

## **Confidentiality Policy**

### **I. Purpose:**

The Boise State University Foundation, Inc. ("Foundation") has certain information that is confidential and proprietary in nature. All Responsible Persons (defined below) have an obligation to protect this information for the benefit of the Foundation and its donors.

### **II. Responsible Persons:**

This Confidentiality Policy is applicable to all individuals who have access to Confidential Information as defined in this Policy ("Responsible Persons"). For example, this would include the following:

- Foundation Board of Directors and employees;
- Consultants, including accountants and attorneys;
- Boise State University ("BSU") employees;
- Board members and employees of BSU-affiliated organizations (for example, the Bronco Athletic Association, Alumni Association, Frank Church Institute, Friends of Nursing);
- BSU college advisory board members; and
- All others who have access to Confidential Information.

### **III. Confidential Information:**

"Confidential Information" is defined in this Confidentiality Policy to include the following:

1. Past, current, and prospective donor information, including, without limitation, donor identities, donation histories, any kind of personal or corporate financial information, salaries, net worth, family data, asset holdings, and any other details of the donors' relationships with the Foundation.
2. All other information in the Foundation's donor database, including but not limited to scholarship recipients, graduates, and members in BSU-affiliated organizations.
3. Information concerning the Foundation's business and operations, including without limitation, cost information; profits; investments; accounting and unpublished financial information; development plans; studies; positions or statements of individual board members, advisors, or staff; personnel issues; and nonpublic information concerning the Foundation's employees, officers, directors, service providers, and independent contractors.
4. BSU records of any kind, including without limitation, unpublished financial information, information concerning projects and developments, student information and data, applicant information and data, information concerning any BSU employees, information regarding any BSU donors or partners, and any other information concerning BSU that is not made available to the public.
5. Any trade secrets defined in the Idaho Trade Secrets Act, Idaho Code §48-801, including any information, formulae, patterns, compilations, programs, computer

programs, devices, methods, techniques, or processes that derive independent economic value from not being generally known to other persons and not being readily ascertainable by proper means by other persons and are the subject of reasonable efforts by the Foundation to protect their secrecy.

6. Notwithstanding the foregoing, the definition of "Confidential Information" does not include any information that is generally available to the public

#### **IV. Obligation to Protect Confidential Information:**

Each Responsible Person is required to sign the Foundation's Acknowledgment and Agreement Regarding Confidential Information prior to having access to Confidential Information.

Each Responsible Person shall keep the Confidential Information strictly confidential, whether it is in written, electronic, or verbal form. No Responsible Person shall use or disclose such information to others without the Foundation's written consent, except as necessary to perform the Responsible Person's job.

This Confidentiality Policy shall not be construed in any manner to prevent the Foundation from disclosing information to taxing authorities or other governmental agencies or courts having regulatory control or jurisdiction over the Foundation.

For each BSU-affiliated organization which has its own confidential information policy and agreement, the Foundation will review the policy and agreement and decide whether it will fulfill the obligations under this Confidential Information Policy.

#### **V. Unlimited Time to Protect Confidential Information:**

This Confidentiality Policy applies during a Responsible Person's employment or services to the Foundation, and it also applies after such employment or services have concluded.

The Foundation Executive Director will send an annual communication to all Responsible Persons to remind them of their obligation to comply with this Policy.