

# **Texas Tech University System**

## **Regulation 04.06**

### **Advancement Data and Advancement Technology Stewardship**

Approved:

Next Scheduled Review:

#### **1. Purpose**

- a. This System Regulation provides Component Institutions with guidance and sets forth certain procedures related to advancement data and advancement technology governance and management across the Texas Tech University System (the “System”), with respect to the Advancement Database, owned and operated by the Texas Tech Foundation, Inc., as more particularly defined herein.

#### **2. General**

- a. It is the System’s mission to establish a unified decision-making framework for Advancement Data, the Advancement Database and the ecosystem of advancement, including advancement-related technology, processes, data and reports. Texas Tech University System Institutional Advancement (“TTUS IA”) maintains all information regarding gifts, including donor and alumni data (“Advancement Data”), on a centralized donor and alumni database (“Advancement Database”), owned by the Texas Tech Foundation, Inc., an affiliated entity established for the sole purpose of supporting the initiatives of the Texas Tech University System and its component institutions, pursuant to its responsibilities delegated thereto by the System Board of Regents in *Regents’ Rules* Chapter 06.02.1.

#### **3. Definitions**

- a. “Advancement Data” is data, owned by the System and/or its Component Institutions, related to alumni, donors, and donor prospects that is generated, created, or enhanced by Texas Tech Foundation, Inc. (“TTFI” or the “Foundation”) or TTUS IA staff, including all data to which TTFI has been granted stewardship, through management of the Advancement Database, by the System, Component Institutions, or their Affiliated Entities. Advancement Data includes facts, statistics, or information created, collected, enhanced, enriched, used, updated, reported, shared, stored, transferred, or deleted related to alumni and donors for philanthropic and engagement purposes to support and benefit the System, its Component Institutions, and their Affiliated Entities thereof. Data may be in any form, including electronic or physical.

- b. “Advancement Database” is the repository used to collect Advancement Data, which is organized and stored electronically in a computer system, physical server, or cloud environment. The Advancement Database stores, manages, and retrieves Advancement Data. It holds information about alumni and donors, such as but not limited to contact information, giving history, and enhanced data of alumni and donors. The database may be relational, NoSQL, or object-oriented. This would include structured and unstructured data that may lie in the database. The Advancement Database holds strategic and sensitive data that allows TTUS IA to support the philanthropic and engagement initiatives of the System, its Component Institutions, and their Affiliated Entities. The Advancement Database is owned, operated, and maintained by TTFI. TTFI delegates the day-to-day management and operation of the Advancement Database to certain TTUS IA staff, as described in Section 4.
- c. “Advancement Technology” is technology or any other software, platform, application, add-on, service, or tool, used to promote philanthropic and engagement activities, alumni, or donor-oriented outreach that connects to or otherwise extracts Advancement Data directly from the Advancement Database.
- d. “Data Steward” shall be the Vice Presidents for Advancement, or the equivalent thereof, at each Component Institution and the Vice Chancellor for Institutional Advancement at the System, who each shall be responsible for the Advancement Data at their respective institution.
- e. “Donor Prospects” are individuals, organizations, or entities identified as a potential contributor to an institution or cause, based on their capacity, affinity, and interest in supporting a particular mission or initiative. identified as a potential contributor to an institution or cause, based on their capacity, affinity, and interest in supporting a particular mission or initiative, financial or otherwise.
- f. “Foundation Counsel” are the attorneys dedicated to the activities of Institutional Advancement at the System and Component level, who work closely with the System Office of General Counsel (“OGC”) and are solely responsible for all legal activities relating to the fundraising and nonprofit corporations acting as Affiliated Entities of the System.
- g. “Root Access” refers to the highest level of access permissions in the Advancement Database, granting the user with unrestricted control over the entire Advancement Database.

#### **4. Roles and Responsibilities**

- a. The following Institutional Advancement staff, or the equivalents thereof, are responsible for the day-to-day management and operation of the Advancement Database:
  - i. The Assistant Vice Chancellor of Advancement Services, or designee, shall be responsible for: overseeing the day-to-day functionality, user support, and maintenance of all technological tools and platforms; ensuring that Advancement Technology aligns with the broader goals of the System; and is the primary liaison between TTUS IA and external software consultants.
  - ii. The Senior Director of Advancement Analytics and Programming, or the equivalent thereof, shall be responsible for the development, implementation, and management of Advancement Data and Advancement Technology.
  - iii. The Assistant Vice Chancellor of Advancement Services, the Senior Director of Advancement Analytics and Programming, and the Director of Advancement Technology Services, are responsible for maintaining and updating the Advancement Database, managing requests and inquiries for new Advancement Technology, and facilitating the integration of new software solutions.
  - iv. TTUS IA is responsible for training employees/users on the Advancement Database and all Advancement Technology and working with the applicable Data Steward to ensure compliance with all applicable Component Institution Operating Policies and Procedures, and System Regulations.
- b. TTFI, in direct coordination and cooperation with TTUS IA, retains the right of final decision-making authority with respect to all aspects of the Advancement Database and Advancement Technology, including, but not limited to, the delegation of access and levels of access to the Advancement Database to employees of the System, Component Institutions, and Affiliated Entities, provided, however, that such access shall not be unreasonably withheld, subject to the provisions of subsection 5 and subsection 7 herein.

## **5. Access to the Advancement Database and Advancement Technology**

- a. Access to the Advancement Database shall be provided to certain Component Institution employees within administration or advancement for the purpose of facilitating philanthropic activities or alumni-oriented outreach, as previously approved by the Component Institution's Vice President for Advancement or their delegee and as may be reviewed in accordance with internal operating policies and procedures.

Requests for access to the Advancement Database from a Component Institution or Affiliated Entity that is outside of this scope must be submitted in writing and must specifically state the access requested and the purpose for such request. All such requests must be submitted through the Component Institution's Advancement Office and subsequently be reviewed and approved, or appropriately modified, by Foundation Counsel and/or the Senior Director of Advancement Analytics and Programming, with discussion and input from the submitting office. Should a situation arise where a consensus on approval of access cannot be reached, TTUS IA and the Component Institution's Vice President for Advancement or their delegee, the parties will enlist the assistance of a mutually agreed upon neutral third-party to determine the appropriateness of the request.

- b. System-wide Root Access to the Advancement Database or any Advancement Technology, subject to the ability to terminate as outlined in Section 7, is restricted solely to TTFI and certain TTUS IA employees for the purpose of day-to-day operation, management, and maintenance.

## **6. Requests for New Advancement Technology**

- a. Requests for new Advancement Technology acquisition, enhancement, or management, to the extent the same connect to or otherwise pull Advancement Data directly from the Advancement Database or otherwise operate under the scope and purpose of this System Regulation, are coordinated and managed by TTFI, in direct consultation and cooperation with the Advancement Data and Technology Leadership Committee ("ADTLC").
- b. Members of the ADTLC shall include the Vice President of Advancement, or the equivalent thereof, for each Component Institution, as well as the Vice Chancellor of Institutional Advancement, the Assistant Vice Chancellor of Advancement Services, and appropriate staff from the System Office of Audit Services and the System Office of the Vice Chancellor and Chief Financial Officer, System's Chief Information Officer, and other Component Institution representatives, as may be necessary and appropriate.
- c. The Vice Presidents of Advancement for each Component Institution are considered Data Stewards and are responsible for requests for new Advancement Technology and advocating for the interests of their respective Component Institutions and/or Affiliated Entities during consideration thereof.
- d. Nothing herein shall require unanimous approval of the other Component Institutions to move forward with a requested Advancement Technology; provided, however, that use of such technology is within the scope of this System Regulation and the technology meets all IT-related security requirements and would not otherwise subject

the Advancement Database, and subsequently the Advancement Data, to an unreasonable risk.

- e. Failure to bring requests for Advancement Technology that directly integrates into the Advancement Database to the ADTLC may result in delays of approval and/or integration.
- f. If all participants of the ADTLC agree to contracting with a new advancement-related technology directly integrating into the Advancement Database, then the intent is that System IA and/or TTFI will work to provide funding for the agreed upon product. Funding for any product outside of those parameters will be determined on a case-by-case basis.
- g. Contracting for all Advancement Technology under this System Regulation shall follow the standard procurement and contracting processes and procedure as may be applicable, including, but not limited to, budget availability and IT security requirements.

## **7. Restrictions on the Use and Disclosure of Donor Data**

- a. The information on the Advancement Database is solely for use by TTFI and authorized employees of the System and its Component Institutions. Unauthorized use of the personal donor/alumni data by any person for any purpose, including, but not limited to, reproducing, and storing in a retrieval system by any means, electronic or mechanical, photocopying, or using the information for any private, commercial, or political mailing or application, is strictly prohibited and constitutes misappropriation of private information. Use and misuse of this data is governed by the standards contained in each Component Institution's Operating Policy and Procedure regarding information technology security, and all applicable state and federal laws. Misuse of the information can lead to disciplinary action, in accordance with the Component Institution's applicable policies and procedures.
- b. The Senior Director of Advancement Analytics and Programming, or the equivalent thereof, in consultation with Foundation Counsel and the Vice Chancellor for Institutional Advancement, reserves the right to restrict, deny, or terminate access to the Advancement Database, subject to this System Regulation and any other applicable System Regulation or Operating Policies and Procedures, as may be necessary in order to protect the confidential information contained therein, with notice to and discussion with the Component Institution's Advancement Office. Alternatively, the Component Institution's Advancement Office may make requests directly to the Senior Director of Advancement Analytics and Programming, or the equivalent thereof, in consultation with Foundation Counsel and the Vice Chancellor for Institutional Advancement.

- i. In the event of a disagreement over the approval of access to the Advancement Database between TTUS IA and the Component Institution's Vice President for Advancement or their delegee, the parties will enlist the assistance of a neutral third-party to determine the appropriateness of the request.
  - ii. Nothing herein shall prevent TTUS IA from immediately terminating access in the event of an emergency or to otherwise immediately protect the Advancement Data contained therein from a security breach or bad actor.
- c. Except as specifically provided for in this System Regulation, TTUS IA will not use or disclose personal donor and alumni data to any individual or organization other than authorized System and Component Institution employees for the purpose of facilitating philanthropic activities or alumni-oriented outreach. However, information may be released in accordance with and as required by the Texas Public Information Act ("TPIA") and the Family Educational Rights and Privacy Act ("FERPA").
  - i. Requests made as part of TPIA will be made through the standard request process; however, review will not be required. Foundation Counsel shall be responsible for managing such requests in connection with the System Office of General Counsel and will notify the Vice Chancellor for Institutional Advancement and the affected Component Institution's Vice President for Advancement of these requests and the progress thereof. All TPIA requests will remain subject to the terms of TPIA, as determined by the System Office of General Counsel and/or the Texas Attorney General.
- d. **Data Requests.** The release of information contained in the Advancement Database is managed and fulfilled by TTUS IA. All such requests should be submitted through, or otherwise vetted by, the Component Institution Vice President for Advancement, or their delegee, and shall be reviewed by Foundation Counsel, the Assistant Vice Chancellor for Advancement Services, the Senior Director of Advancement Analytics and Programming, and the Director of Advancement Technology Services. All requests must be submitted in writing and specifically state the information requested, the purpose of the request and format for fulfillment.
  - i. **External Data Requests; Requests from Affiliated Entities.** All requests from a third party, including Affiliated Entities, to release information contained within the Advancement Database must be submitted in writing and must specifically state the information requested, the purpose of the request and format for fulfillment. All such requests will be reviewed by the affected Component Institution Vice President for Advancement, Foundation Counsel, the Assistant Vice Chancellor for Advancement Services, the Senior Director of Advancement Analytics and Programming,

and the Director of Advancement Technology Services. Information will be released in accordance with and as required by applicable laws.

- ii. **Internal Data Requests.** Data requests from internal sources, including from offices within the Component Institutions, the System or recognized Affiliated Entities, shall be submitted through the Component Institution's Advancement Office in the same manner as all other data requests. Data requests for Advancement Data of other Component Institutions, System and/or Affiliated Entities other than the requesting party and shall be reviewed and approved by the affected Component Institution's Vice President of Advancement, or the equivalent thereof, in addition to Foundation Counsel, the Assistant Vice Chancellor for Advancement Services, the Senior Director of Advancement Analytics and Programming, and the Director of Advancement Technology Services, prior to such disclosure.
- iii. Requests for data extraction or retrieval that necessitate the pulling of substantial data volumes from the database must be submitted to TTUS IA in a timely fashion, ensuring sufficient lead time for processing and compliance with system capabilities and resource availability.
- iv. The information derived from any such request shall not be used to replicate the Advancement Database or to create a shadow database.
- v. No provision contained herein shall be deemed to apply to the reports that may be available directly from the Advancement Database, subject to each Component Institution's applicable operating policies and procedures.

## 8. **Confidentiality of Information**

- a. **Component Institutions; Affiliated Entities; Volunteers.** TTUS IA may provide access to Advancement Data for the purpose of facilitating alumni-oriented outreach, services, development, or engagement programs to certain Component Institution employees, Affiliated Entities, or volunteers of the same, with the approval of the Component Institution Vice President of Advancement, or the equivalent thereof. Such employees or volunteers of the Component Institutions or Affiliated Entities must provide written confirmation of their agreement not to disclose personal alumni and donor data for any purpose other than facilitating such alumni-oriented outreach and activities.
- b. **Service Providers.** TTUS IA may provide Advancement Data to organizations that offer products and services connecting to or working in collaboration with the Advancement Database that provide a significant and desired benefit to the

advancement activities of the System and the Component Institutions through, upon confirmation that the data will be used consistent with applicable privacy and security laws and regulations, with prior approval, unless disclosure is required by law, of the Vice Chancellor for Institutional Advancement and the affected Component Institution(s)' Vice President for Advancement. Under no circumstances shall TTUS IA or TTFI sell Advancement Data from the Advancement Database for commercial purposes.

- c. Limitations on Disclosure for Political Purposes.** In accordance with regulations governing tax exempt organizations as set forth in Internal Revenue Service regulations, TTUS IA will not disclose Advancement Data political purposes in a manner that would jeopardize the nonprofit status of the Foundation. Disclosure of Advancement Data specifically made by Affiliated Entities for political purposes must be reviewed and approved by the System Chancellor, Office of General Counsel, Vice Chancellor for Institutional Advancement, Foundation Counsel, and the affected Component Institution President and Vice President for Advancement.
- d. Expectation of Confidentiality and Intended Use.** Advancement Data received from the Advancement Database should be used for the intended purpose in the report request and should not, under any circumstances, be used for the private benefit of the requestor. To the extent permitted by law, Advancement Data released from the Advancement Database shall remain confidential.

## **9. Data Security**

- a.** The Director of Advancement Technology Services, or the equivalent thereof, is responsible for safeguarding the database against external and internal threats. This includes managing access, backup, and recovery of the data, monitoring database logs and health, keeping data integrity, reporting data incidents, devising mitigation plans, performing regular security checks, audits, and assessments, and staying up to date with emerging technology and database security trends.
- b.** Any person with access to Advancement Data, the Advancement Database, or other Advancement Technology, is responsible for securing the data therein. All users are responsible for preventing and reporting data leaks and security breaches to TTUS IA Foundation Counsel and the Director of Advancement Technology Services.
- c.** TTUS IA and the affected Component Institution will investigate suspected violations of this System Regulation and take appropriate action in accordance with Regents' Rules, System Regulations, and the Operating Policies and Procedures of the Component Institution.



- d.** Report suspected violations of this System Regulation to TTUS IA Foundation Counsel, the Vice Chancellor for Institutional Advancement, and the Director of Advancement Technology Services for further investigation and collaboration with the necessary parties.

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