



Policy: Interim Privacy Policy for Symptom Assessment Application and COVID Testing	Policy Number: I-7.9
Policy Owner(s): Information Technology and Human Resources	Original Date: August 11, 2020
Last Revised Date: December 17, 2020	Approved Date: August 11, 2020

- I. **POLICY:** In furtherance of its efforts to take preventative measures for the health and safety of the John Carroll University (“the University” or “JCU”) community, the University has undertaken several public health measures, including 1) collaboration with ivy.ai (the maker of #CampusClear) and other external vendor(s) in order to facilitate an app-based daily symptom assessment (“the App”), and 2) a COVID-19 testing program, including surveillance testing as part of its efforts to monitor, prevent and control the spread of COVID-19 and related illnesses.

This Policy is to adopt a privacy policy related to the data collected from the App and from COVID-19 testing.

Data and results collected from the App or from COVID-19 testing, in conjunction with other data collected by JCU, may be used to identify and limit campus contact with individuals with COVID-19; implement mitigation measures; provide University community members with direction regarding follow-up, treatment and testing; undertake/assist in contact tracing; inform and collaborate with public health authorities; undertake processes outlined in the COVID-19 Interim Policy, the COVID-19 Employee Response Policy, and COVID-19 Student Response Policy; and/or undertake other efforts aimed at mitigating the risks posed to the University community or broader community by COVID-19.

This Interim Policy outlines the privacy expectations applicable to such information and data, along with the ways that the University may have to disclose certain data in the interests of public health and safety.

- II. **PURPOSE:** The purpose of this Interim Policy is to establish expectations concerning how the University will utilize data collected from or otherwise derived from its symptom assessment application, its COVID-19 testing program, and other related data sources. These efforts are part of the University's ongoing efforts to help keep the John Carroll community healthy and safe.

III. **SCOPE:** This Interim Policy applies to John Carroll faculty, staff, employees, students or any other individuals providing information through the JCU-affiliated version of #CampusClear or related efforts, or participating in the JCU COVID-19 testing program.

IV. **PROCEDURES:** The University desires to balance the need to appropriately utilize data collected via its app-based symptom self-assessment system, #CampusClear, the University COVID-19 testing program, and other related processes for University health and safety purposes and the privacy interests of individuals providing data via the app or via testing results. This policy will govern the use of such results and data.

1. **Consent:**

a. **#CampusClear App:** By providing information via #CampusClear and related processes, a JCU employee (faculty member, staff, or other employee), student, or any other individual (collectively "User(s)") consents to the University utilizing that data consistent with this policy and other applicable University processes/policies. Users also are consenting to the collection of data by ivy.ai, or other vendors as applicable, who may then process that data and share it with JCU. The collection of data by JCU or third-party vendors such as ivy.ai is authorized by this policy and by the applicable user agreement and/or privacy policies maintained by such vendors. To the extent that this policy conflicts with or contradicts other general University policies, then this policy shall prevail and govern the use of information provided by a user to the fullest extent allowable by law.

b. **COVID-19 Testing Program:** Students, faculty and staff participating in the COVID-19 testing program will be required to sign a consent and disclosure document prior to participating in any COVID-19 testing. The consent will include authorization to permit the University to share information with those with a need-to-know the results and related information, including to Human Resources; the University Health Center; other University employees or contractors with a need-to-know related to mitigation and prevention efforts; and public health authorities.

2. **Use of Data:** The information collected via the #CampusClear App or the COVID-19 testing program, and related processes such as contact tracing information, may be used by the University to mitigate the risks associated with COVID-19 and related illnesses. Although information provided by users and participants will be treated as private information, it may be necessary to disclose information collected internally and/or externally on a need-to-know basis in order to protect the health and safety of the University and broader community.

- a. **Internal Disclosures.** JCU may need to disclose information submitted by users via #CampusClear, participants in the COVID-19 testing program, and/or other related processes or derived from such information within the JCU community in order to internally manage its health and safety planning processes (e.g. review by appropriate JCU administrators to advise individuals and determine appropriate public health measures). Additionally, it may be necessary to share certain information submitted by individuals or derived from such information to third parties (e.g. those exposed to the individual) as part of JCU's public health and safety response and contact tracing processes so that they can determine whether or not they need to take health precautions. These disclosures may sometimes include information that indicates or infers that the user or test participant reporting the symptoms or information have tested positive for COVID-19 or may have been a possible point of exposure for COVID-19.
 - b. **External Disclosures.** JCU may need to disclose information submitted by users via #CampusClear, COVID-19 testing results, and/or other related processes or derived from such information to individuals or entities outside of JCU in order to comply with its obligations to public health authorities, to warn the JCU and broader community about public health issues, as part of contact tracing, and/or to provide information required by appropriate public health or governmental authorities
 - c. **Other Disclosures.** JCU reserves the right to use data provided by users via the app or testing results for other purposes that in its sole judgment are appropriate in order to protect the health and safety of the University community.
 - d. **Questions About Data.** Individuals who have questions about the data JCU is collecting via #CampusClear or the manner in which such data is being used should contact Jim Burke (burke@jcu.edu) in order to discuss these issues. Individuals who have questions about the use of testing results or related information or the manner in which such data is being used should contact Human Resources or the University Health Center in order to discuss these issues.
3. **Amendments:** This interim policy governs a rapidly evolving health and safety issue and thus it may be amended immediately upon the publication of an updated version on JCU's website at <https://jcu.edu/hr/policies>.

V. CROSS REFERENCES:

COVID 19 Interim Policy
COVID-19 Employee Response Policy
COVID-19 Student Response Policy