



# Internet Privacy

Policy IT005

Volume 10, Information Technology

Responsible Administrator: Vice President for Information Technology and CIO

Responsible Office: Office of the Vice President for Information Technology and CIO

Issued: June 2002

Last Updated: October 2018

## Policy Statement

Consistent with the provisions of New York State law, including the Internet Security and Privacy Act, the Freedom of Information Law, and the Personal Privacy Protection Law, this policy describes Fashion Institute of Technology's ("FIT" or "the college") privacy practices regarding information collected from the users of FIT websites and digital properties. This policy describes what information is collected and how that information is used and protected. It provides individuals who interact with FIT websites and digital properties an understanding of how FIT may collect, use, and store personal information. By using FIT websites and digital properties, users are consenting to the practices of FIT.

## Reason for the Policy

The college is committed to protecting the privacy of individuals or businesses who interact with FIT websites and digital properties, and FIT recognizes that it is important for individuals and businesses to be confident that their privacy is protected when they visit the college website. In order to protect the privacy of visitors and to comply with all applicable laws and regulations relating to digital information, this policy describes the ways general and personal information is collected and used.

## Who is Responsible for this Policy

- Vice President for Information Technology and CIO

## Who is Affected by this Policy

- The entire FIT community
- Individuals and businesses that use FIT websites and digital properties

## Definitions

- **Personal Information** – Any information concerning natural person which, because of name, number, symbol, mark, or other identifier, can be used to identify that natural person.
- **FIT websites and digital properties** – <http://www.fitnyc.edu> and related domains, online applications, mobile applications, and content contained therein owned, controlled, or operated by FIT.

## Principles

- **Information Collected by FIT**

- **Information Collected Automatically (Including Cookies)**

Visitors to FIT websites and digital properties may be subject to the collection and tracking of certain information such as user IP address, domain name used, browser type and version, operating system, date and time of access, geolocation, the pages you visit, the pages you visit before you visit or as you leave the site, and any materials downloaded. This information is not considered personal information under this policy.

This information is used to analyze trends and viewing habits, to conduct statistical analysis to understand how users are interacting with the site, to monitor for abuse or malicious activity, to diagnose system performance issues and otherwise provide technical support, and for website administration. While this information is not collected specifically for commercial marketing purposes, FIT reserves the right to utilize this information for future marketing activities pertaining to FIT and other SUNY affiliates. FIT does not sell or otherwise disclose the collected information from FIT websites or digital properties to non-affiliated parties for commercial marketing purposes.

Cookies are small files that are stored on your web browser or computer that distinguish between users of a website. Cookies help FIT understand your preferences and basic information about your visit and may help facilitate your future access, by recognizing you when you visit again and tailoring information to you. The software or hardware you use to access the website allows you to refuse new cookies or delete existing cookies. Refusing or deleting these cookies may limit your ability to take advantage of some features of this website.

- **Information Provided Voluntarily**

During your visit to FIT websites and digital properties, you may send an email, contact FIT with an inquiry or comment, or otherwise complete a transaction such as completing registration materials or forms, completing a financial transaction, completing a survey or form, completing click-throughs, or placing an order. By doing so, FIT will collect all of the information that you submit, including personal information, your email address, and the contents of any message or transaction sent, which may not be limited to text. This information will be used to respond to you, to address issues you identify, to improve this website, to forward your message for appropriate action, or to complete the transaction requested (such as providing information or services to you). Generally, FIT does not collect personal information through FIT websites and digital properties unless you provide it voluntarily, as you may choose whether to engage with FIT through FIT websites and digital properties by choosing whether to send an email, complete a form, complete a transaction, etc. If you choose not to participate in these activities, however, your ability to use FIT websites and digital properties and FIT's services may be

limited, particularly where FIT requires certain forms, registration, or activities to be completed online.

The information you provide is not collected for commercial marketing purposes, and FIT does not sell or otherwise disclose the information collected for commercial marketing purposes. The information may be shared or disclosed for purposes that may be reasonably ascertained from the nature and terms of the transaction in which the information was submitted.

- **Retention of Information**

FIT will keep information for as long as it is necessary to fulfill the purpose for which it was collected and in accordance with FIT's [Records Retention and Disposition policy](#), which is governed in part by New York and/or federal law.

- **Disclosure of Information**

Except as provided in this policy, FIT does not collect or disclose (including to FIT employees who do not need the information in the performance of their official duties) personal information of any person to any other party unless the user has consented to the collection or disclosure of personal information. The voluntary disclosure of personal information to FIT through FIT websites and digital properties, whether solicited or unsolicited, shall constitute consent to the collection or disclosure of the information by FIT for the purposes for which the user disclosed it, as reasonably ascertainable from the nature and terms of the disclosure. Personal information collected by FIT may be shared with a third party, at the discretion of FIT, when sharing is:

- necessary to perform FIT's statutory duties or operate its programming. This includes where sharing is necessary to further any of the purposes (including to enforce FIT's rights against unauthorized access or attempted unauthorized access or other inappropriate uses of the website) outlined in this policy, including where FIT contracts with or otherwise engages third parties on its behalf to perform online services for such purposes;
- made pursuant to court order or law;
- to validate the identity of the user; or
- sharing is done for statistical purposes in a form that cannot be used to identify any particular person (e.g. statistical purposes).

Disclosure of information, including personal information, collected through the website is subject to the provisions of the New York State Freedom of Information Law and Personal Privacy Protection Law.

- **Confidentiality/Protection**

FIT takes the security of all information, including digital information, seriously and has dedicated resources to the protection of data. This includes technological controls that meet or exceed industry standards, and a staff that is trained in information confidentiality, integrity, and availability of electronic data, resources, and communications.

- The college limits employee access to personally identifiable information from FIT websites and digital properties only to those employees who require access to the information in the performance of their official duties
- The college has implemented procedures to safeguard the integrity of its information technology assets, including, but not limited to, authentication, authorization, and monitoring. These security procedures have been integrated into the design, implementation, and day-to-day operations of FIT websites and digital properties as part of the continuing commitment to the security of electronic content as well as the electronic transmission of information. FIT utilizes various technological measures to monitor traffic and identify unauthorized attempts to access information or otherwise interfere with the operation of its website.
- FIT complies with the federal Family Education Rights and Privacy Act (FERPA), which governs the release of and access to student education records.
- The information in this privacy policy should not be construed as giving business, legal, or other advice, or warranting as fail proof, the security of information provided through FIT websites and digital properties.

- **Access/Correction to Personal Information**

A user may submit a request to [compliance@fitnyc.edu](mailto:compliance@fitnyc.edu) to determine whether personal information pertaining to that user has been collected through FIT websites and digital properties. Any such request shall be made in writing and must be accompanied by proof of identity of the user, such as verification of a signature or inclusion of an identifier generally known only to the user.

Upon receipt of a valid request, FIT shall within five business days (a) provide access to the personal information; (b) deny access to the personal information in writing, with an explanation of the denial; or (c) acknowledge the receipt of the request in writing and state the approximate date of when the request will be granted or denied, provided that the date is not more than 30 business days from the date of acknowledgment.

If personal information has been collected and the information is to be provided to the user, FIT will inform the user of the right to request the personal information be amended or corrected under Section 95 of New York's Public Officers Law.

- **Updates to the Policy**

FIT reserves the right to update/amend this policy as it deems advisable. If it chooses to do so, the effective date of the updates/amendments will be identified in this policy and will be published to the FIT Policy Library. Users will be deemed to have agreed to any such modifications by their continued use of FIT websites and digital properties on or after the 'last updated' date. All users of FIT websites and digital properties are encouraged to review this policy as often as necessary to remain aware of its current conditions.

- **Personal Information of Children**

FIT websites and digital properties does not knowingly solicit or accept information or data about minors without parental consent. If users believe that FIT has collected personally identifiable information from a minor without the consent of the child's parent or guardian, please contact the Chief Information Security Officer immediately and we will promptly investigate the report and take appropriate action.

Users are cautioned that the collection of personal information submitted through FIT websites and digital properties will be treated as though it was submitted by an adult, and may, unless exempted from access by federal or State law, be subject to public access.

- **Interactive Features**

While FIT and FIT websites and digital properties strive to protect users' personal information and privacy, FIT cannot guarantee the security of any information disclosed online through interactive features such as forums, message boards, chat rooms, or similar services, including embedded interactive features from third-party sites such as social media. Please keep in mind that users disclose information at their own risk while using all interactive features that are specifically designed to be visible to other users, including embedded interactive features from FIT or other social media channels that are not directly part of FIT websites and digital properties. Users should be aware that any personally identifiable information submitted via those media can be read, collected, and used by other participants and could be used to send unsolicited messages. FIT is not responsible for the personally identifiable information submitted when users engage in such activities. FIT may also use interactive features and tools, including pixel tags added to FIT websites and digital properties, that allow data collected about visits and actions of visitors to be sent to third-party sites, such as social media, to track conversions and to allow FIT and other affiliated SUNY institutions to create custom audiences for the courses, products, or services FIT or an affiliated SUNY institution may advertise on third-party sites. FIT also may provide these third-party sites with other data collected about users for this purpose, using the interactive feature tools that allow data such as email addresses and phone numbers to be locally hashed on FIT's system before uploading and passing such data to third-party websites. The use of such data is governed by each third-party site's data use policies.

- **EU General Data Protection Regulation**

Individuals in the European Economic Area have rights under the General Data Protection Regulation (GDPR), and should be aware that information collected by FIT websites and digital properties will be processed in the United States. FIT has developed privacy notices that provide information to its students, employees, and website visitors about how FIT collects and processes personal data; these notices are available at FIT's [GDPR webpage](#). FIT is responsible for building privacy into our systems, conducting regular data privacy and impact assessments, implementing certain consent mechanisms, following strict procedures for reporting data breaches, and documenting and providing notice about the use of personal data.

Individuals in the European Economic Area should also refer to the European Economic Area Privacy Notice, which supplements this policy. A link to the regulation text is in the “Related Documents” section below.

## Responsibilities

N/A

## Procedures

N/A

## Violations

N/A

## Related Policies

- [Data Custodianship and Access](#)
- [Computer and Network Use](#)
- [Information Security](#)
- [Records Retention and Disposition](#)
- [FIT Family Education Rights and Privacy Act \(FERPA\) policy](#)

## Related Documents

- [FIT Privacy Website](#)
- [FIT GDPR Website](#)
- [FIT Website Terms of Use](#)
- [FIT Social Media Terms of Use](#)
- [Child Online Protection Act \(COPA\)](#)
- [Health Insurance Portability and Accountability Act \(HIPAA\)](#)
- [General Data Protection Regulation](#)
- [Gramm-Leach-Bliley Act \(GLBA\)](#)

## Contacts

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