



OFFICE OF THE SENIOR VICE PRESIDENT –  
BUSINESS AND FINANCE

OFFICE OF THE PRESIDENT  
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**ADMINISTRATIVE VICE CHANCELLORS  
VICE CHANCELLORS -- STUDENT AFFAIRS  
INFORMATION PRACTICES COORDINATORS**

**Applicability of Information Practices Act to Student Records - RMP-8 Interim Update**

The California Information Practices Act of 1977 (IPA - California Civil Code Section 1798 et seq.) protects the access, maintenance, and dissemination of information about individuals. The University of California's implementation of the IPA is expressed in policy in Business & Finance Bulletin RMP-8, "Legal Requirements on Privacy of and Access to Information."

Regarding the privacy of student records, RMP-8 has historically directed readers to the University's FERPA (Federal Family Educational Rights and Privacy Act of 1974) policy (see <http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/toc130.html>). RMP-8 has also historically stated that the IPA does not apply to student records.

It has come to our attention that due to certain changes in state law, the Information Practices Act no longer expressly exempts student records from its scope. Therefore, where not inconsistent with FERPA, the provisions of the IPA do apply to student records. Universitywide FERPA policy remains the primary resource for student record access and disclosure guidelines. However, for guidelines on the safeguarding of privacy in student records, the Office of the General Counsel advises that the rules of conduct outlined in the IPA and related University policies should be applied. *Therefore, the University's Rules of Conduct for University Employees Involved with Information Regarding Individuals (attached) should be interpreted to apply to all University employees who handle records containing any personal information, including personal information about students.*

A project to revise RMP-7 ("Privacy of and Access to Information Responsibilities") and RMP-8 is currently underway by the University Records Management Committee, in conjunction with Information Practices Coordinators from each campus. The forthcoming revisions to the policies will reflect these changes in the law. If you have any questions about this interim advice, please contact University Counsel Maria Shanle at (510) 987-9845. Any questions about the RMP-7 and RMP-8 revision process may be directed to Manager Connie Williams at [connie.williams@ucop.edu](mailto:connie.williams@ucop.edu) or (510) 987-0402.

A handwritten signature in blue ink, appearing to read "Kristine Hafner".

Kristine Hafner  
Associate Vice President and CIO  
Information Resources and Communications

Attachment - Rules of Conduct (RMP-8 Exhibit D)

cc: General Counsel and VP Holst  
Associate Vice President Galligani  
Registrars  
University Counsel Shanle  
Manager Williams

RULES OF CONDUCT FOR UNIVERSITY EMPLOYEES  
INVOLVED WITH INFORMATION REGARDING INDIVIDUALS

- A. Employees responsible for the collection, maintenance, use, and dissemination of information about individuals which relates to their personal life, including their employment and medical history, financial transactions, marital status and dependents, shall comply with the provisions of the State of California Information Practices Act. Business and Finance Bulletin RMP-8, "Legal Requirements on Privacy of and Access to Information," shall be used as a basic guide in administering the Act's provisions.
- B. Employees shall not require individuals to disclose personal or confidential information about themselves which is not necessary and relevant to the purposes of the University or to the particular function for which the employee is responsible.
- C. Employees shall make every reasonable effort to see that inquiries and requests by individuals for their personal or confidential records are responded to quickly, courteously, and without requiring the requester to repeat the inquiry to others unnecessarily.
- D. Employees shall assist individuals who seek information pertaining to themselves in making their inquiries sufficiently specific and descriptive so as to facilitate locating the records.
- E. Employees shall not disclose personal or confidential information relating to individuals to unauthorized persons or entities. The intentional disclosure of such information to such persons or agencies may be cause for disciplinary action.
- F. Employees shall not seek out or use personal or confidential information relating to others for their own interest or advantage. The intentional violation of this rule may be cause for disciplinary action.
- G. Employees responsible for the maintenance of personal and confidential records shall take all necessary precautions to assure that proper administrative, technical, and physical safeguards are established and followed in order to protect the confidentiality of records containing personal or confidential information.