

Frostburg State University

GLBA Safeguards Rule Reference Guide



Data	Activity	Safeguard Rule?	Rationale
May be considered Nonpublic personal information *	Customer address collected	Maybe	Only protected under Safeguards Rule when this data is collected along with financial information, since this allows the University to tie individuals to their personal information. 16 C.F.R. § 313.3(n)(1)
May be considered Nonpublic personal information *	Customer name collected	Maybe	Only protected under Safeguards Rule when this data is collected along with financial information, since this allows the University to tie individuals to their personal information. 16 C.F.R. § 313.3(n)(1)
May be considered Nonpublic personal information *	Customer phone number	Maybe	Only protected under Safeguards Rule when this data is collected along with financial information, since this allows the University to tie individuals to their personal information. 16 C.F.R. § 313.3(n)(1)
Nonpublic personal information *	Credit card transactions not involving a financial product or service	No	Information not gathered "to obtain", "resulting from a transaction involving" or "in connection with providing" a defined financial product or service. 16 C.F.R. § 313.3(o)(1)
Nonpublic personal information *	Credit card transactions involving a financial product or service	Yes	Information is gathered "to obtain", "resulting from a transaction involving" or "in connection with providing" a defined financial product or service. 16 C.F.R. § 313.3(o)(1)
Nonpublic personal information *	Extending credit to customers via layaway or deferred payment plans	No	Occasional layaway and deferred payment plans do not create a GLBA covered activity. 16 C.F.R. § 313.3(k)(4)(i)
Nonpublic personal information *	Payroll advances (or "loans") to employees to ease the burden of a cancelled payroll payment due to an error in payroll processing	No	The funds being paid to the employee are really payroll for services rendered during the pay period.
Nonpublic personal information *	Purchasing Card (P-Card)	No	The purchasing card is used by employees for University business.

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Nonpublic personal information *	Financial aid that takes the form of need or merit-based scholarships and fellowships	No	Because these kinds of financial aid are not loans to be repaid, and do not involve the charging of interest, they are not considered a financial product.
Nonpublic personal information *	Fee waivers, wherein tuition or student fees are either reduced or not charged at all	Maybe	A waiver, which typically takes the form of writing off or reducing an amount otherwise owed, is not an extension of credit and thus is not considered a financial product or service. However, financial aid forms that may be required to apply for the fee waiver are protected.
Nonpublic personal information *	Write-offs of amounts owed for non-financial products or services	No	This does not involve the extension of credit, per se.
Nonpublic personal information *	Loan programs of various flavors (mortgages, personal loans, Federal direct lending) where the University is not the lender, but rather facilitates the process (such as putting the lender in touch with the borrower, providing names to a lender, etc.)	Yes	In these situations, the University is either providing a financial product directly, or is involved indirectly with a third-party provider.
Nonpublic personal information *	Agency funds	No	The Safeguards Rule covers individuals, and because agency funds normally involve organizations rather than individuals, this is not a covered activity.
Nonpublic personal information *	Insuring, guaranteeing, or indemnifying against loss, harm, damage, illness, disability or death	No	Not a financial product, in the University context of overseeing medical and dental plans.
Nonpublic personal information *	Payroll setup and processing	No	Not a financial product; normal payroll processing.
Nonpublic personal information *	Guest lecturers: if funds are wired, bank account info may be needed; SSN needed for tax purposes	No	Normal payables processing: no financial product involved.

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Nonpublic personal information *	Student field trips - driver's license info required for van drivers on fieldtrips	No	Not a financial product.
Nonpublic personal information *	Contract for Professional Services - required for non-University contractors; in some cases, income information may be included on a visa application for foreign students	No	Not a financial product.
Nonpublic personal information *	Laptop leasing program (as currently structured by UMC)	No	Laptop leasing activity has been deemed to be an operating lease program because the UMC campus does minimal work on the computers.
Nonpublic personal information *	Tuition and student fees collection activity	No	Information not gathered "to obtain", "resulting from a transaction involving" or "in connection with providing" a defined financial product or service. 16 C.F.R. § 313.3(o)(1)

* Nonpublic personal information includes personally identifiable financial information provided by a customer or otherwise resulting from a transaction where the University is providing a financial product or service to the customer. Examples include the following:

- Account balance
- ACH number
- Bank account number
- Credit card number
- Credit rating
- Date of birth
- Location of birth
- Driver's license information
- Income history
- Payment history
- Social security number
- Tax return information