

# **KEEN USA and Affiliates**

## **Privacy Policy**

### **COMMITMENT TO PRIVACY OF ATHLETE, VOLUNTEER AND EMPLOYEE INFORMATION**

KEEN is committed to protecting the privacy of the information that it receives from its athletes, volunteers, and employees. To ensure that its practices reflect this commitment, KEEN has implemented this Privacy Policy to provide its employees and volunteers with guidance as to how this information may be used and disclosed. KEEN requires its employees and volunteers to abide by this Privacy Policy to ensure the continued success of the organization.

If you have any questions about this Policy or about privacy of Protected Information (defined below), please contact KEEN's Executive Director or designated individual at [info@keenusa.org](mailto:info@keenusa.org) or 1-866-903-KEEN.

### **USE AND DISCLOSURE OF PROTECTED INFORMATION**

#### **I. Definitions**

##### **Protected Information**

For purposes of this Policy, Protected Information includes the following information received from athletes (or related others), volunteers and employees:

- Non-public information about a KEEN athlete, employee or volunteer (past or present), including non-public financial information.
- The health information of a KEEN athlete or employee (past or present) in combination with any identifying information about that person.
- Any other sensitive information about a KEEN athlete, employee or volunteer (past or present) (e.g., child custody or other personal information).

##### **Volunteer and Employee Protected Information**

For purposes of this Policy, Volunteer and Employee Protected Information is Protected Information about a KEEN volunteer or employee received by KEEN from the volunteer or employee.

##### **Athlete Protected Information**

For purposes of this Policy, Athlete Protected Information is Protected Information about a KEEN athlete and his or her parents or guardian received by KEEN from the athlete, the athlete's family, friend, guardian, physician or any other third party.

## **II. Use and Disclosure of Volunteer and Employee Protected Information**

When an individual applies to become a KEEN volunteer or employee, he or she completes an application form that requests his or her name, address, phone number and other identifying information. All of the information on this form, and any other Protected Information provided to KEEN by the volunteer or employee, is Volunteer and Employee Protected Information. This information will be maintained in KEEN's online database and may not be maintained on any laptop computer.

*Special Treatment of Social Security Numbers.* If KEEN receives a volunteer or employee's Social Security Number, that Social Security Number will not be maintained on the online database or on laptop computers. If a Social Security Number is obtained from a volunteer or employee for purposes of conducting a background check, the document containing the Social Security Number must be shredded or the Social Security Number redacted from the document promptly following receipt of the background check report. If the background check report contains the volunteer or employee's Social Security Number, the Social Security Number must be redacted promptly if the report is maintained by KEEN or the report must be shredded. Employment applications, which may include Social Security Numbers, must be stored securely in a locked file cabinet or at a storage facility. Employees' Social Security Numbers are maintained, for employment purposes, on KEEN's payroll company's database. Social Security Numbers may be disclosed for other legitimate business reasons. For instance, if an employee is to receive a KEEN credit card or check signing privileges, the employee's Social Security Number may be provided to the credit card company or the bank, respectively.

Volunteer and Employee Protected Information may not be used or disclosed by any KEEN employee or volunteer for any purpose other than to contact the volunteer or employee for matters directly related to KEEN and the individual's involvement with KEEN or for certain administrative, programmatic or other business purposes. This information may not be shared with any third party, including other KEEN volunteers or employees or KEEN athletes, for any other purposes without the express written consent of the volunteer or employee whose information would be disclosed, unless such disclosure is required by law.

### **Examples of Appropriate Uses and Disclosures of Volunteer and Employee Protected Information by "KEEN" (i.e., by KEEN employees or volunteers):**

*KEEN may use Volunteer and Employee Protected Information to:*

- contact a volunteer or employee to confirm that he or she will be attending an upcoming event;
- mail a KEEN newsletter, donation request form or other document created by KEEN describing the organization to a current or past volunteer; or
- conduct a reference check or background check.

### **Examples of Inappropriate Uses and Disclosures of Volunteer and Employee Protected Information by "KEEN":**

*KEEN may not disclose Volunteer and Employee Protected Information to:*

- another volunteer so that the requesting volunteer can contact other volunteers at home for non-KEEN purposes;
- a KEEN athlete or the family of an athlete; or
- any third party for a purpose not related to KEEN, unless the disclosure is required by law or expressly authorized by the volunteer.

### **III. Use and Disclosure of Athlete Protected Information**

When an individual applies to become a KEEN athlete, the individual's parent or guardian completes an athlete registration form that requests the individual's name, address, phone number and other identifying information, including information related to the athlete's disability, medical condition and medications. The information included on this form, and any other Protected Information received by KEEN related to the athlete is Athlete Protected Information.

KEEN will not request, collect or maintain an athlete's Social Security Number.
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Once the individual becomes a KEEN athlete, KEEN creates an athlete profile form on its database for that athlete using the information from the athlete registration form. The athlete profile form is distributed to the volunteers who are running the program in which the athlete is participating, and to those who are working directly with the athlete to maximize the experience for the athlete. During each program session, the volunteers who worked with the athlete that day may note additional information on the athlete profile form so that the form can be updated by a KEEN employee or volunteer. This additional information provided by the volunteer and all other information contained within the athlete profile form is considered Athlete Protected Information.

Athlete Protected Information may not be used or disclosed by any KEEN employee or volunteer for any purpose other than to provide services to the athlete when he or she is participating in a KEEN program and for matters directly related to KEEN's administrative, programmatic and fundraising purposes. This information may not be shared with any third party, without the express written consent of the parent or guardian of the athlete whose information would be disclosed, unless the disclosure is required by law.

To protect the confidentiality of Athlete Protected Information, at the end of each program session, volunteers must return all athlete profile forms to the volunteer or employee in charge of the program. Similarly, the employee or volunteer in charge of the program must make all reasonable efforts to collect (or direct others to collect) every athlete profile form, and when unable to collect any athlete's profile form, the employee or volunteer in charge must provide the KEEN affiliate director with an explanation as to why it was not collected so that KEEN can attempt to take steps necessary to collect that information (e.g., contacting the volunteer that worked with that athlete to collect the athlete profile form).

**Examples of Appropriate Uses and Disclosures of Athlete Protected Information by “KEEN” (i.e., by KEEN employees and volunteers):**

*KEEN may use Athlete Protected Information to:*

- determine which activities would be most enjoyed by and would be most beneficial to the athlete; and
- mail a KEEN newsletter, donation request form, brochure, annual report, or other materials to a current or past athlete’s family, unless a family has opted out of receiving such information.

**Examples of Inappropriate Uses and Disclosures of Athlete Protected Information:**

*KEEN may not:*

- disclose Athlete Protected Information to a volunteer so that the volunteer can contact the athlete at home without the parent or guardian’s express written; or
- disclose Athlete Protected Information to any individual or other third party, for a purpose not related to KEEN, unless such disclosure is required by law or authorized in writing by the Athlete’s parent or guardian.

When discussing participation in the KEEN program, or any particular program activity or session, volunteers and employees should be mindful of the need to protect the Athlete’s identify.

**CONFIDENTIALITY AGREEMENTS**

All KEEN employees and volunteers must read and sign a confidentiality agreement that requires them to take all reasonable measures to restrict the use and disclosure of Protected Information in accordance with the law and this Policy.

**VIOLATIONS OF THE PRIVACY POLICY**

As set forth in this Privacy Policy, KEEN is committed to protecting the privacy of Protected Information. Any violation of this Privacy Policy will be taken seriously. Any employee or volunteer who violates this Policy may be subject to sanction, including, but not limited to an oral or written reprimand, or when appropriate, termination of employment or removal from further volunteer participation in any KEEN program.