Privacy Policies for Web Sites and Online Services

June 15, 2004

Background

The California Online Privacy Protection Act http://www.leginfo.ca.gov/pub/bill/asm/ab_0051-0100/ab_68_bill_20031012_chaptered.html requires operators of a commercial Web site or online service to conspicuously post their privacy policy and to comply with that policy.

University Counsel has determined that this law does not apply to the University of California. Nevertheless, UC Web site managers may wish to review and adopt some or all of the provisions of the law to ensure that people who transmit personally identifiable information via UC Web sites or online services are aware of and understand how their information will be handled.

Summary of the Law's Provisions

Development of a Privacy Policy. A statement should be developed to inform users about practices with respect to personally identifiable information transmitted via the Web and especially whether this information will be disclosed, sold, or shared. Personally identifiable information includes name, address, e-mail address, Social Security number, telephone number, other contact information, or other information that identifies an individual. The policy should

- Identify the personally identifiable information collected via the Web site or online service, as well as the third-party persons or entities with whom the information may be shared.
- Describe whether there is a process by which users of the Web site or online service may review and request changes to their personally identifiable information that has been collected; and
- Describe how users of the Web site or online service will be notified of changes to the privacy policy.
- Identify the date it takes effect.

Posting of the Privacy Policy. The privacy policy should be "conspicuously posted"

- On a Web site's home page or the first significant page after entering the site
- Via an icon, text link, or other easily noticed link on the home page or first significant page.
  - The icon or link should contain the word "privacy" and be eye catching. Text should be in a font size, style, and/or color that distinguishes it from the surrounding text.
- Via any reasonable means of making the privacy policy available for users of an online service.