

### **E.1.8.5 (Procedure) International Programs: General Data Protection Regulation Compliance**

Responsible Department: District Office of International Programs

Based on Board Policy: [E.1.8](#) - International Programs

Approved: 7-28-20

Last Amended:

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The College District shall respect the General Data Protection Regulations (“GDPR”) of the European Union (“EU”) pertaining to the rights of identified or identifiable natural persons (“Data Subjects,” as further defined below) in the EU (“EU Data Subjects”) over their “Personal Data” (as defined below) “Processed” (as defined below, including mere retention) by the College District.

The Office of International Programs shall engage the appropriate College District functions, including, without limitation, the Office of Student Success and the Office of Information Technologies, to establish reliable processes to identify student and employee EU Data Subjects promptly, to maintain lists of both current and former such Data Subjects, and to Process their Personal Data consistent with GDPR requirements. The College District shall assign EU Data Subject status as defined by the GDPR, including, without limitation, to: applicants for enrollment applying from the EU, US-based students and instructors participating in study abroad or exchange programs visiting the EU, any faculty members teaching temporarily in the EU under other circumstances, and on-line learners located in the EU.

The Office of Communications shall cause College District websites to be GDPR compliant in their potential interaction with site-visiting EU Data Subjects whether or not otherwise affiliated with the College District.

The Office of Information Technologies shall (i) determine whether College District information systems require modification to enable the identification of the location of all Personal Data of each EU Data Subject and implement any such required modifications; (ii) evaluate and, if appropriate, implement process and architecture revisions to enhance GDPR compliance; (iii) cause the College District to enter into appropriate modifications to agreements with any persons or entities Processing EU Data Subject Personal Data on the College District’s behalf required to ensure GDPR compliance with respect to such data; (iii) cause the College District to enter into appropriate modifications to agreements with any persons or entities processing EU data subject Personal Data on the College District’s behalf required to ensure GDPR compliance with respect to such data; and (iv) assess the costs and benefits associated with applying Data Subject status, in whole or in part, to all natural persons (including those not in the EU) whose Personal Data is processed by the District. Meanwhile:

The College District shall neither directly nor indirectly actively recruit students or employees from the EU.

The College District shall not offer or conduct educational services within the EU other than US-based study abroad programs and student and faculty exchange programs, except that online services may be provided to United States military service members and dependents stationed in the EU on active duty.

The Vice Chancellor to whom the Office of International Programs reports is hereby designated the Data Protection Officer within the meaning of the GDPR, with responsibilities under the GDPR limited to EU Data Subjects. The Data Protection Officer shall receive all requests from EU Data Subjects pertaining to their College District Personal Data.

The Data Protection Officer shall cause the timely issuance of appropriate privacy notices to EU Data Subjects by appropriate means in compliance with GDPR requirements.

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The lawful basis for the College District to process the general Personal Data of EU data subjects is primarily public interest. The lawful basis for the College District to process the "sensitive personal data" of EU Data Subjects is the substantial public interest, or for historical, scientific, research or statistical purposes.

EU Data Subjects have the right to request access, rectification, processing restriction, data portability and erasure of their Personal Data under many circumstances, and the College District will evaluate all such requests according to GDPR requirements as applicable to the College District.

“Personal Data” means any information relating to an identified or identifiable natural person (“Data Subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

“Processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

This procedure shall prevail to the extent of any conflict with any other procedure.