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## UCLA Procedure 603.1: Privacy of and Access to Information (Collection, Disclosures, Amendments, and Inventory)

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Issuing Officer: Associate Vice Chancellor, Business & Financial Services  
Responsible Dept: Corporate Financial Services  
Effective Date: July 1, 1998  
Supersedes: UCLA Procedure 603.1, dated 4/1/84

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- I. REFERENCES
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### I. REFERENCES

1. UCLA Policy 603, Privacy of and Access to Information (Legal Requirements).

### II. GENERAL POLICY

The Information Practices Act is indicative of legislative concern with protection of the privacy interests of an individual about whom records are maintained. These procedures, therefore, should be interpreted liberally to the benefit of the individual. Where discretion is allowed, the protection of privacy should override the option to disclose.

It may be desirable, whenever practicable, to consult the individual before releasing information about him/her in situations other than routine inter-University transfers of information. If there is a doubt as to the appropriateness of maintaining or disclosing any information, contact the Office of the Records Management Coordinator for assistance.

### III. PROCEDURES

#### A. Collecting Information From Individuals (Privacy Notices on Forms)

RESPONSIBILITY	ACTION
Department	Determines that department's proposed or existing forms will be used to collect personal or confidential information (refer to Attachment A for definitions).  <u>For department's proposed forms</u> , includes a privacy notice as part of form or as an attachment and sends a copy to Records Management Coordinator for approval (refer to Attachment B);  OR  <u>For department's existing forms</u> , identifies records covered by provisions of this policy, reviews forms for compliance with the law, and assures that all necessary information is included on a privacy notice attached to form when required (refer to Attachment B).
Records Management Coordinator	Assists departments in assessment and revision of forms.

RESPONSIBILITY	ACTION
Department	Sends approved form to Procurement or Mail & Document Services for production.
Procurement and Mail & Document Services	Serve as secondary control points to review forms ordered by campus departments and ensure such forms comply with University policy requirements and include appropriate notification and access information.
	Return orders for forms which do not meet policy requirements to originating departments for correction of deficiencies.

**B. Disclosure of Information from an Individual's Records**

RESPONSIBILITY	ACTION
Department	Receives request for disclosure of information.
	If request is routine and clearly meets provisions summarized in Attachment C, ensures that such requests are met within specified time periods. (Confidential academic personnel records are available only through Office of Vice Chancellor, Academic Personnel.) <b>Note:</b> If uncertain of appropriateness of response, requests guidance from either: <ul style="list-style-type: none"> <li>• Records Management Coordinator for questions of <u>general records</u> disclosure, or</li> <li>• Vice Chancellor, Academic Personnel or Assistant Vice Chancellor, Campus Human Resources for questions of <u>academic or staff personnel records disclosure</u>.</li> </ul>
	Charges per page fee for copies of any records requested. Fee may be requested in advance and an extra charge may be levied to reflect actual cost to University if records need to be abstracted.
	Maintains records of disclosure as required by law for 3 years or until file is destroyed, whichever is sooner. Records should include the following: Date of Disclosure, Person Receiving Information (stating their name, title, and business address), Information Disclosed (being specific), Purpose of Disclosure (being specific), Reported By and Authorized Signatory of each Disclosure (see Attachment D for Sample Disclosures log).
	Monitors transfer of records outside University to ensure that no information is transferred unless such transfer is compatible with purposes of meeting reporting requirements of Information Practices Act.

**C. Making Amendments to an Individual's Records**

RESPONSIBILITY	ACTION
Department	Receives written requests to amend files and records from the individual and takes appropriate action, within 30 days.
	If department makes corrections, individual is informed.  OR  If department refuses to amend record, individual is informed of reason for refusal, and established procedures for requesting review of refusal. Reviews take place within 30 days, unless for good cause shown, campus extends review period for an additional 30 days.
Individual	If after such review, department refuses to amend record, individual is permitted to file a statement of reasonable length setting forth reasons for disagreement.

RESPONSIBILITY	ACTION
Individual (cont'd)	<p>Notes any portion of record which is disputed and makes available copies of the individual's statement and copies of a concise statement of reasons for not making the amendment to any person to whom disputed record has been or is disclosed.</p> <p><u>Note:</u> After 7/1/78, campus shall inform any person to whom a record has been disclosed during preceding 3 years of any correction of an error in the record or of any dispute about the record if name and address of people to whom disclosure was made is known.</p>

**D. Annual Inventory of Record Systems**

RESPONSIBILITY	ACTION
Records Management Coordinator	<p>Requests following information, annually, for each system of records containing personal or confidential information:</p> <ul style="list-style-type: none"> <li>• Name of campus office which maintains information, and name or title and description of system of records.</li> <li>• Categories and approximate number of individuals on whom records are maintained.</li> <li>• Each major use or purpose for personal or confidential information within system.</li> <li>• Legal authority for maintenance of personal or confidential information.</li> <li>• Disposition schedule for information.</li> <li>• General sources of information.</li> <li>• Disclosures of information that will be made to a governmental agency when required.</li> </ul>
Department	Provides information as requested for purpose of meeting reporting requirements of Information Practices Act.

**IV. IMPLEMENTATION AND RESPONSIBILITIES OF CAMPUS OFFICIALS**

The following campus officials have been assigned general responsibilities for the implementation of the Information Practices Act. Departmental responsibilities for specific procedures are outlined in Section III.

**A. Vice Chancellors and Deans are Assigned the Responsibilities to:**

Ensure that the provisions of campus policies and procedures are implemented by departments within their areas of responsibility.

Review and monitor the establishment and maintenance of departmental record systems and the procedures followed by the departments in responding to requests for access to information about individuals.

Assure that all policy requirements are applied to any personal or confidential records maintained or operated, under contract, on the University's behalf.

**B. The Records Management Coordinator is Assigned the Responsibilities to:**

Disseminate information concerning state and federal laws and University and campus policies and procedures to the appropriate persons in individual departments.

Design and review, as necessary, the policies and procedures governing development, operation, disclosure and maintenance of general University records containing personal or confidential information and inform the Deans and Vice Chancellors of all such policies and procedures.

Gather appropriate data and prepare and file all reports as required by law.

Establish and maintain records of the types of forms kept in campus departments and assist individuals to find those records which may contain personal information about them.

Assist departments in assessment and revision of forms.

Receive formal complaints from individuals other than University employees who are dissatisfied with actions or decisions of University officials and arrange for review of the disputed actions or decisions.

Provide guidance to departments in responding to requests for general records disclosure, including consultation with the Systemwide Records Management Coordinator and General Counsel's Office when necessary.

**C. The Vice Chancellor, Academic Personnel and the Assistant Vice Chancellor, Campus Human Resources are assigned the responsibilities to:**

Design and revise as necessary the policies and procedures governing development, operation, disclosure and maintenance of academic and staff personnel records and inform the Deans and Vice Chancellors of all such policies and procedures.

Provide guidance to departments in responding to requests for academic and staff personnel records disclosure, including consultation with Systemwide Records Management Coordinator and General Counsel's Office when necessary.

**V. ATTACHMENTS**

- A. Definitions of Personal, Non-Personal, and Confidential Information
- B. Privacy Notice Information & Sample Wording
- C. Access to Personal Information by the Individual, University Employees or Others
- D. UCLA Information Disclosures Log Sample

**Issuing Officer**

**/s/ Sam J. Morabito**

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**Associate Vice Chancellor, Business &  
Financial Services**

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**Questions concerning this policy or procedure should be referred to  
the Responsible Department listed at the top of this document.**

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**ATTACHMENT A****DEFINITIONS OF PERSONAL, NON-PERSONAL AND CONFIDENTIAL INFORMATION****A. Personal Information**

Any information in any record about an individual which is maintained by the University and is not included in the definitions of non-personal and confidential information in items B and C below. Examples include but are not limited to home telephone numbers, citizenship, birth dates, social security numbers, education records, business and financial transactions, medical and employment histories. (Note that an individual's home address may be disclosed after the individual has had the opportunity to request nondisclosure but does not so request.)

**B. Non-Personal Information**

Information consisting only of names, campus addresses, campus telephone numbers, and other limited factual data which could not, in any reasonable way: (a) reflect or convey anything detrimental, disparaging, or threatening to an individual's reputation, rights, benefits, privileges, or qualifications; or (b) be used to make a determination that would affect an individual's rights, benefits, privileges, or qualifications;

A campus telephone book or directory;

A card catalog of any campus library, or the contents of any book listed within the card catalog;

A mailing list (consisting only of names and addresses) used exclusively by the campus or the University (see UCLA Policy 311);

Records required by law to be maintained and used solely as a system of statistical records, as long as such records are not used in making any determination about an identifiable individual.

**C. Confidential Information**

Any record pertaining to:

The enforcement of criminal laws;

Written testing or examination material, or scoring keys used to determine individual qualifications for appointment or promotion, or for academic examination;

Medical, psychiatric, or psychological material if the campus determines that disclosure would be medically or psychologically detrimental to the individual;

Investigative materials (including their sources) maintained for the purpose of investigating a specific violation of a state law as long as an investigation is in process and is necessary to protect law enforcement activities;

Medi-Cal related health care service claims.

**ATTACHMENT B****PRIVACY NOTICE INFORMATION AND SAMPLE WORDING**

When an individual is asked to complete a form used to supply confidential or personal information, a written statement containing the following will be given to the individual, or included on the form unless the statement has been given to the individual during the previous twelve months.

- The name of the campus department or office requesting the information.
- The title and campus address of the person who is responsible for the maintenance of the information.
- The University policy or other legal authority which authorizes the maintenance of the information.
- Whether submission of the information is mandatory or voluntary.
- The consequences, if any, of not providing all or any part of the requested information.
- The principal purpose or purposes for which the information is to be used.
- The individual's right to review records containing personal information maintained on him or her by the University.
- Any known or foreseeable transfer to a governmental agency of the information which may be made.

A sample notice is presented below to assist departments in designing required notices. Notices should be approved by the Records Management Coordinator.

**PRIVACY NOTICE**

(Insert Appropriate Information Where Parentheses Appear)

The California Information Practices Act requires the University to provide the following information to individuals who are asked to supply information about themselves:

- The principal purpose for requesting the information on the attached form is to- (Describe Purpose: e.g., permit parking, evaluate qualifications for employment, etc.).
- This information is solicited in accordance with University policy adopted pursuant to Article IX, Section 9 of the California Constitution (or any other expressly numbered or dated policy, or state or federal law which you know requires the information).
- Furnishing each item of information requested on the attached form is mandatory (except those items, if any, which are voluntary and which should here be noted). Failure to provide the requested information will delay or may prevent completion of the purpose for which the attached information is intended.
- Information furnished on the attached form may be used by various University departments as required in the regular course of business, and may be transmitted to State and Federal government agencies if required by law.
- You have the right to review personal information obtained about you in accordance with University policy and may contact the office of record maintaining such information or the Records Management Coordinator for more information concerning your rights.
- The material on the attached form is maintained by (Name of Office and Title of Responsible Officer.)

**ATTACHMENT C****Access to Personal Information by the Individual, University Employees or Others****Access by Individual Subject of the Record:**

Records containing personal information shall be made available to the individual subject of the record upon an unsolicited written or oral request and with proper identification.

A record shall be made available within 30 calendar days of the request except that a record located at a storage center shall be made available within 60 calendar days. Failure to reply to the request within these time periods shall be considered a denial of the request.

The record or an exact copy of the record may be inspected at the campus. An individual may have an exact copy of all or any portion of the record within 15 calendar days of the inspection. If the individual requesting access cannot come to the campus to inspect records, the individual may request, in writing, that the University mail an exact copy of the records to a designated address. Such written request shall be accompanied by a certification that the requester is the individual to whom the information pertains. A sample request and certification form are available from the Records Management Coordinator.

Information, including letters of recommendation, compiled for the purpose of determining suitability, eligibility or qualifications for employment, reappointment, advancement, or promotion, and received with the promise that the identity of the source of the information would be held in confidence (or, if compiled prior to 7/1/78, with the understanding that the identity of the source of information would be held in confidence) shall be released to the individual to whom the information pertains as follows:

- A copy of the text of the material with such deletions made as necessary to protect the identity of the source of the information; or
- A comprehensive summary of the information. (Only in this form for academic personnel.)

However, the identity of the source of the information shall be released to the individual if the source is the employee's supervisor, unless the supervisor is a chairperson of an academic department.

Full disclosure shall be made to the individual of any personal information that could reasonably in any way reflect or convey anything detrimental, disparaging, or threatening to any individual's reputation, rights, benefits, privileges, or qualifications, or be used by the campus to make a determination that would affect an individual's rights, benefits, privileges, or qualifications.

NOTE: (1) A record containing confidential information shall not be available to the individual subject of the record, except that medical, psychiatric, or psychological material will be made available when the campus determines that disclosure would not be medically or psychologically detrimental to the individual. If determined that disclosure would be medically or psychologically detrimental to the individual, the information shall, upon written authorization of the individual, be disclosed to a physician, psychiatrist, or other licensed medical or psychological personnel designated by the individual to whom the record pertains. An individual will be notified within 30 calendar days of a request if the record is a confidential one and not releasable to him or her. (2) In disclosing information in a record to any individual, the campus will not disclose any personal information relating to another individual or any confidential information in the record.

**Access by University Employees and Officials:**

University of California employees, officials, or volunteers shall have access to specific information in the records when necessary to the performance of their assigned duties and if the use of such records is consistent with the purpose(s) for which the information was acquired.

**Access by All Others:**

The campus will not disclose any personal information maintained on an individual to others unless:

- The individual to whom the record pertains has given prior written consent within 30 calendar days of the disclosure or within a time limit specified by the individual in the written consent.
- The individual to whom the record pertains has a duly appointed guardian or conservator, or is represented by another person and it can be proven with reasonable certainty that such person is the authorized representative of the individual to whom the information pertains.
- The information is available to members of the public in accordance with provisions of the California Public Records Act. This includes information which is a part of an individual's employment contract with the University. The following information shall be released to a member of the public upon request: the employee's date of hire, current job title, current rate of pay, organizational unit assignment, and current job description.
- The campus has received advance, adequate, written assurance that the information will be used solely for statistical research or reporting purposes, and the information is in a form that will not identify an individual.
- The transfer of the information to a person or state agency is necessary for the requesting agency to perform its constitutional or statutory duties, and such use is compatible with a purpose for which the information was collected.
- The record is requested under a state or federal law and is released to a governmental entity.
- The campus determines that compelling circumstances exist which affect the health or safety of an individual. A notice that the information has been disclosed will be sent to the individual at his or her last known address.
- The disclosure is pursuant to a subpoena, court order, or other circumstances where the University is required by law to release the information, if, before the disclosure, the campus reasonably attempts to notify the individual.
- The disclosure is pursuant to a search warrant.
- The disclosure is to a law enforcement agency when required to an investigation of a criminal activity, unless such disclosure is otherwise prohibited by law.
- The information is to a department of the University or a nonprofit educational institution conducting scientific research, provided the request for information includes assurances of the need for personal or confidential information; procedures for protecting the confidentiality of the information; and assurances that the personal identity of the subject shall not be further disclosed in individually identifiable form.
- The disclosure is in response to a request by a prospective non-University employer who, in the judgment of the department head/division leader, has a legitimate interest in receiving such information. In such a circumstance, a department head/division leader may provide a general oral evaluation of an individual on a confidential basis.
- The disclosure is to a committee of the State Legislature or to a member of the State Legislature when the member has the permission of the individual to whom the information pertains.



ATTACHMENT D  
**UCLA Information Disclosures Log**

DATA SUBJECT (NAME):			UCLA DEPARTMENT:		
DATE OF DISCLOSURE	PERSON RECEIVING INFORMATION (Name, Title, and Business Address)	INFORMATION DISCLOSED (Be Specific)	PURPOSE OF DISCLOSURE (Be Specific)	DISCLOSURE	
				REPORTED BY	AUTHORIZED BY

SAMPLE