

## SECTION 2. Ethics and Accountability

### 2.3 Confidentiality Policy

The University Foundation has been entrusted with highly confidential information regarding alumni, parents, students and friends of the University. In response to this trust and federal FERPA guidelines, the Foundation insists on strict compliance of confidentiality when using such information.

This policy applies to:

- University Foundation Board of Governors;
- University Foundation volunteers;
- (Chico State) Faculty and Staff;
- Chico State Enterprises Staff;
- Associated Students Staff;
- Students employed by Chico State, Chico State Enterprises, and Associated Students.

#### 2.3.1 Related Policies and Provisions

##### **California Information Practices Act of 1977 - Article 10. Penalties**

1798.55 - The intentional violation of any provision of this chapter or any rules or regulations adopted thereunder, by an officer or employee of any agency shall constitute a cause for discipline, including termination of employment.

1798.56 - Any person who willfully requests or obtains any record containing personal or confidential information from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than five thousand dollars (\$5,000), or imprisoned not more than one year, or both.

##### **California Penal Code Section 502**

Section 502 is intended to provide protection to individuals, businesses, and governmental agencies such as Chico State University from tampering, interference, damage, and unauthorized access to lawfully created computer information and computer systems.

502 Computer crimes - status as felonies:

- (a) Any person who intentionally accesses or causes to be accessed any computer system or computer network for the purpose of (1) devising or executing any scheme or artifice to defraud or extort, or (2) obtaining money, property, or services with false or fraudulent intent, representations, or promises shall be guilty of a public offense.

- (b) Any person who maliciously accesses, alters, damages, or destroys any computer system, computer network, computer program, or information shall be guilty of a public offense.
- (c) Any person who violates the provision of subdivision (b) or (c) is guilty of a felony and is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in the state prison for 16 months, or two or three years, or by both such fine and imprisonment, or by a fine not exceeding two thousand five hundred dollars (\$2,500), or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

### **2.3.2 Statement of Agreement**

Individuals with access to confidential information shall certify that they have read and understand the policies and provisions of Provisions of the California Information Practices Act of 1977 and California Penal Code Section 502.

Individuals agree to:

- Access, distribute, share, and retain confidential information only as authorized and as needed to conduct Foundation business as required to perform their duties;
- Store under secure conditions all confidential information in their possession, and ensure its confidential and timely destruction when no longer needed to conduct Foundation business as required by their position;
- Respect the confidentiality and privacy of individuals whose information they have access;
- Observe any ethical restrictions that apply to information to which they have access;
- Protect confidential information in their possession;
- Report immediately to the Chief Executive Officer any and all apparent and suspected security breaches;
- Comply with all California State University, Chico's security policies and procedures.

Individuals agree not to:

- Change any information;
- Discuss verbally or distribute in electronic or printed formats any confidential information except as authorized, and as needed to conduct Foundation business as required to perform their duties;
- Make unauthorized copies of confidential information;
- Knowingly falsely identify themselves;
- Gain or attempt to gain unauthorized access to confidential information;
- Share user identification and password with anyone nor use another's user identification or password, except as authorized;

- Leave their office/workstation unattended and unsecured while accessing confidential information;
- Use or allow other persons to use Foundation information for personal gain;
- Engage in any activity that could compromise the security or confidentiality of information.

### **2.3.3 Certification**

Individuals with access to confidential information shall certify that they have read the Confidentiality Policy by signing a confidentiality statement. Failure to respect the confidential nature of any or all information used or acquired by the Foundation may result in disciplinary action being taken, including termination from the University Foundation Governing Board. The Foundation retains the right to pursue prosecution when misuse of information or resources is determined.

***Date of Board Approval and Effective Date: February 23, 2018***

***Date of last review: February 23, 2024***

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***The Foundation's mission is to support Chico State's strategic plan by raising, investing, and disbursing funds to fuel the growth and excellence of the University.***