

LUTHER COLLEGE

POLICIES AND PROCEDURES

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| Department: | Information Technology Services |
| Subject: | Luther College Privacy Policy |
| Date Issued: | September 13, 2018 |
| Updated and Reviewed By: | Information Security Council - May 19, 2022 |
| Approved By: | President's Cabinet – December 14, 2022 |

I. Policy/Procedure

This document outlines the privacy policy of information technology solutions.

II. Purpose

The purpose of this policy is to protect the privacy of your personal information which is important to Luther College. We respect your right to privacy and recognize our obligation to keep information about you secure and confidential. We have implemented appropriate technological safeguards and usage policies to ensure that the personal information you submit to Luther College is used only for official college business.

III. Scope

This policy applies to all applicants, students, faculty and staff, alumni and other members of our community.

IV. Procedures and Guidelines

A. General Policy – U.S. Based

Protecting the privacy of your personal information is important to Luther College. We respect your right to privacy and recognize our obligation to keep information about you secure and confidential. We have implemented appropriate technological safeguards and usage policies to ensure that the personal information you submit to Luther College is used only for official college business.

Luther College receives your personal information solely for the purpose of establishing and maintaining our relationship with you. For that relationship to proceed as effectively and conveniently as possible, we use technology to manage and maintain your information. We will not sell, rent, or share your personal information with other individuals, private or public organizations for any purpose outside official college business. We will not share your personal information with any unauthorized third parties.

The Luther College Privacy Policy defines personal information as information about you that identifies you and that is not available from public sources, such as your date of birth, your Social Security Number, or an unlisted telephone number. Our sources of personal information about you include, but are not limited to, the following:

- Information we receive from you on admissions applications, correspondence, communications, and other forms.
- Information received from schools you attend or formerly attended, or to which you have applied for admission.

We do not disclose any personal information about you to anyone, except as permitted by law. For example, we share such information with the U.S. Department of Education and state agencies. We are permitted by law to disclose personal information about you to "nonaffiliated third parties" in certain circumstances; for example, we may share your personal information as necessary to administer a transaction you have requested or to process a service on your behalf.

We restrict access to your personal information to our employees who need to know the information in order to provide service to you, such as processing your application for admission. We maintain physical, electronic, and procedural safeguards in compliance with federal regulations to safeguard your personal information.

Privacy Online

Luther College considers privacy, security, and service in our online operations to be just as critical as in the rest of our operations. We therefore employ all of the safeguards described above, along with the following Internet-specific practices.

Luther College uses a variety of proven protections to maintain the security of visitor's information. For example, we make use of secure socket layer connections, firewall technology, and encryption to protect your information.

When you visit Luther College's website, we may collect technical and navigational information, such as computer browser type, Internet protocol address, pages visited, and average time spent on our websites. This information may be used, for example, to alert you to software compatibility issues, or it may be analyzed to improve our web design and function.

Luther College uses demographic information gathered through Google Analytics, including its Demographics and Interests reports, to gain a deeper understanding of who our visitors are, what they are interested in, and how they are using our website.

In addition, as you browse our website, advertising cookies may be placed on your computer so that we can understand what you are interested in. This allows our display advertising partners to present you with targeted advertising on other sites based on your previous interactions with our websites.

We may also use the information we collect from you to:

- Understand your interest in Luther College as part of our admission process
- Send you emails related to your interest in Luther College
- Administer surveys and other site features
- Track our advertising on third-party websites

In the event that Luther College becomes aware that site security is compromised or nonpublic user information has been disclosed to unrelated third parties as a result of external activity, including but not limited to external security attacks, we shall take reasonable measures which we deem appropriate, including but not limited to internal investigation and reporting, and notification to and cooperation with law enforcement authorities, notwithstanding other provisions of this Privacy Statement.

If Luther College becomes aware that a user's personal information provided to Luther College has been disclosed in a manner not in accordance with this Privacy Policy, we shall make reasonable efforts

to notify the affected user, as soon as reasonably possible and as permitted by law, of what information has been disclosed, to the extent that we know this information.

While this Privacy Policy expresses Luther College's standards for maintenance of private data, it is not in a position to guarantee that the standards will always be met. There may be factors beyond our control that may result in disclosure of data. As a consequence, we disclaim any warranties or representations relating to maintenance or nondisclosure of private information.

B. Privacy Notice – E.U. Based

Luther College seeks to comply with the requirements of the General Data Protection Regulation (“GDPR”) for persons residing or located in the European Union (“EU”). The GDPR requires organizations which process the personal data of EU-based individuals, such as Luther College, to take measures to protect personal data and allow individuals to maintain control of their personal data.

This Privacy Notice outlines the collection, use, and disclosure of personal data provided to the College by applicants, students, faculty and staff, alumni and other members of our community in the EU. When information is submitted to the College, or you use the College’s websites and other services, you consent to the collection, use, and disclosure of that data as described in this Privacy Notice. To the extent any other College policy/procedure and this Privacy Notice conflict, this Privacy Notice controls for individuals located in the EU and/or under the GDPR.

For purposes of this Privacy Notice, “personal data” means any information which relates to or identifies you as an individual.

Purpose for the Collection and Use of Personal Data

Applicants for enrollment:

The College will use the details you provide on your application, including any completed application forms, references, or transcripts, for the purposes of:

- Identifying you,
- Processing your application,
- Verifying the information provided,
- Immigration documentation/authorization;
- Deciding whether to offer you a place and/or financial aid for the course or educational program you have applied for, and
- Communicating that outcome (together with any feedback).

As well as circulating your application and related materials to the appropriate staff at the College, we will share your personal data for the above purposes as relevant and necessary to matriculate you as a student. This includes disclosures to third parties for financial aid, housing, immigration, and companies providing specific services to the College.

Students:

If you are accepted as a student, the College will keep a record of your application materials. The College will also maintain records about your studies at the College, your use of the academic and non-academic facilities and services the College offers (including student organizations and health-related resources), and student housing. This personal data will include data such as your name, home address, date of birth, course studies and/or educational program, financial aid, and information about your grades and student conduct.

The College will process your personal data for the purposes of providing you an education at Luther College, including the following:

- To deliver and administer your education, record the details of your studies (including any placements with external organizations), and determine/confirm your academic achievements;
- To administer the financial aspects of your relationship with us, including financial aid;
- To deliver information technology resources to you;
- To deliver facilities and services to you (for example, athletics, libraries, accommodation, and career support);
- To enable your participation at events (for example, functions or commencement);
- To communicate effectively with you by mail, email and phone, including the distribution of relevant newsletters and alerts;
- To operate security, governance, and disciplinary proceedings;
- To support your medical, safety, and religious requirements, as necessary;
- To compile statistics and conduct surveys and research;
- To enable us to contact others in the event of an emergency.

Your personal data is shared with relevant administrators, faculty, and staff at the College as required to facilitate these operations. We will share your personal data for the above purposes as relevant and necessary to third parties, including for financial aid, housing, immigration, and companies providing specific services to the College.

Applicants for employment:

The College will use the details you provide on your application for employment, including any completed application forms, references, resumes/CVs, for the purposes of:

- Identifying you,
- Processing your application,
- Verifying the information provided,
- Immigration documentation/authorization;
- Deciding whether to offer you employment, and
- Communicating that outcome (together with any feedback).

If you are required to undergo certain additional recruitment checks or procedures as part of the job application and offer process (for example, criminal convictions checks or visa application procedures), you will be informed and we will follow the procedures below for “special information” as applicable.

As well as circulating your application and related materials to the appropriate staff at the College, we will share your personal data for the above purposes as relevant and necessary to assess your application and onboard you as an employee.

Employees:

Once employed, the College will keep a record of the details you provided in your application materials, as well as interview and onboarding documentation. The College will maintain various administrative and financial records about your employment at the College, and about your use of

the academic and non-academic facilities and services that we offer. The personal data collected and stored for employees includes contact information; financial information as necessary for payroll and benefit processing; employment contracts as applicable; performance reviews; wage and payroll records; disciplinary information; and any other information required to be compiled and retained under state and federal law.

The College will process your personal data for the purpose of employing you at the College, including the following:

- To support you in implementing any disability-related accommodations or leave requests;
- To administer payroll, benefits, and other standard employment functions;
- To administer HR-related processes, including those relating to performance/absence management, disciplinary issues, and complaints/grievances;
- To deliver information technology resources to you;
- To deliver facilities, services, and benefits to you, and where appropriate, to monitor your use of those facilities in accordance with College policies;
- To communicate effectively with you by mail, email and phone;
- To support your training, health, safety, welfare, and religious requirements;
- To compile statistics and conduct surveys and research;
- To fulfill and monitor our responsibilities under state and federal law; and
- To enable us to contact others in the event of an emergency.

Your personal data is shared with relevant administrators, faculty, and staff at the College, as well as third parties, as required to facilitate these operations. However, please see the College's policies on Employment Records in the Network Use Policy for specifics and safeguarding employee information.

Alumni and College Supporters:

The College stores information regarding alumni which was provided to the College during enrollment. Personal data retained on alumni includes the details of education (programs of study and graduation date), contact information, details of interactions with the College (including membership in student organizations), family details, communication preferences, financial information, careers, and information on areas of interest. Supporters of the College who are not alumni may also voluntarily provide the same or similar personal data.

This personal data is used for alumni relations, supporter communications, and fundraising, including specifically:

- sending you publications (alumni magazines and updates about the College);
- conducting surveys, including research on when and whether particular donations or funding appeals may be of interest to you;
- providing services, including access to College facilities and alumni email accounts;
- sending you tailored proposals, appeals, and requests for donations;
- sending you details of volunteering opportunities;
- inviting you to alumni and other College events;
- the promotion of other opportunities and services available to you;

- wealth analysis and research in order to improve our understanding of our alumni and supporters, inform our fundraising strategy and target our communications more effectively;
- internal record keeping, including the management of any feedback or complaints
- administrative purposes, such as donation processing or event registration.

Your personal data is shared with relevant College staff, as well as third parties, as required to facilitate and carry out these functions. You have the right to object to the collection, processing, or use of your personal data, and may do so at any time.

Other Community Members

Any other individuals providing personal data to the College, such as family members of students and applicants, retirees, event patrons, customers, contractors and vendors, and research subjects, also fall under this Privacy Notice as applicable. Any personal data collected, processed, and used, will be for the purpose of furthering the College's mission and provision of services as set forth above.

Storage and Transmission

Your personal data is created, stored and transmitted securely in a variety of paper and electronic formats, including some databases. Access to your personal data is limited to staff who have a legitimate interest in it for the purpose of carrying out their duties, and our use of your personal data will not be excessive.

“Sensitive” Categories of Information

In carrying out its functions as described above, the College may process some data about you that is classed as “sensitive” or “special category” personal data, and which requires additional protections. This includes information concerning your ethnicity, sexual orientation, religious beliefs or health/disability for planning and monitoring purposes, or in order to provide care, help or reasonable accommodations. For certain roles, other sensitive information may be processed, such as information about past criminal convictions, working with children or vulnerable adults, and your fitness to practice in certain regulated professions. Access to, and the sharing of, your “sensitive” personal data are controlled very carefully. You will normally be given further details about our use of any such data when we collect it from you.

Legitimate Bases for Collecting and Processing Personal Data

We consider the processing of your personal data for the above purposes to be either necessary for us to comply with a legal obligation (such as to administer visa applications); necessary for the performance of tasks we carry out in the public interest (such as admissions research); or as necessary for legitimate interests of the College or third parties in operating this institution and providing education, when it does not outweigh your rights to privacy. The College may also obtain specific, written consent as a legitimate basis for collecting and/or processing personal data. The College may also rely on any other legitimate basis for processing permitted under the GDPR, and will inform you as required.

Individual Rights of the Individuals under the GDPR

In addition to the right to receive the information provided in this Privacy Notice, individuals covered by this Privacy Notice have the following rights:

- The right to request personal data held about you by the College;
- The right to request correction; erasure; or restriction of processing of personal data;

- The right to object to processing of personal data;
- The right to portability of personal data;
- Where processing is based upon consent, the right to withdraw consent at any time, without affecting the College's right to process personal data based upon consent before its withdrawal;
- The right to file a complaint with a supervisory authority appointed by an EU member state for the purpose of receiving complaints;
- The right to additional notice of the existence of automated decision-making, including profiling;
- If the personal data is going to be further processed for a purpose other than that for which it was collected, the right to notification of the purpose and basis or bases for the further processing;
- If personal data is collected for the College's legitimate interests or for a task carried out in the public interest, the right to object, on the grounds of your particular situation, to the processing of personal data concerning yourself (including profiling);
- Where personal data is processed for direct marketing purposes, the right to object at any time to processing personal data concerning yourself for such marketing; and
- The right not to be subject to a decision based solely on automated processing, including profiling, which produces legal or other similar effects on you; provided, however, that this right does not apply if the decision is (a) necessary for entering into, or performance of, a contract between you and the College; or (b) is based upon your consent.

Note that some of these rights are qualified under the GDPR, and that many rights afford individuals a process but may not guarantee a particular outcome.

Any person who wishes to exercise any of the above-mentioned rights may do so by filling such request with: (1) For Students and Applicants - The Registrar (registrar@luther.edu); (2) For Employees and Applicants for Employment – The Office of Human Resources (hr@luther.edu); and (3) For Alumni/Supporters – alumni@luther.edu.

Third Party Disclosure

Luther College may share your personal data with third parties as follows:

- **Consent:** We may disclose personal data if we have your consent to do so.
- **Emergency Circumstances:** We may share your personal data when necessary to protect your interests and you are physically or legally incapable of providing consent.
- **Employment Necessity:** We may share your personal data when necessary for administering employment or social security benefits in accordance with applicable law or any applicable collective bargaining agreement, subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.
- **Archiving:** We may share your personal data for archival purposes in the public interest, and for historical research and statistical purposes.
- **Legal Obligation:** We may share your personal data when the disclosure is required or permitted by international, federal, or state laws and regulations.
- **Service Providers:** We use third parties who have entered into a contract with the College to support the administration of College operations and policies. In such cases, we share

your personal data with such third parties subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.

- University-Affiliated Programs: We may share your personal data with parties that are affiliated with the College for the purpose of contacting you about goods, services, charitable giving or experiences that may be of interest to you.
- De-Identified and Aggregate Information: We may use and disclose personal data in de-identified or aggregate form without limitation.

C. Cookies

What are cookies?

Cookies are small data files that are placed on your computer or mobile device when you visit a website. Cookies set by the website are called “first party cookies.” Cookies set by parties other than the website are called “third party cookies.” Third party cookies enable third party features or functionality, such as advertising or website analytics, to be provided on or through the website. The parties that set these third party cookies can recognize your computer or device both when it visits the website in question and also when it visits certain other websites and/or mobile apps.

| Name | Domain(s) | Category |
|-----------------------|---|-----------------------|
| __adroll_fpc | .connect.luther.edu .www.luther.edu | Targeting/Advertising |
| __ar_v4 | .connect.luther.edu .www.luther.edu | Targeting/Advertising |
| TS01***** | .connect.luther.edu connect.luther.edu | Security |
| __cfduid | .luther.edu | Strictly Necessary |
| __qca | .luther.edu | Targeting/Advertising |
| _cap | .luther.edu | Strictly Necessary |
| _caps | .luther.edu | Strictly Necessary |
| _fbp | .luther.edu | Targeting/Advertising |
| _ga | .luther.edu | Performance |
| _gat | .luther.edu | Strictly Necessary |
| _gid | .luther.edu | Performance |
| REASON_SESSION | .www.luther.edu | Strictly Necessary |
| REASON_SESSION_EXISTS | .www.luther.edu | Strictly Necessary |

| | | |
|--------------------------|--------------------|--------------------|
| _hash | connect.luther.edu | Strictly Necessary |
| _node | connect.luther.edu | Strictly Necessary |
| PHPSESSID | www.luther.edu | Strictly Necessary |
| reason_timeout_countdown | www.luther.edu | Strictly Necessary |

What cookies and other tracking technologies does Luther use?

We use several different kinds of cookies on this Site, including strictly necessary cookies, which are cookies that are necessary for the Site to function and cannot be switched off in our systems; performance cookies, which allow us to count visits and traffic sources so we can measure and improve the performance of our Site; and functional cookies, which enable the Site to provide enhanced functionality and personalization. Specifically, the cookies we use are:

Cookies are not the only way to track visitors to a website. We may use similar technologies from time to time, like web beacons (sometimes called “tracking pixels” or “clear gifs”). These are tiny graphics files that contain a unique identifier that enable us to recognize when someone has visited our Sites. These technologies often depend on cookies to function properly, and so disabling cookies may impair their functioning.

Third-party cookies.

In addition to our own cookies, we collaborate with various third-party service providers who also use cookies to help us optimize our website and understand more about the visitors to our website. For example, we use Google Analytics to provide us with information about our visitors and to help us analyze how people use our website. Our third-party service providers include: [Capture Higher Ed](#), [Facebook](#), [Google](#) (including YouTube), and [NextRoll](#).. To learn more about how these providers use cookies, please click the links above or visit their respective websites to view their privacy policies.

How can you disable cookies and other tracking technologies?

Most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. For more information about cookies, including how to see what cookies have been set on your computer or mobile device and how to manage and delete them, visit www.allaboutcookies.org and www.youronlinechoices.com. Some Internet browsers also may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

V. Confidentiality and Record

Your information will be retained by the College in accordance with applicable state and federal laws, and the applicable retention periods in College Records Retention Management policy. Your information will be destroyed upon your request unless applicable law requires destruction after the expiration of an applicable retention period. The manner of destruction shall be appropriate to preserve and ensure the confidentiality of your information.