

## GENERAL DATA PROTECTION REGULATION (“GDPR”) PRIVACY NOTICE

The University of Delaware (the “University,” “we,” “us,” or “our”), by and through its academic, research, and administrative units, is committed to respecting and protecting the privacy rights of persons in the European Economic Area (“EEA”), comprised of the European Union (“EU”) and the countries of Iceland, Norway, and Liechtenstein, pursuant to the [EU General Data Protection Regulation](#) (“EU GDPR”). Similarly, the University is committed to respecting and protecting the privacy rights of persons in the United Kingdom (“UK”), pursuant to the Data Protection Act 2018 and the Retained Regulation (EU) 2016/679 (“UK GDPR”). Given the substantial similarity between the EU GDPR and the UK GDPR, hereinafter both regulations are collectively referred to in this supplemental Privacy Notice as the “GDPR” unless otherwise indicated.

**WHEN THE GDPR PRIVACY NOTICE APPLIES.** This GDPR Privacy Notice applies to you if:

1. You are a “Person” or “Data Subject” (meaning a natural person, not a corporation, partnership, or other legal entity) *and* an establishment of the University located in the EEA or UK processes your Personal Information; or
2. You are physically located in the EEA or UK, and your Personal Information is provided to the University when the University offering you goods or services or while the University is monitoring your behavior; *and* such Personal Information is not earlier or later provided to the University while you are outside the EEA and the UK.

**WHAT INFORMATION THIS GDPR PRIVACY NOTICE COVERS.** This PIPL Privacy Notice addresses how the University obtains and uses your Personal Information. “Personal Information” means any information relating to an identified or identifiable person. Please note that information pertaining to current, former, or prospective employment with the University in the United States is not considered “Personal Information” and is excluded from this GDPR Privacy Notice.

The University process an array of general categories of Personal Information as follows:

<ul style="list-style-type: none"><li>• names;</li><li>• addresses;</li><li>• telephone numbers;</li><li>• email addresses;</li><li>• identification numbers including but not limited to social security numbers, Resident Identity Cards, driver’s license numbers, University identification numbers, and personal identification numbers (PINs);</li><li>• usernames;</li><li>• passwords;</li><li>• demographic information;</li><li>• education history and transcripts;</li><li>• entrance exam scores;</li></ul>	<ul style="list-style-type: none"><li>• transaction histories;</li><li>• business information;</li><li>• passport and visa information;</li><li>• work histories; medical histories;</li><li>• donation histories;</li><li>• insurance information;</li><li>• military service;</li><li>• IP addresses;</li><li>• location information;</li><li>• device information;</li><li>• metadata;</li><li>• education records including but not limited to coursework, correspondence, evaluations, disciplinary complaints, and other</li></ul>
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<ul style="list-style-type: none"> <li>• background check information;</li> <li>• personal references;</li> <li>• financial information including but not limited to credit and debit card numbers, tax information, tax identification numbers (TINs), and financial aid information</li> </ul>	<ul style="list-style-type: none"> <li>records, and files maintained by the University as part of the educational process;</li> <li>• any requests for accommodations or leave;</li> <li>• and other information to support the purposes set forth below.</li> </ul>
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The University requires Personal Information only when necessary and for the purposes and legal bases explained in this GDPR Privacy Notice.

In some cases, and as identified below, the University may need to request special categories of Personal Information such as:

- information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership;
- genetic data; biometric data for the purpose of uniquely identifying a natural person;
- data concerning health; or
- data concerning a natural person’s sex life or sexual orientation.

The University will ask for your affirmative consent before the University processes your special category Personal Information or your criminal conviction Personal Information, if any, unless the University has another legal basis for the processing, in which case the University will inform you of that basis.

Why the University Processes Personal Information. The reasons why the University processes your Personal Information and the legal bases for the processing include:

Reason	Legal Basis
To help the University learn more about you and your interests	Legitimate interests of the University - legitimate interest in learning the educational needs of potential students and program participants
To help you learn more about and/or apply for the University and its programs by giving you access to or sending you relevant information about university programs and events	Legitimate interests of the University - legitimate interest in making potential students and program participants aware of the University's offerings
To respond to requests for information about admission to the University or about participating in online courses or other programs at the University	Performance of a contract or to take steps at the Data Subject’s request prior to entering into a contract

<p>To recruit, evaluate, and manage persons who apply to the University for admission, take courses at the University, participate in programs offered by the University, or attend the University, either in person or online, and to perform related activities needed to foster and maintain these relationships</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To operate and facilitate the registration and participation in online and in-person education programs, including those relating to professional licensing requirements</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To evaluate applications for and administer financial aid, including reporting to relevant federal and state government agencies</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To facilitate application for and sponsoring of visas to study, work and/or research at the University, including all functions necessary to comply with applicable immigration laws</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To assign housing and facilitate housing requests for individuals studying or participating in programs at or through the University</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To conduct study abroad programs offered by or coordinated through the University</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To provide on-campus and distance learning information technology and other services to students, including network, authentication and help desk services</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To respond to an individual's request for records relating to an individual's time at the University, such as transcripts, tax documents, employment documents, etc.</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To engage the services of an independent contractor and all uses incident to that engagement</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>
<p>To employ persons to work for the University and all uses incident to that engagement including but not limited to evaluation and management of employees and administration of employee benefits</p>	<p>Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract</p>

To conduct transactions and business with individuals, such as processing payments made by credit card to the University and payments made by the University to you	Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract
To host and allow individuals to attend and participate in University events, including educational, artistic, and sports camps and sporting events	Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract
To facilitate review and evaluation of University programs, including academic, sports, and other programs, by the University, accrediting organizations, government entities, third-party ranking organizations, and other appropriate bodies	Legitimate interests of the University - legitimate interest in providing and maintaining a world-class higher education experience at the University
To evaluate usage of University websites and emails, improve website and email utility, enhance the website visitor experience, and improve University marketing efforts	Legitimate interests of the University - legitimate interest in effectively communicating about the University and its programs to the public
To promote safety, integrity, and security of the University's information technology systems	Legitimate interests of the University – legitimate interest in maintaining IT and network security
To protect the University community, including you, and to keep its members safe wherever they are located	Legitimate interests of the University – legitimate interest in physical security
To report salary data to social security or tax authorities and otherwise comply with applicable laws	Necessary for compliance with a legal obligation
To allow individuals to visit University facilities	Legitimate interests of the University - legitimate interest in physical security
To facilitate and administer the reservation and use by individuals of University facilities	Performance of a contract or to take steps at the Data Subject's request prior to entering into a contract
To facilitate the use of volunteers and to evaluate and manage individuals who volunteer to assist the University in any capacity, and to perform related activities required to foster and maintain these relationships	Legitimate interests of the University—legitimate interest in physical security
To respond to subpoenas, court orders, agency requests, and other legal requests for records relating to an individual's time at the University,	Legitimate interest of the University – legitimate interest in complying with U.S. and state laws and

such as transcripts, tax documents, employment documents, etc.	not being held in contempt of court or having penalties imposed
To engage third parties to collect sums owing to the University or to otherwise take action to collect outstanding debt from an individual	Legitimate interests of the University—legitimate interest in recovering sums owed to it and enforcing its legal claims whether in or out of court
To respond to proper requests for information as required by the Delaware Freedom of Information Act and the U.S. federal Freedom of Information Act	Legitimate interests of third parties—legitimate interest in publication of data for purposes of transparency and accountability
To stay connected with University alumni	Legitimate interests of the University—legitimate interest in communicating unsolicited non-commercial messages
To allow and facilitate individuals to perform research at or with the University	Performance of a contract or to take steps at the Data Subject’s request prior to entering into a contract
To comply with federal and state law	Legitimate interests of the University - legitimate interest in complying with U.S. and state laws
To utilize individuals as subjects of research performed at or through the University, and to perform related activities required to foster and maintain this relationship	Consent
To facilitate the provision of medical treatment and the filing of claims for payment from insurance companies and/or government agencies	Consent
To raise funds to support the University and its programs	Consent
To facilitate employee donations to the University	Legitimate interests of the University - legitimate interest in supporting the broader community the University serves by giving all employees the opportunity to participate
To assist members of the University community with educational and professional placement opportunities	Consent

**HOW THE UNIVERSITY RECEIVES YOUR PERSONAL INFORMATION.** The University obtains your Personal Information from you and from third parties.

You provide the University with your Personal Information when you visit University websites, apply for or attend University classes or programs, apply for or take online courses with the University, apply for financial aid or University housing, complete surveys or forms sponsored by the University, participate in University research studies, participate in work for the University at a location in the EEA or the UK, seek assistance from the University to further your professional career, attend events sponsored by the University, or otherwise interact with the University.

In some cases, the University may receive your Personal Information from third parties. Examples include college entrance exam scores received from testing agencies; college applications received from organizations that provide university admissions applications; online course registration information received from third parties that administer online courses; financial aid information from governmental agencies or commercial financial institutions; background information received from companies conducting export control screening or checks to support working with minors or employment with the University; and companies and partner institutions abroad to facilitate study or work at the University by international students and scholars.

**WHO RECEIVES OR PROCESSES YOUR PERSONAL INFORMATION.** Your Personal Information may be processed by University trustees and employees, including faculty, researchers, medical professionals, financial aid counselors, human resources professionals, law enforcement officers, and others, as may be necessary to carry out the purposes for processing the information and the activities of the University.

The University may share your Personal Information with University Related Organizations, such as the University of Delaware Alumni Association. “University Related Organizations” are entities established for the purpose of assisting the University in the accomplishment of its educational objectives.

The University may also share your Personal Information with third parties, such as:

- educational platform providers and course partners to further the purposes for processing the information and the activities of the University;
- U.S. and foreign government entities to fulfill regulatory obligations (e.g., visa processing, tax and social security payments) and to facilitate access to funding sources (e.g., financial aid);
- partner institutions to facilitate study abroad and research activities;
- service providers to facilitate the full range of University functions (e.g., cloud storage, software);
- potential employers to assist with job placement; and vendors to provide services related to your affiliation with the University (e.g., print diplomas, arrange housing) and to improve University outreach efforts.

Please note that the University may provide anonymized data developed from Personal Information to third parties, such as government entities and research collaborators, and that such anonymized data is outside the scope of this GDPR Privacy Notice.

**HOW LONG THE UNIVERSITY KEEPS YOUR PERSONAL INFORMATION.** The University retains Personal Information in accordance with applicable law. Records retention schedules for many types of University records specify the retention periods. <https://sites.udel.edu/generalcounsel/policies/records-retention-policy/>.

**YOUR RIGHTS AS A DATA SUBJECT.** As a Data Subject pursuant to the GDPR, you have certain rights. This GDPR Privacy Notice summarizes what these rights under the GDPR involve and how you can exercise these

rights. More detail about each right, including exceptions and limitations, can be found in Articles 15-21 and 77 of the EU GDPR and the UK GDPR (as implemented by the Data Protection Act 2018).

Please note: Nothing in this Supplemental Notice is intended by the University to waive any defenses or immunities afforded by any or all U.S. federal laws, Delaware state laws, EU or Member State laws, UK laws, or international law.

1. Right to request that the University confirm whether it is processing your Personal Information. If the University is processing your Personal Information, you have the right to access that Personal Information, and the University will provide you with a copy of that Personal Information unless prevented by applicable law.
2. Right to request that the University correct any inaccurate Personal Information that it maintains about you. You also have the right to request that the University complete any incomplete Personal Information that it maintains about you, which could be accomplished by incorporating a supplementary statement that you submit. If the University concurs that the Personal Information is incorrect or incomplete, the University will promptly correct or complete it.
3. Right to request the erasure of Personal Information that the University maintains about you in certain circumstances. These circumstances are identified in Article 17 of both the EU GDPR and the UK GDPR and include that the Personal Information is no longer necessary in relation to the purpose(s) for which it was collected. Subject to applicable U.S., state, EU, and UK law and University policies, including but not limited to the University of Delaware Privacy Statement, and if there are no overriding legitimate grounds for the University to retain the Personal Information, the University will comply with the request and will take reasonable steps to inform any third parties with whom the Personal Information was shared.
4. Right to request that the University restrict the processing of your Personal Information where one of the reasons identified in Article 18 of the EU GDPR or the UK GDPR apply. These reasons include that the Personal Information is inaccurate, the processing is unlawful, or the University no longer needs the Personal Information. If the University grants your request to restrict processing, the University will only process that Personal Information with your consent, for the protection of the rights of another natural or legal person, for reasons of important public interest, for the establishment, exercise or defense of legal claims, or as otherwise required by applicable U.S., state, EU, or UK law.
5. Right to receive your Personal Information that you have provided to the University where the basis for processing is either consent or performance of a contract between you and the University, and where the processing is carried out by automated means. The University will provide the Personal Information in a structured, commonly used, and machine-readable format. Where technically feasible and upon your request, the University will transmit the Personal Information directly to another entity.
6. Revoke your consent at any time if the basis for processing your Personal Information is consent. Upon receipt of your notice withdrawing consent, and if there are no other legal grounds for the processing, the University will stop processing the Personal Information unless the processing is necessary for the establishment, exercise, or defense of legal claims. Revoking consent does not affect the lawfulness of processing that occurred before the revocation.

7. Right to object to processing of your Personal Information in certain situations, as follows:

- If the basis for processing your Personal Information is public interest or legitimate interests, you have the right to object to processing the Personal Information. The University will cease processing unless the University demonstrates overriding legitimate grounds for processing or the processing is necessary for the establishment, exercise, or defense of legal claims.
- If the University is using your Personal Information for direct marketing purposes such as fundraising, you have the right to object at any time, and the University will stop using your Personal Information for that purpose.

8. Right to submit a complaint to an EEA supervisory authority, in particular the one in the EEA country of your habitual residence, place of work, or place of the alleged violation if you believe the University's processing of your Personal Information violates the EU GDPR. If you believe the University's processing of your Personal Information violates the UK GDPR, you have the right to submit a complaint to the UK Information Commissioner's Office (ICO).

**HOW TO EXERCISE YOUR RIGHTS.** To exercise any of your rights, except the right to file a complaint with an EEA supervisory authority or the UK ICO, you should submit your request to University of Delaware Chief Privacy Officer:

Email: PrivacyOfficer@udel.edu

Telephone: 302-831-7263

Address: Office of General Counsel  
Attn: Chief Privacy Officer  
112 Hullahen Hall  
Newark, DE 19716

At that time, you will be asked to (i) identify yourself; (ii) provide information to support that the GDPR applies to you as explained in this GDPR Privacy Notice; (iii) identify the specific information or data that you are concerned about; and (iv) state what right(s) you wish to exercise. To expedite processing your request, please identify the data collection location (e.g., the website where your Personal Information was collected), if known.

**UNIVERSITY RESPONSE TO REQUESTS FOR PERSONAL INFORMATION.** In addition to the rights provided by the GDPR, you may also have rights with respect to your Personal Information pursuant to U.S. federal law, state law, and University policy. When you submit a request to the University to exercise your rights, the University will respond in accordance with existing University policies and procedures that implement the relevant privacy law(s). These include, but are not limited to, policies pertaining to student education records and policies pertaining to certain health records maintained by the University.

**EXISTENCE OF AUTOMATED INDIVIDUAL DECISION-MAKING.** The University, in conjunction with University Related Organizations such as the University of Delaware Alumni Association, uses automated decision-making, including profiling, to help identify prospective supporters of the University and its activities. The logic



takes an all-factor approach to assessing a possible donor's propensity to support the University and may result in a prospective donor being contacted to explore support opportunities.

You will not be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you, unless the decision is necessary for entering into or performing a contract or unless you explicitly consent.

**TRANSFER OF PERSONAL INFORMATION OUTSIDE THE EEA OR THE UK.** The University is based in the U.S. and is subject to U.S. and Delaware law. Personal Information that you provide to the University will generally be hosted on U.S. servers. To the extent that the University needs to transfer your information to a third party that is in a country outside the EEA or the UK, the University will do so on the basis of either (i) an "adequacy decision" by the European Commission or "adequacy regulations" of the UK ICO, as appropriate; (ii) EU or UK-sanctioned "appropriate safeguards" for transfer such as model clauses, a copy of which you may request, if applicable, by contacting the University as set forth in the Supplemental GDPR Privacy Notice; (iii) your explicit and informed consent; or (iv) it being necessary for the performance of a contract or the implementation of pre-contractual measures with the University, in which case the University will inform you of the intent to transfer the Personal Information. Please note that the U.S. is not currently considered a safe harbor or "adequate" country under the GDPR or UK GDPR.

**CONTACT THE DATA CONTROLLER.**

The University is the data controller. If you have any questions about anything contained in this Supplemental GDPR Privacy Notice, please contact University of Delaware, Chief Privacy Officer:

Email: PrivacyOfficer@udel.edu

Telephone: 302-831-7263

Address: Office of General Counsel  
Attn: Chief Privacy Officer  
112 Hullahen Hall  
Newark, DE 19716

**UPDATES TO GDPR PRIVACY NOTICE.** The University may update this GDPR Privacy Notice from time to time. Any changes will become effective upon posting of the revised notice.