

General Data Protection Regulation (GDPR) Request Handling

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Category: ITS Procedure

1.0 – Overview

Organizations within the United States, including higher education institutions, are believed to be subject to the provisions of the European Union’s General Data Protection Regulation (GDPR) when engaging with constituents located in the European Union.

2.0 – Relevant Articles, Applicability

For purposes of this procedure, GDPR Articles of relevance include Article 15 (“Right of access by the data subject”), Article 16 (“Right to rectification”), Article 17 (“Right to erasure”), Article 18 (“Right to restriction of processing”), Article 19 (“Notification obligation regarding rectification or erasure of personal data or restriction of processing”), and Article 20 (“Right to data portability”). Other YC policies and procedures may address other specific Articles of the GDPR, or may address GDPR topics more generally.

3.0 – Handling GDPR Requests

The GDPR Request and Response process involves five main events – receiving the request from the data subject, reporting the request, verifying the request, processing the request, and finally confirming the request.

3.1 – Receiving the Request

The process by which a data subject requests access to or modification of regulated data are not well defined by the GDPR (reference Article 12), nor is there sufficient long term history of requests to use as the basis for forming this procedure. Therefore, it must be assumed that requests could originate by telephone, fax, postal mail, electronic mail, or by website feedback form and could be directed to any individual at the College.

Additionally, these requests could be made on behalf of the data subject by a third party, or notification from a YC business partner could serve as the formal request.

There is no known required subject line, body contents, or other distinct identifier that the request is related to GDPR, so recipients of messages are encouraged to look for text referencing “GDPR”, the “General Data Protection Regulation”, “right to be forgotten”, “right to erasure”, etc. Additionally, requests to correct allegedly inaccurate information, to restrict access to information, or to access or export data may be subject to GDPR enforcement. When in doubt, request assistance from a supervisor or follow instructions in section 3.2 below (“Reporting the Request”).

3.2 – Reporting the Request

Regardless of communication method, any YC employee or contractor who receives a GDPR request related to the Articles above shall immediately forward the request to gdpr-requests@yc.edu. This will open a support ticket in the College’s ticket management system (TMS) and will route the ticket to the Office of the Registrar for initial review.

It is critical that employees promptly forward all potential GDPR requests to the above address, as various GDPR Articles dictate specific timeframes to respond or address legitimate requests.

3.3 – Verifying the Request

Upon notification of a new request via the TMS, the Registrar’s Office will take appropriate steps to verify the authenticity of the request and the identity of the requestor, including requiring the requestor to complete the “Yavapai College GDPR Data Management Form”.

All communications will be documented on the ticket created in the TMS for auditing and compliance purposes. If an attempt to verify the request or identity of the requestor fails (or no response is received within 30 days), the employee assigned to complete the verification will note that in the ticket and mark the ticket as “Closed/Resolved”.

3.4 – Processing the Request

Once the Registrar’s Office has confirmed the request and the identity of the requestor, the Registrar or his/her designee will convene the GDPR Data Management Committee to address the specific elements of the request. This Committee shall consist of the following representatives (or their designees):

- Registrar
- Chief Information Officer
- Chief Information Security Officer
- Application Development Manager
- Director of Marketing
- Invited Attendees Based on Data Subject Attributes and Requests:
 - Director of Human Resources
 - Director of Alumni Relations
 - Director of Yavapai College Foundation
 - Dean of Community Education
 - Director of Campus Safety / Chief of Police
 - Director of Residence Life
 - Director of Financial Aid
 - Other Representatives as Appropriate

Each Committee member will be responsible for coordinating departmental responses to the Data Subject’s Request, potentially including permanent deletion of data (immediate or phased), restriction on processing of data, rectification of inaccurate data, or exporting of data for data access and portability requests.

In no case shall a Committee member authorize the deletion of a Data Subject’s data where the data is obligated to be retained by State or Federal Statute or where there exists a threat of legal action involving said Data or the Data Subject.

The Registrar shall serve as Committee Chair for the duration of the Committee’s organization; all members shall provide status updates and report concerns directly to the Chair.

3.5 – Confirming the Request

Once process of the request has been completed (or undertaken, in the case of processing delayed due to retention requirements), the Registrar will communicate with the Requestor the status of the request and actions taken. Where actions will be delayed, the Registrar will communicate updates in a timely manner until the Request has been fully satisfied.

In no case shall confirmation of the request exceed 30 days from the date the request and Requestor were verified as authentic. Delays of up to a total of 90 days from the date of original request are permissible subject to legitimate organizational need.

Upon satisfaction of the request, the Registrar shall close the support ticket in the TMS. Data related to the Data Subject contained within the ticket may remain for 18-24 months for audit and compliance purposes and may then be anonymized if requested by the Data Subject.

4.0 – Revision History

Author	Date	Version	Reason
S. Hagan	2018 October 24	1.0	Initial Creation

5.0 – Inquiries

Direct inquiries about this procedure to:

Patrick Burns
Chief Information Officer – Yavapai College
E-mail: Patrick.burns@yc.edu
Voice: (928) 776-2055