

# **Confidentiality Policy Congregation Beth David (Draft – Rev 8)**

## **1.0 Purpose**

The purpose of this policy is to define what constitutes confidential information and how such information is to be handled and kept confidential by members of the Board of Directors, members of any committee with powers delegated by the bylaws, and members of any other committees established by the Board and chartered with specific confidentiality requirements. An additional confidentiality policy specifically for employees is included as part of the Personnel Policy.

This policy is not intended to prevent disclosures as required by law, or compelled by court order or by judicial or administrative proceedings.

## **2.0 Confidential Information**

The following information is to be considered confidential in nature and shall be handled in accordance with this policy.

### **2.1 Member Information**

All personally identifiable member information maintained in the membership database or disclosed in confidence by or about any member to any person subject to this policy shall be kept strictly confidential, unless specifically authorized for public disclosure. Only those persons authorized by the bylaws, by Board policy or who are directly responsible for maintaining this data shall discuss or have access to this information

Disclosure of membership information may be made to support the operations of the Congregation, but only such information as is needed shall be disclosed. This includes, but is not limited to:

- Providing member contact information for rosters, campaigns and outreach, however members may request that such information not be made generally available (e.g., not to be disclosed publicly or published in a directory).
- Publication of life cycle dates (e.g., Yahrzeits, Birthdays and Anniversaries) unless the member has requested that such information be kept confidential.
- Information related to donor recognition, including any anonymity requests as described in the Gift Acceptance Policy.

## **2.2 Employee Personal and Professional Information**

Confidential employee personal and professional information includes, but is not limited to:

- Personal data, such as a Social Security Number, date of birth, marital status, and mailing address.
- Any medical information, such as insurance coverage, illness or disability
- Job application data, such as a resume, background checks, and interview notes.
- Employment information, such as the terms of an employment contract, pay rate, bonuses, and benefits.
- Job performance data, such as performance reviews, warnings, and disciplinary records.
- Administrative information, such as time sheets, pay stubs, direct deposit forms, and tax forms.
- Job termination data, such as the employee's resignation letter, termination records, and any unemployment insurance claims.

## **2.3 Board Discussions and Voting in Open Session**

Meetings of the Board of Directors are open to the public, so any discussion or information disclosed in open session is not considered confidential information. If a closed ballot is requested for any vote, the information about how any individual Board member voted shall be considered confidential.

## **2.4 Board Discussions and Voting in Closed Session**

The minutes of any Board meeting shall indicate when the Board goes into closed session but shall not normally reflect any of the topics or discussion that occurs in closed session. However, when the board takes an action in closed session that needs to be recorded, the presiding officer will provide any such text that is to be included in the official minutes of the meeting. All discussion conducted in closed session shall be considered confidential information.

## **2.5 Committee Discussions**

The internal discussions and actions of any committee with powers delegated by the bylaws or chartered by the Board of Directors with specific confidentiality requirements shall be considered confidential, except where the information is public or is to be made public as part of the committee's responsibility.

## **2.6 Other Confidential Information**

The Board of Directors may, from time to time, identify other information which is to be treated as confidential under this policy.

## **3.0 Duty to Maintain Confidential Information**

Each member of the Board of Directors, any member of a committee with powers delegated by the bylaws, and any member of a committee chartered by the Board of Directors chartered with specific confidentiality requirements shall have a duty to maintain the confidentiality of any confidential information received in the course of their duties or service.

The duty to maintain confidentiality continues after a person has completed their Board service or committee assignment.

Any person subject to this policy who purposely, or through a failure to exercise reasonable care, causes confidential information to be disclosed will be subject to disciplinary action, which can include, but is not limited to, removal from office or committee assignment.

## **4.0 Acknowledgement**

Each member of the Board of Directors, any member of a committee with powers delegated by the bylaws, and any member of a committee chartered by the Board of Directors with specific confidentiality requirements, shall be given a copy of this policy and shall acknowledge, either in writing or electronically, that such person has received a copy of this Confidentiality Policy, has read and understands the policy and has agreed to comply with the policy.

The Secretary, or their designee, shall maintain a record of those subject to this policy and their acknowledgement. Any individual who serves in multiple roles subject to this policy need only acknowledge receipt of the policy one time.

Any Board member or subject committee member who has received a copy of the policy and fails to acknowledge in a timely manner that they have received a copy of this policy shall be considered to have resigned their position.

## **4.1 Amendments**

If this policy is amended, all persons subject to the policy shall be required to acknowledge receipt of the amended policy.



**Examples:**

The following examples serve to illustrate the implementation of the policy. They are not part of the policy.

The Board of Directors goes into closed session to discuss a personnel issue. In the end, no action is taken. The minutes should reflect that the Board went into closed session with no mention of what was discussed. Anything discussed during the closed session is confidential information.

The Nominating Committee is considering asking Jane to serve on the Board, but Joseph, one of the committee members, knows that Jane had failed previously in a similar position in another organization. Unless the information was disclosed to Joseph in confidence, the information can be disclosed within the committee, but nothing about Jane's consideration for Board service can be disclosed outside the committee.

A Search Committee in doing background follow up decides that a candidate should not move forward in the selection process. No information about that candidate may be disclosed outside the committee.

An auxiliary organization would like to know who our major donors have been to see if they can find someone to sponsor an event. Unless specifically authorized by the Board, this information should not be disclosed.

A young adult group would like to know how many young adults we have in the Congregation. Since this information is not personally identifiable, it is not treated as confidential information under this policy.

A young adult group would like get the contact information for all the young adults in the Congregation. If the group is chartered by the Congregation, the information may be provided as part of outreach. If the group is external to Beth David, the Board would have to authorize the disclosure of the information. However, if someone has opted out of providing their contact information, the contact information for that individual may not be disclosed.