

# **PRIVACY NOTICE**

## **MIDWESTERN STATE UNIVERSITY**

Midwestern State University (“MSU” or “University”) is committed to safeguarding the privacy of data provided by individuals who are applicants, students, faculty and visiting scholars. This Privacy Notice outlines the collection, use, and disclosure of information provided to MSU’s Global Education Office (“GEO”), and the Human Resources Department (“HR”). When information is submitted to the University through GEO, HR, or you use the University’s websites, GEO, or HR webpage and other services, you consent to the University’s collection, use, and disclosure of Information and Sensitive Information as described in this Privacy Notice.

### **I. USE OF INFORMATION**

For purposes of this Privacy Notice:

*Sensitive Information* is defined as ethnic origin, religious or philosophical beliefs, sexual orientation, trade union membership, and criminal convictions.

*Information* refers to all other information concerning a natural person that is provided to the University.

The University has entered into agreements with foreign higher education institutions to permit collaboration and create study abroad, faculty exchange, and student exchange programs. In connection with these agreements and programs, GEO is responsible for providing support for any student who wishes to study in an international setting; GEO is responsible for assisting students with F-1 visa applications; and HR is responsible for assisting with H1-B, faculty, and visiting scholars. Information concerning your ethnicity may be collected and shared with federal and international authorities to administer applicable laws, and trade union membership may be collected and shared for compliance with collective bargaining agreements to which the University is a party. In addition, if you have voluntarily provided information concerning your race, religion or philosophical beliefs, and sexual orientation through the admissions process, it may be shared with GEO/HR to identify activities of interest, to administer University policies, and to provide support services. Finally, information concerning a criminal conviction may be collected and shared with federal and international authorities to comply with applicable laws and University policies.

The University collects other Information to enter into or administer a contract with you so that you may attend programs managed by GEO/HR. You are obligated to provide Information to attend these programs and your failure to do so may result in the University’s inability to allow you to register for courses, be approved as a visiting scholar, or offer or continue employment with you. Your Information is processed by the University to manage you as an employee or student, e.g. manage student accounts or payroll, provide academic advising, develop and deliver

education programs, track academic progress, provide medical services and enforce University policies. And your Information and Sensitive Information may also be used to analyze and improve education programs, and de-identified for regulatory reporting, auditing, for accreditation purposes, to conduct general demographic and statistical research to improve University programs, and other related University processes and functions. We also share your information with other University divisions and departments as necessary to administer and manage a student's academic progress or an employee's performance, and to enforce University policies. Finally, we share your Information and Sensitive Information with third parties who have entered into contracts with the University to perform these functions on behalf of the University, which include an obligation to keep them confidential.

## **II. THIRD PARTY USE OF SENSITIVE INFORMATION**

We may disclose your Sensitive Information and other Information as follows:

*Consent.* We may disclose Sensitive Information and other Information if we have your consent to do so.

*Emergency Circumstances.* We may share your Information, and Sensitive Information without your consent, when necessary to protect your interests and you are physically or legally incapable of providing consent. We may also share your Sensitive Information when necessary to protect against the spread of disease.

*Employment Necessity.* We may share your Information and Sensitive Information 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.

*Charitable Organizations.* We may share your Information with the MSU Foundation, MSU Charitable Trust, and other not-for-profit organizations in connection with charitable giving subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.

*Public Information.* We may share your Information or Sensitive Information if you have manifestly made it public.

*Medical.* We may share your Information and Sensitive Information for the purpose of preventive or occupational medicine, for the assessment of your capacity to work, medical diagnosis, the provision of health or social care or treatment or the management of health systems and services, to ensure high standards of quality and safety of health care and medical products, or pursuant to a contract with a health professional, subject to appropriate safeguards and a confidentiality agreement with the medical professional.

*Archiving.* We may share your Information and Sensitive Information for archiving purposes in the public interest, historical research, and statistical purposes.

*Performance of a Contract.* We may share your Information when necessary to administer a contract you have with the University.

*Service Providers.* We use third parties who have entered into a contract with the University to support the administration of University operations and policies. In such cases, we share your Information with such third parties subject to the imposition of appropriate safeguards to prevent further unauthorized disclosure.

*University Affiliated Programs.* We may share your Information with parties that are affiliated with the University for the purpose of contacting you about goods, services, charitable giving or experiences that may be of interest to you.

*Required by Law.* We may share your Information with third parties to the extent we are required to do so by law, court order, or subpoena, or in the exercise and defense of legal claims in a Court of law.

*De-Identified and Aggregate Information.* We may use and disclose Information in de-identified or aggregate form without limitation.

### **III. SECURITY**

We implement appropriate technical and organizational security measures to protect your information when you transmit it to us and when we store it on our information technology systems. Unfortunately, no data transmission or storage can be guaranteed to be 100% secure. When you send us information over the Internet, we use industry standard SSL (secure socket layer) encryption. Your password is protected so that only you can access it and view the information that you provide to us through the online applicants' site. We strongly advise you not to share your password with anyone.

### **IV. COOKIES AND OTHER INFORMATION TECHNOLOGY**

The University's use of cookies and other data from information technology can be found in the Privacy Policy on the MSU website.

### **V. RETENTION AND DESTRUCTION OF YOUR INFORMATION**

Your information will be retained by the University in accordance with applicable federal laws, and the applicable retention periods in the Record Retention Schedule adopted by the State of Texas, Texas State Library and Archives Commission. Your information will be destroyed upon your request or after the expiration of the applicable retention period, whichever is later. The manner of destruction shall be appropriate to preserve and ensure the confidentiality of your information given the level of sensitivity, value and criticality to the University.

## **VI. YOUR RIGHTS**

You have the right to request access to, a copy of, rectification, restriction in the use of, or erasure of your information in accordance with all applicable laws. The erasure of your information shall be subject to the retention periods of applicable federal law and the Record Retention Schedule adopted by the State of Texas, Texas State Library and Archives Commission. You also have the right to withdraw consent to the use of your Sensitive Information, without affecting the lawfulness of the University's use of the information prior to receipt of your request. You may exercise these rights by contacting:

### **FOR STUDENTS/APPLICANTS:**

Dr. Michael Mills, Director

Global Education Office

(940) 397-4590

[michael.mills@msutexas.edu](mailto:michael.mills@msutexas.edu)

### **FOR FACULTY/VISITING SCHOLARS:**

Dawn Fisher, Director

Human Resources Department

(940) 397-4787

[dawn.fisher@msutexas.edu](mailto:dawn.fisher@msutexas.edu)

If your information was created within and transferred out of the European Union to the University, you may also file a complaint with the appropriate supervisory authority in the European Union.

## **VII. UPDATES TO THIS PRIVACY NOTICE**

We may update or change this Privacy Notice at any time. Your continued use of the University's website and third party applications after any such change indicates your acceptance of these changes.