

## PROTOCOL FOR RESPONDING TO UNAUTHORIZED DISCLOSURES OF PERSONAL INFORMATION

This protocol is based upon and designed to comply with Wisconsin Statute section 895.507, which obligates entities that possess personal information of individuals to notify those individuals when unauthorized acquisition of their personal information has occurred.<sup>1</sup>

### Reporting Disclosures Potentially Requiring Notice

Any disclosure that appears to be the result of a criminal act such as theft should be immediately reported to the UWM Police Department (telephone: 229-4267).

To ensure that the required disclosures are made, incidents of unauthorized disclosure of personal information should also be reported as follows:

- For the unauthorized disclosure of electronic information (e.g. computer hacking, stolen files, etc.), contact **Chief Information Officer Bruce Maas** (telephone: 229-2834).
- For the unauthorized disclosure of non-electronic information (e.g. university records contained on paper, video or audio tape, etc.), contact **Director of Internal Audit Paul Rediske** (telephone: 229-5586).

### Consultation with Appropriate Campus Parties

The appropriate individual receiving report of the disclosure (either the CIO or Director of Internal Audit, respectively) or his or her designee will consult with the Office of Legal Affairs, the University Police Department, Risk Management, and University Relations on how to proceed.

### When Notice is Required

Notice is required when UWM “*knows that personal information in [its] possession has been acquired by a person whom the entity has not authorized to acquire the personal information.*” Notice is not required when the information is publicly available or was encrypted, redacted or altered in a manner that made it unreadable.

*Personal information* triggering notice is defined as:

- (1) An individual’s last name and first name or first initial, AND
- (2) One or more of the following:

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<sup>1</sup> The statute section should be consulted directly for any questions of interpretation.

- a. The individual's social security number;
- b. The individual's driver's license number or state ID number;
- c. Any financial account number of the individual, such as credit or debit card number, or security code, access code, or password that would allow access to the individual's financial account;
- d. The individual's DNA; OR
- e. Any biometric identifier of the individual, such as fingerprint, voice print, retina or iris image, or any other unique physical representation.

Notice is not required when the acquisition does not create a material risk of identity theft or fraud to the subject of the information.

### **What Notice is Required**

When the conditions for notice have been met, the CIO or Director of Internal Audit, as applicable, must make reasonable efforts to notify the subject(s) of the personal information. The notice must state that UWM knows of an unauthorized acquisition of that individual's personal information.

The notice must be provided within a reasonable time, not to exceed 45 days after UWM learns of the unauthorized acquisition.

The notice must be provided by mail or by a method UWM has previously used to communicate with the individual who is the subject of the personal information, or if neither is possible, by a method reasonably calculated to provide notice to that individual.

Upon request by a person who received notice, the CIO or Director of Internal Audit must identify the personal information that was acquired.

### **Incidents Involving 1,000 or more Individuals**

If, as the result of a single incident, the CIO or Director of Internal Audit must notify 1,000 or more individuals, he or she must also notify all consumer reporting agencies of the timing, distribution, and content of the notices sent to the individuals.

### **Consideration and Coordination of other Statutes, Laws and Regulations**

UWM may also be subject to other statutes, laws and regulations that have notification provisions in the event of unauthorized access. One such law is the Gramm-Leach-Bliley Act. Before making any notification, UWM will consider and coordinate all requirements.