



**MISERICORDIA
UNIVERSITY**

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Policy Steward Mark Reboli:
Networking and Telecommunications Manager
Area IT, Networking Group

Privacy Policy

I. Reason for the Policy

This policy describes Misericordia University's data protection strategy, which aims to maintain the confidence of individuals who entrust their personal information to us and comply with multiple regulations.

II. Policy Statement

For Misericordia to educate students, engage in research, and provide community services, It must have a lawful basis to collect, process, use, and maintain the personal data of its students, employees, applicants, research subjects, and others involved in its educational, research, and community programs. The activities include without limitation, admission, registration, delivery of classroom and study abroad education, grades, communications, employment, applied research, development, program analysis for improvement, and record retention.

III. Who Should Read This Policy

This policy applies to anyone who voluntarily provides personal information to the University, including but not limited to users of any system's information or physical infrastructure, regardless of its form or format, created or used to support the University. The user is responsible for reading and understanding this policy and conducting their activities per its terms.

IV. The Policy

Misericordia University protects the privacy of individuals ("you" or "your") who share personal data with us.

The University values and respects your privacy. Misericordia University handles information with care and respect. This Privacy Policy will assist you in understanding how we collect, use, and share personal

information you provide to Misericordia University ("Misericordia," "us," or "we") through www.misericordia.edu, the main Misericordia University website or other sites thereby related to Misericordia that will end in [misericordia.edu](http://www.misericordia.edu) ("site" or "sites"). Misericordia also provides services such as Internet access, etc. ("service" or "services") in various forms or formats. This Privacy Policy ("Policy") discloses Misericordia's privacy practices to the extent permitted by applicable law by using our website, services, applications, etc. You consent to our collection and use of information per this policy. This policy also applies to other means (phone, mail, etc.) whereby you have voluntarily provided your information to Misericordia.

1. Information Collected and Stored Automatically: Information You Manually Provide

Misericordia collects the information you manually provide (using your keyboard, mouse, or touchpad) when you use our site/systems/resources. For example, we collect the information you provide when you request information from us, apply for admission, register for campus visits, or interact with Misericordia. Some of the information you provide may be personally identifiable information. Types of personally identifiable information include, but are not limited to:

- full name
- address
- email address and phone numbers
- your parent's(s') full name(s), address(es), email address(es) and phone number(s)
- gender
- ethnicity
- academic information
- current and future enrollment information
- involvement in work, school, and community activities
- personal essays and posted messages
- birth date
- account credentials
- Other information you may include on your application form.

Information and Use of Services by Minors

Misericordia University is concerned about protecting children/minor's privacy. A child/minor is anyone under the age of 18. However, this excludes enrolled university students under 18; these students are subject to all applicable university policies, including the Student Conduct Code.

As a nonprofit higher education institution, we operate under the assumption that all visitors to our websites are over the age of 13. We do not knowingly collect personally identifiable information from children who visit our website. Suppose a visitor known to be a child (an individual under 13, as defined

by the Children's Online Privacy Protection Act) corresponds such information to Misericordia. In that case, we will only use it to respond to the writer and not create profiles or retain the information.

The University provides youth programs, including online software and third-party applications. In certain circumstances, the University collects personal information from parents, guardians, or participants to provide, operate, improve, and promote the programs as required. During the registration for such programs, Misericordia will give Notice to and obtain the consent of the parents or guardians of the student regarding any additional information collection practices specific to the program. Any information is collected solely to offer the program and not to advertise the services of the third party or for other commercial purposes.

Information From Your Browser or Device

Misericordia automatically collects the information sent to us by your web browser or mobile device. Organizational processes may collect with or without you taking action to provide it (e.g., cookies, cookie updates, web server logs, automatic browser logs, push notifications, mobile device access, geolocation information, etc.) This information typically includes but is not limited to your IP address, the name of your operating system, the name and version of your browser, the date and time of your visit, and the pages you visit. The information we receive may depend on your browser or device settings. The information we receive from your web browser and device may or may not be personally identifiable. However, we may combine it with other information to identify you, or we may combine it with information that does identify you. Accordingly, we treat such information as personally identifiable.

Information Collected by Cookies and Other Technologies

Misericordia University may utilize cookies and other technologies, including device identifiers, to collect information and support certain features. For example, we may use these technologies to:

- Collect information about the ways visitors use our sites and services - which pages they visit, which links they use, and how long they stay on each page;
- Support the features and functionality of our sites and services - for example, to save you the trouble of reentering information already in our database or to prompt the settings you established on previous visits; for the administration of services and other policies;
- Personalize your experience when you use our sites and services, and
- We use cookies and similar technologies to improve our marketing efforts, including through targeted advertising. The information we collect using cookies and similar technologies may or may not be personally identifiable, but we may link it to your personal information.

You can set your browser to reject cookies or alert you when a cookie attempts to add to your computer. Although you may not be required to accept cookies when you visit our sites or services, you may be unable to use all of the functionality if your browser rejects our cookies.

Information About Third-Party Cookies and Interest-Based

Advertising

In addition to the cookies Misericordia delivers to your computer through our sites or services, certain third parties may deliver cookies to you for various reasons. For example, we use Analytics, which helps us understand how visitors engage with our site(s).

Other third parties may deliver cookies to your computer to track your online behaviors across nonaffiliated websites and deliver targeted advertisements on our site(s) or other websites available through our services.

2. Notice of Alternative Methods to Obtain Services

In General

We respect your right to choose how we collect, use, and disclose the information you provide on or through our site(s) and services. We strive to provide choices to you at a meaningful time and place. This Notice describes some of your other options.

Do Not Track Mechanisms

Your browser may deliver a "Do-Not-Track ('DNT') signal" to our site(s). Because technology is changing, and the technology and marketing industries are still determining the meaning of DNT signals, we cannot guarantee that we will honor them.

Previously Expressed Preferences

You may change previously expressed preferences regarding how we use information you provide on or through our site(s). For example, suppose you have provided your contact information and receive periodic emails from us. You may stop receiving those emails by clicking the "unsubscribe" link in an email's footer if available. You can change other preferences through your account on our site(s). Otherwise, contact us using the contact information provided below (Section 9).

Marketing

Misericordia may provide an "opt-in" or "opt-out" mechanism, depending on your location. An "opt-in" mechanism will allow you to positively indicate that you agree to our sending you such further communications. We will not send you any unless you have "opted-in." An "opt-out" mechanism will allow you to indicate that you do not want us to send you such further communications, and if you "opt-out," we will not send you any.

Failure to Provide Personal Data

To perform a contract, we may need to collect personal data by law or under the terms of the agreement. You may need to provide that information when requested, or the service may be unavailable. In this case, we may have to cancel a service you have with us, but we will notify you if this is the case at the

time.

3. How do we Use Information we Collect?

Misericordia University generally collects data where it fulfills a specific legitimate business need or purpose that:

- Is required for the business operations of the University, including research, teaching, engagement, administration, and management;
- Provides or improves desired service(s) to the user;
- It protects the security and integrity of data, websites, or services and the associated network and computing resources.

4. How do we Safeguard Your Information and Data Breaches?

We maintain appropriate administrative, physical, and technological measures to protect the confidentiality and security of personal information you submit on or through our sites and services. Unfortunately, no website, server, or database is completely secure or "hacker-proof." We cannot guarantee that unauthorized acts by others will not result in the accidental disclosure, misuse, or loss of your personal information. Further, we cannot control the dissemination of personal information you post on or through our site(s) using any social networking tools we may provide, and you should have no expectation of privacy in such information.

Misericordia University employs an Incident Response Plan to address any suspect breach or security incident affecting university systems or entrusted information. Misericordia is in Dallas, Pennsylvania, so we adhere to the Pennsylvania Data Security Breach Notification Laws and statutes determinedly in most cases. Should you believe an incident or breach has occurred, contact us immediately as per below (Section 9).

5. How do we Share Information with Others?

Misericordia may share information with others when there is consent, legitimate interests, the performance of a contract, legal obligations, or vital interests as further outlined:

With Third-Party Vendors

Misericordia shares information collected through our site(s) or services with third-party vendors who act on our behalf. For example, we may use third-party vendors to design and operate our main Misericordia.edu website, conduct surveys, and help us with promotional efforts. These third-party vendors may need information about you to perform their obligations. They are required by contract to keep your information confidential and to use it only to provide services on our behalf; however, as described below, we may allow them to use aggregate or anonymized data for their purposes.

With Professional Advisers, Government Authorities, and

Regulatory Agencies

We may share information with professional advisers such as lawyers, bankers, auditors, or insurers who provide us with professional services. We may also share your information with government authorities (for example, about taxes) or other regulatory agencies as applicable law requires.

With Third-Party Social Media Platforms

We may provide functionality on our site(s) that allows you to automatically post information to a third-party social media platform (such as Facebook, Twitter, or LinkedIn). If you use this functionality, people accessing your profile on the third-party platform can see your post. Thus, you should have no expectation of privacy in those actions. Further, if you link your profile on our site(s) with an account on a third-party social media platform, we may share the information in your profile with that third-party platform. We may also use third-party social media platforms to offer you interest-based ads. To offer such ads, we may convert your email address into a unique value that our partner company can match with a user on their platform. Although we do not provide any personal information to these platform vendors, they may gain insights about individuals who respond to the ads we serve.

In Aggregate or Anonymized Form

We use information collected through our site(s) to create a compiled, aggregate view of usage patterns. We may share aggregate information with third parties so we and they can better understand our user base. We may also share information about how particular individuals use our site(s) with third parties, but only anonymously.

To Comply with Laws and Protection of Our Rights and the Rights of Others

We may disclose your information when we, in good faith, believe disclosure is appropriate to comply with the law, a court order, or a subpoena. We may also disclose your information to prevent or investigate a possible crime, such as fraud or identity theft; to protect the security of our site(s) or services; or to protect our rights or property or the rights, property, or safety of our users or others.

As Described in a Privacy Notice or Click-Through Agreement

We reserve the right to disclose your information as described in any applicable privacy notice posted on our site(s) or services or as described in any click-through agreement to which you have agreed or University services you utilize.

6. Users Located in the European Economic Area

Suppose your location is in the European Union, Iceland, Liechtenstein, or Norway (the "EEA"). In that case, this section of the Policy and other relevant sections inform you about how we collect, use, process, and share data about you following Article 13 of the European Union General Data Protection

Regulation 2016/679 (the "GDPR").

For this section, "personal data" means information about an identified or identifiable natural person. Misericordia University is the data controller for personal data processing through our site(s). We have appointed a data privacy manager responsible for overseeing questions about this policy. If you have any questions about this policy, including any requests to exercise your legal rights, contact the data privacy manager using the contact information below. (Section 9)

Lawful Bases for Processing

Misericordia processes visitors' data to our site(s) in the EEA for the abovementioned purposes. The lawful basis for each purpose may be different. Contact us if you want to know the specific legal basis for a particular processing operation. In general, the lawful bases that Misericordia relies on are the following:

- Contractual necessity – Misericordia will process your data where necessary for us to meet our contractual commitments to you.
- Legitimate interests – this means our interest in conducting and managing our organization to enable us to give you the best service, providing the best and most secure experience, and fulfilling our mission of educating students to be informed citizens, thoughtful stewards, critical thinkers, and responsible leaders. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your data for our legitimate interests. We do not use your data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). Our legitimate interests include:
 - To provide, improve, and customize our educational offerings;
 - To administer our operations;
 - To promote the success of our current and former students;
 - To further research and understanding in fields of academic study;
 - To maintain an ongoing relationship with alums, donors, and prospective donors and to help connect them with others;
 - To request gifts or donations;
 - To offer attendance to events and opportunities to volunteer;
 - To conduct admissions research;
 - To understand how our site(s) or service(s) is/are being used;
 - To develop and grow our operations;
 - To ensure the safety and security of our students, faculty, fellows, employees, and others;
 - To ensure cybersecurity;
 - To enhance protection against fraud, spam, harassment, intellectual property infringement, crime, and security risks; and
 - To meet our obligations and enforce our legal rights.

- Consent or Explicit Consent – Per applicable law, we may seek your consent or explicit consent to process personal data collected on this website or volunteered by you, for example, concerning our marketing and promotional activities. Our request may also include processing specific "special categories" of personal data, otherwise known as sensitive personal data, as set out in the "What information do we collect" section above.
- Compliance with laws and regulations—Misericordia will process your data where it is necessary to comply with a legal or regulatory obligation that we are subject to. For example, we collect ethnicity information concerning equal opportunities reporting obligations.

7. International Transfers of Personal Data Outside of the EEA

As an institution of higher education in the United States, Misericordia will process all personal data through our site(s) or service(s) in the United States. Visitors to our site(s) acknowledge the transfer to the United States of personal data provided or collected through our site(s). Misericordia may transfer your data to the third parties discussed above. We may transfer your data to other parties based outside the EEA, relying on appropriate or suitable safeguards or specific derogations recognized under data protection laws, including the GDPR. We ensure a similar degree of protection for your data when transferring it to parties outside the EEA by implementing at least one of the following safeguards:

- We will transfer your data only to countries that the European Commission has deemed to provide adequate protection for personal data.
- Where we use certain service providers, we may use specific contracts approved by the European Commission, which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of Privacy Shield, which requires them to provide protection similar to personal data shared between Europe and the US.

Contact us if you want further information on the specific mechanism we use to transfer your data to parties outside the EEA. (Section 9)

You can contact your local EU data protection authority if you have any complaints regarding our privacy practices.

To submit a request, contact us using the information below. Because we want to avoid taking action regarding your data at the direction of someone other than you, we may ask you for information verifying your identity. We respond to all legitimate requests within one month. Occasionally, it could take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will notify you and keep you updated. You will not have to pay a fee to access your data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is unfounded, repetitive, or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

8. Data Retention

We will retain your data as long as necessary for the purposes outlined in this policy unless applicable

law requires a more extended period or we need it to resolve disputes, protect our legal rights, or comply with legal obligations.

We delete account information upon account termination but may retain some data for legitimate security purposes.

When assessing the data retention period, we take into account the amount, nature, and sensitivity of the information, the potential risk of harm from unauthorized use or disclosure of the data, the purposes for which we process the data, and whether we can achieve those purposes through other means, and the applicable legal requirements.

9. Contact Us

If you have any questions regarding this Privacy Policy, contact us at privacyofficer@misericordia.edu.

10. Updates to this Policy

The "Last Updated" legend at the top (or bottom) of this Privacy Policy indicates when this policy was last revised. Any changes will become effective when we post the revised Privacy Policy on the Services. Your use of the Services following these changes means accepting the revised policy.

V. Definitions

Cookie: A cookie is a small file a website stores on your device to recognize and track your preferences or activities during your visit.

VI. Procedures

Approval Signatures

Step Description	Approver	Date
Final Approval	Daniel Myers: President	01/2025
Final Review	Mark Van Etten: Vice President, Finance and Administration	01/2025
	David Johndrow jr: Director of Information Technology	01/2025
	Mark Reboli: Networking and Telecommunications Manager	12/2024