EU General Data Protection Regulation (GDPR)

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I. What Is the General Data Protection Regulation (GDPR)?

- The GDPR is a European Union (EU) privacy law that applies broadly to the collection and use (i.e., “processing”) of the personal information of persons located in the European Economic Area (EEA).
- The EEA is composed of the EU member states, plus Iceland, Norway and Liechtenstein.
- The GDPR seeks to strengthen the privacy rights of persons in the EEA and harmonize the various EU privacy laws.
- Most notably, the GDPR expands upon existing EU privacy law by covering the processing of personal data by organizations outside of the EEA—including U.S. universities, such as ECU.
II. Who Is Protected by the GDPR?

Any person located in the EEA, regardless of citizenship or permanent residency, is afforded the privacy rights defined in the GDPR.
III. What Are Their Privacy Rights?

Under the GDPR, persons located in the EEA have the right to:

- be informed of the personal data collected by an organization, its intended use, and for how long the data will be retained;
- make informed decisions regarding an organization’s use and sharing of their data;
- review and correct the data held by an organization;
- request a copy of their personal data or have the data transferred to a third party;
- correct any errors in their personal data; and
- under certain circumstances, require the organization to delete their personal data.
III. What Are Their Privacy Rights? (continued)

• These are general rights, many of which have limitations in practice.
• For example, it is understood that we cannot enter into a contract or provide a service to an individual without collecting and retaining some personal information that identifies that particular individual.
• These rights are only applicable when ECU is processing personal information while the person is in the EEA, and for the purpose of providing goods or services.
IV. When May We Collect and Use Personal Information?

ECU may collect and use the information of persons in the EEA when:

• The person has consented to the processing of personal information
• The processing is necessary for the performance of a contract
• The processing is necessary for compliance with a legal obligation
• The processing is necessary to protect vital interests of the natural person
• The processing is necessary for the performance of a task carried out in the public interest
• The processing is necessary for the interests pursued by the organization
V. What Are Our Responsibilities?

Broadly speaking, ECU must:

• document its data processing activities involving personal data,
• conduct and report on privacy impact assessments,
• ensure our business partners and 3rd party processors comply with GDPR,
• inform individuals of our use of their information and with whom it will be shared, and
• document the legal basis under EU law for each data processing activity.
VI. What Are We Doing at ECU?

• Established a GDPR Project Team to direct the GDPR Compliance Project.
• Appointed a Data Protection Officer (DPO) to oversee GDPR compliance and serve as the ECU point of contact for GDPR-related inquiries and issues.
• Identified and assembled working groups for key data processing areas, such as student recruitment, employee recruitment, marketing, and advancement.
• Completed data processing activity registries for the key processing areas.
• Established a web portal for EEA persons to exercise their GDPR privacy rights.
Further Discussion . . .