

Policy: Confidentiality Policy	Policy No: I-6.4
Policy Owner(s): Human Resources	Original Date: 3/10/2006
Last Revised Date: 4/27/2022	Approved Date: 6/1/2022

- I. **POLICY:** Under Ohio Revised Code § 1333.81, an employee is legally obligated to not disclose an employer’s confidential, non-public or proprietary information received during employment to any third party without consent of the employer. Consistent with this law, John Carroll University (“the University” or “JCU”) requires that its employees not disclose, publicize or discuss any Confidential Information (hereinafter “Confidential Information”) belonging to or related to the University to any [Constituent](#) within the University who does not have a legitimate need-to-know, or to any third party outside the University when not required to carry out University duties, required by law, or without the written consent of the University.

In addition, John Carroll University employees are required to maintain confidentiality of a student’s educational records unless the disclosure is permitted by the Family Educational Rights and Privacy Act (FERPA). Furthermore, certain employees who have access to health care records protected under the Health Insurance Portability and Accountability Act (HIPAA), such as medical plan information, are obligated to maintain confidentiality of those records under federal law.

- II. **PURPOSE:** John Carroll University utilizes and maintains various non-public, proprietary and confidential databases, electronic information, paper records, and other data and documents regarding University operations and [Constituents](#). The Confidential Information contained in these records is intended exclusively for purposes related to the University’s operations and planning. All John Carroll University employees have an obligation to respect the privacy of information regarding University [Constituents](#), and to protect and maintain the confidentiality of all University non-public or proprietary information.

III. **SCOPE:** All employees, volunteers, board members, student employees, and contractors of John Carroll University

IV. **DEFINITIONS:**

Confidential Information: oral, written, electronic and other private, non-public or proprietary information accessible to an employee through the course of the employee's employment with the University or provided by JCU to an employee that relates in any way to JCU, its employees, students or business operations.

Confidential Information shall not include any information which:

- i. is at the time of disclosure available to the public (other than as a result of a disclosure directly or indirectly by the employee);
- ii. is, prior to the start of the employment with JCU, already in the possession of or known to the employee; and/or
- iii. was obtained by the employee, either prior or subsequent to disclosure by JCU, from a third party not under any obligation of confidentiality to JCU.

Confidential information includes, but is not limited to:

- Any internal and non-public University financial statements and statistical and narrative reports;
- Employee and applicant records and files, and statistical reports containing the same;
- Student and applicant records and files, demographic data, and statistical reports containing the same;
- Computer authorization/security codes/passwords;
- Any non-public administrative minutes

Constituent: Constituents include all faculty, staff, students, volunteers, University Board of Directors members, University donors, prospective donors and alumni.

V. PROCEDURES:

- a. Employees shall not disclose, publicize or discuss to or with any third party any non-public, proprietary and [Confidential Information](#) related to the University ("Confidential Information") that they have access to or are provided in the scope of their work with the University, unless the University provides written consent or the third party or internal [Constituent](#) who has a legitimate need-to-know. Employees must maintain strict confidentiality of all [Confidential Information](#) at all times, both at work and outside the work setting. Employees also are required to maintain confidentiality of all student educational records protected under FERPA and all protected health information protected by HIPAA, consistent with those applicable federal laws and regulations.

- b. Access to University electronic records and databases is authorized and granted pursuant to the University Information Tf1 0 0 1 139.58 478.87 T0 612 792 re

n. An employee is barred from disclosing or utilizing [Confidential Information](#)