

The North Carolina Zen Center

Personal Information Protection Policy and Procedures

Preamble

As part of providing services to the public and to its members the North Carolina Zen Center (NCZC) may collect personal information. This policy and the associated procedures are intended to articulate how the NCZC complies with relevant state and federal privacy statutes and to affirm the NCZC's commitment to accuracy, confidentiality, and security of personal information.

Policy

1. Applicability

This policy and its associated procedures apply to:

- a) all individuals within the NCZC (including NCZC staff, individuals volunteering for the NCZC, and individuals who are defined in the Bylaws of the NCZC as members of the NCZC) who collect personal information in relation to NCZC activities;
- b) any individuals or organizations outside the NCZC who are collecting, using, retaining, or disclosing personal information on behalf of the NCZC; and
- c) all personal information under the control of the NCZC.

2. Definitions

In this policy statement "personal information" means information about an identifiable individual other than contact information (e.g., name, age, home address and phone number, health information, qualifications relating to religious authorization).

In this policy "contact information" means information that would enable an individual to be contacted at a place of business (e.g., name, position name/title, business address, business phone or fax number, business email). Contact information is not covered by this policy.

3. Responsibilities

Any individual within the NCZC or acting on behalf of the NCZC who collects, accesses, uses, retains, discloses, maintains, or disposes of personal information is in a position of trust, and is thus responsible for:

- a) making a reasonable effort to familiarize themselves and to comply this policy and its associated procedures;
- b) consulting the Director if there are any questions regarding the requirements of this policy and its associated procedures; and
- c) reporting to the Director any suspected breach of f this policy and its associated procedures.

4. Procedures

Establishing the Purpose of Collecting Personal Information

The NCZC will only collect personal information that relates directly to, and is necessary for, operations of the NCZC, for example:

- a) to enroll individuals in a NCZC course or training program;
- b) to deliver requested services (e.g., sangha support, members' blog, wedding/funeral ceremony);
- c) to understand the needs of NCZC members and provide effective support to NCZC members;
- d) to enable communication regarding NCZC events or other NCZC information;
- e) to enable NCZC members to communicate with the organization and with each other regarding NCZC activities;
- f) for planning, evaluation, and statistical purposes;
- g) for historical and archival purposes; or
- h) to meet regulatory requirements.

Unless the purposes for collecting personal information are obvious and the individual whose information is sought voluntarily provides her or his personal information for those purposes, the purposes for which the personal information are being collected will be communicated (verbally or in writing) before or at the time of collection.

5. Consent

Consent will be obtained to collect, use, or disclose personal information, except as allowed by statute, for example:

- a) in an emergency that threatens an individual's life, health, or personal security, or if there is a need to contact next of kin or a friend of an injured, ill, or deceased individual;
- b) if the collection, use, or disclosure is clearly in the interests of the individual but consent cannot be obtained in a timely way;
- c) if the personal information is collected by observation at an event that is open to the public and at which the individual voluntarily appears;

- d) if the personal information is available from a public source (e.g., telephone directory);
- e) if necessary to collect a debt owed to the NCZC or for the NCZC to repay an individual money owed to them by the NCZC;
- f) when disclosure is required by law or as part of a legal investigation; or
- g) as otherwise permitted by law.

Consent may be provided verbally or in writing (including through electronic means), or it can be implied where the purpose for collecting, using, or disclosing the personal information would be considered obvious and the personal information is provided voluntarily for that purpose. Consent may also be considered implied if the individual is given a reasonable opportunity to opt out of his or her personal information being used (e.g., for mailings) and the individual does not opt out.

If consent is withheld or withdrawn for personal information to be used in certain ways, and such a withdrawal or withholding of consent would restrict the NCZC in its ability to provide a service, this will be explained to assist the individual in making the decision whether or not to withhold or withdraw his or her consent. Should consent still be withheld or withdrawn, the NCZC may, at its discretion, as a result not provide the service to that individual.

6. Using and Disclosing Personal Information

Personal information will only be used or disclosed where necessary to fulfill the purpose(s) identified at the time of collection, or for a reasonably related purpose.

Personal information will not be used or disclosed for any additional purpose(s) unless consent is obtained to do so.

Personal information will not be sold.

7. Retaining Personal Information

If personal information is used to make a decision that directly affects the individual, that personal information will be retained for at least one year so the individual affected has a reasonable opportunity to request access to the information.

Subject to Section 8, personal information will only be retained as long as necessary to fulfill the identified purposes or a legal or business purpose. Thereafter, personal information shall be destroyed or the means by which the

personal information can be associated with particular individuals shall be removed.

8. Access, Review, and Accuracy of Personal Information

A reasonable effort will be made to ensure that personal information is accurate and complete where it may be used to make a decision or will be disclosed.

Individuals have a right to access their personal information and to know how their personal information has been used (including any disclosures).

Any individual requesting access or correction to their personal information shall submit their request in writing to the Abbot/Abbess or the Director. The request should include sufficient detail to identify the personal information being requested and, if applicable, the correction being sought. The Abbot/Abbess shall, upon receipt of such a request, notify the Director.

Within 30 days of receipt of such a request the Director or designated alternate shall review the file with the Abbot/Abbess and respond to the request, or provide written notice of an extension where additional time is required to respond.

A minimal fee may be charged for providing access to personal information. If such a fee applies, the NCZC shall inform the requestor of the cost and request further direction on whether or not the NCZC should proceed with the request.

If a request for access is refused in full or in part, the Director or designated alternate shall notify the requestor in writing, providing the reasons for refusal and the recourse available.

If personal information is demonstrated to be inaccurate or incomplete, the information shall be corrected by the NCZC. If the requested correction is not made, the correction request shall be noted in the file along with the reason for not implementing the requested correction.

9. Securing Personal Information

The NCZC will make reasonable security arrangements regarding personal information to prevent unauthorized access, collection, use, disclosure, copying, modification, disposal, or similar risks.

At the NCZC office, the following security measures will be followed so that personal information in the custody of the NCZC is appropriately protected:

a) Paper files shall be stored in a locked filing cabinet, and shredded when no longer required;

b) Electronic files stored on a computer drive or removable media (e.g., CD, diskette) shall be password-protected, and deleted when no longer required; and

c) Any service providers performing work for the NCZC involving access to personal information (e.g., accountant/bookkeeper) shall be contractually required to provide comparable security measures if any information is to leave the NCZC office.

All NCZC personnel and staff who have access to personal information are hereby bound to abide by these policy guidelines, and to protect the privacy of that information and the individuals to whom it pertains. Failure to adequately safeguard the privacy of NCZC information by those given access to it can result in dismissal from any official positions held within the NCZC community, loss of membership in the NCZC community, and possible legal action on behalf of the NCZC.

Security policies and practices shall be reviewed and updated as technology changes to ensure ongoing personal information security.

10. Questions, Concerns, and Complaints

The Director is responsible for ensuring the NCZC's compliance with this policy and relevant statutes.

Any complaints, concerns, or questions regarding the NCZC's compliance should be submitted in writing to the Director.

11. Review

This policy and associated procedures may be reviewed and revised from time to time, as required by the NCZC Board or by changes to other relevant legislation, but no less frequently than every five (5) years.

All individuals who might be reasonably be affected by changes to this policy or to associated procedures/guidelines shall be informed of any such changes.