiation, donor information such as appraisals and giving histories, as well as personally identifiable information such as social security numbers, bank accounts, credit or debit card numbers, contents of official personnel files, and sensitive scientific data.

Donor information is considered confidential and private when any limits are placed on the audiences with which it is shared or constitutes personally identifiable information. Any donor or fundraising strategy information that would pose a problem to NC State were it accessed by unauthorized individuals through a breach of data security is considered confidential. There are two categories of Confidential Information regarding donors and fundraising strategies, with increasing levels of care required for their treatment:

- **Proprietary** – Proprietary Information is Confidential Information that is limited to authorized employees and selected volunteers of NC State. It is not intended for public release but does not rise to the level of sensitivity that requires particularly secure handling (such as transmitting in a form other than e-mail). Examples of Proprietary information would include:
 - Fundraising status reports that do not include specific donor names
 - Fundraising activity reports
 - Information about specific programs that does not include discussion of specific donor strategies
- **Highly Sensitive** – Highly Sensitive Information is Confidential Information that would expose NC State to a high level of legal and/or reputational risk if it became public or available to unauthorized persons. As such, it should receive a higher level of protection against unauthorized access. Access to Highly Sensitive Information may be limited to particular departments and individuals.

Highly Sensitive Information requires special handling; it should be shared only through secure avenues such as NC State servers and password-protected files, and not by fax or normal (non-password-protected) e-mail. Examples of highly sensitive information include:

- Reports that contain specific fundraising strategies, whether in connection to individuals or groups of donors or prospective donors
- Records of gifts that a donor wishes to be publicly anonymous (see “Anonymous Donor Data,” below)
- Any document mentioning a specific gift or range of gifts connected to a donor or group of donors not approved for public release

Some Highly Sensitive Information must be stored in the central advancement database in order to fulfill necessary obligations (such as generating receipts for anonymous gifts), but in general private information will only be stored at the source required to fulfill that obligation.

While all Highly Sensitive Information should be treated with great care and attention, a particular set of Advancement information should be shared only on a need-to-know basis, for conducting essential business operations. NC State may use this information for business purposes, but will not store in an unencrypted manner such personally identifying information as name plus all addresses, social security number, credit or debit card number, bank account numbers, or other similar information that is protected under privacy laws. Examples of Highly Sensitive Information requiring the utmost care include:

- Records of gifts that a donor wishes to remain completely anonymous, as opposed to restricted from public record but known internally (see “Anonymous Donor Data,” below)
- Reports that contain specific donor names in a context other than that described under “public information” above, such as lists of donor names and addresses
- Information about the personal, family or legal issues of a donor or potential donor discovered through the research process or through personal interactions, even if previously published in a publicly available source
- Personal identifying information (as explained above), including credit and debit card records and full Social Security numbers

Guidelines:

1. Data Access & Use

- No donor information shall be made public without the donor's consent, unless required by law.
 - For general recognition purposes, donors shall have the opportunity to "opt out" of inclusion on lists or other public forums. When there are plans to develop such lists, acknowledgement letters should include a note to the effect of "Your contribution may be recognized in publications or donor lists of NC State. Should you wish your gift to remain anonymous, please contact..." Donors who opt out in such a manner will be placed in the category of publicly anonymous (see "Anonymous Donor Data," below).
 - For special recognition purposes, donors shall have the opportunity to "opt in" to inclusion. Examples include press releases or newspaper ads that recognize contributors at specific giving levels, whether or not they chose not to opt out of earlier levels of recognition.
- Access to the Advancement database (currently Advance Web) is granted by Advancement Services following the completion, and approval, of the appropriate [SARS Request Form](#) as well as completion of [Advance training](#).
- Access to the Advancement shared drive, which may contain documents of a confidential and private nature, is granted by the appropriate division or department head.
- Authorized users may analyze institutional data; however, official, published reports using this data may be issued with the review and approval of the individual or office primarily responsible for that data.
- Other than the individual on whom the record is maintained, access to Advancement database records is limited to authorized NC State employees, volunteers and representatives for the purpose of institutional business only. Authorized University Advancement personnel will determine levels of access.
- Unedited research reports shall be clearly marked as "Confidential and/or Proprietary" and shall be released only to authorized NC State employees directly engaged in NC State fundraising work. The employee to whom the report is released is responsible for maintaining the information in a confidential manner. Edited reports, omitting such information as specific details of donor contributions, may be released to selected volunteers, only for use in NC State fundraising activities.

2. Data Transfer & Storage

- Every individual who accesses Confidential Information is responsible for treating this data in a secure and confidential manner. Users must limit access to, and storage of, this information during its use for legitimate business purposes.
- A formal NC State protocol must be followed when considering the export of any Advancement data to a third-party vendor or consultant. Generally the following must occur:
 - An official request to export data must be forwarded to the Advancement Data Steward (AVC for Advancement Services), indicating the specific fields of data to be exported, the purpose for the export, and the duration of the engagement with the third-party
 - Once the Advancement Data Steward approves the request it will be forwarded to OIT Security & Compliance for final approval
 - Confidential Information may only be shared with vendors and consultants via secure file transfer protocol (ftp) site.
- Information stored in the Advancement database, particularly gift and pledge data, solicitation history and text comments, and reports generated from the database shall be treated as Confidential Information.
- Directory information on records that include a “solicitation control code” for FERPA Privacy should also be treated as Confidential Information. This applies to the main database, to reports produced from the database and to information displayed/shared from database records. Every individual who uses the Advancement database is responsible for honoring the requested restrictions as well as federal and state privacy laws.
- Because the Advancement database is used to store anonymous gift data and similar alert codes that require special treatment, NC State employees and volunteers shall not maintain external data storage and reporting systems. Such separate data storage systems create increased risk of sharing Confidential Information inappropriately.

3. Anonymous Donor Data

- Donors may choose to maintain anonymity of their data in one of two general categories:
 - a. Internal – This level of anonymity means that the donor does not wish to have contributions publicly recognized or publicized but consents to having records

stored in the database and attributed in a manner that allows authorized NC State staff to be aware of those contributions.

- b. Complete – This level of anonymity means that the donor does not wish to have contributions known in general. In this case, only the individuals responsible for securing the gift, recording it in the database, and producing the relevant tax receipts will be aware of these contributions.
- Records that include anonymous gift codes, and reports that include such information, shall be considered Highly Sensitive Information. Only those individuals responsible for recording and reporting the gift have direct access to this information.

4. Data Access & Use by Volunteers

- Volunteers may be provided hard copies of information derived from files, including edited research reports, only when released through authorized University Advancement employees. Materials shared with and used by volunteers in the support of university development business must be retrieved by university personnel and destroyed; under no circumstances should non-university employees (i.e., volunteers) retain possession of confidential university work products, nor should the material be forwarded to other employees or volunteers nor should it be copied in any format.
- Volunteers may be provided read-only access to the Advancement database once they have agreed to comply with the donor privacy guidelines.

By signing this document, I acknowledge that I have read and understood this statement – *NC State: Donor Privacy Guidelines* – and that I agree to comply with the principles it promotes. I further understand that failure to follow these directives may cause me to become relieved of my duties immediately and may subject me to personal, legal liability.

Printed Name: _____

Date: _____

Signature

Please return the signed form to:

Office of Advancement Services, Box 7474