# NATIONAL CRIME PREVENTION COUNCIL AND NATIONAL CENTER FOR VICTIMS OF CRIME

## UNDERSERVED TEEN VICTIM INITIATIVE

## PROJECT PRIVACY AND CONFIDENTIALITY DOCUMENTS

**Updated: April 15, 2010<sup>1</sup>** 

# **Brief Description of the Project**

Grant No. 2009-SZ-B9-K007

Title: Underserved Teen Victim Initiative Project Period: 09/01/2009 – 02/28/2011

The National Crime Prevention Council and the National Center for Victims of Crime (the National Partners) are selecting and supporting 25 local project sites to conduct outreach and improve services to underserved populations of youth victims, ages 12 – 17 years old, specifically: youth with disabilities; runaway and homeless youth; lesbian, gay, bisexual, transgender, queer, and questioning youth; Arab, Asian, Latino, Muslim, Native American, and Pacific Islander youth in the United States, tribes, and territories.

The National Partners are identifying promising strategies for reaching and supporting underserved teen victims in order to build the capacity of victim assistance professionals to ensure these teens have access to victims' rights and services. The National Partners are conducting technical assistance, training, and education for the selected communities and disseminating them nationally by populating the project Web pages with relevant information, resources, and technical assistance, holding a national training for youth and adult representatives of the 25 local project communities, producing seven online

Underserved Teen Victim Initiative Privacy and Confidentiality Documents, April 15, 2010 Page 1 of 11

<sup>&</sup>lt;sup>1</sup> Notice: The Privacy Certificate, Privacy Procedures, Privacy Policy, and Confidentiality Statement for the project will be updated as needed under the advisement of the Office for Victims of Crime, the Office of Justice Programs, the Office of the Chief Information Officer, and/or other technical experts as new online components or other changes in project activities develop.

trainings for victim assistance and allied professionals, and publishing a guidebook for victim assistance professionals.

## **Activities Requiring Protection of Privacy and Confidentiality**

The National Partners will collect performance measurement data and provide technical assistance and training via multiple venues, including in-person contact/site visits, as well as by telephone, teleconference, mobile phone calling, mobile phone texting, individual and group email, and a variety of interactive internet tools that may include live chat, online curricula, an event calendar, Web meetings, and Web training. The National Partners may conduct online user registration, online event registration, administer online pre- and post- surveys and tests, and conduct other online polls to elicit participant feedback and evaluation information.

## **Underserved Teen Victim Initiative Project Privacy Certificate**

The National Crime Prevention Council, hereinafter, Grantee or NCPC, certifies that data identifiable to a private person<sup>2</sup> will not be used or revealed, except as authorized in 28CFR Part 22, Sections 22.21 & 22.22.

The Grantee certifies that access to the data will be limited to those employees having a need for such data and that such employees shall be advised of and agree in writing to comply with the regulations in 28 CFR Part 22. (Confidentiality Statement, pages 9 - 11.)

The Grantee certifies that all contractors, subcontractors, and consultants requiring access to identifiable data will agree, through conditions in their subcontract or consultant agreement, to comply with the requirements of 28 CFR '22.24, regarding information transfer agreements. The Grantee also certifies that the Office for Victims of Crime will

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<sup>&</sup>lt;sup>2</sup> Information identifiable to a private person is defined in 28 CFR '22.2(e) as information which either--(1) is labeled by name or other personal identifiers, or (2) can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular person.

be provided with copies of any and all transfer agreements before they are executed as well as the name and title of the individual(s) with the authority to transfer data.

The Grantee certifies that, if applicable, a log will be maintained indicating that (1) identifiable data have been transferred to persons other than employees of OVC, BJA, BJS, NIJ, OJJDP, OJP, or grantee/contractor/subcontractor staff; and (2) such data have been returned or that alternative arrangements have been agreed upon for future maintenance of such data, in accordance with 28 CFR '22.23(b) (6).

The Grantee certifies that any private persons from whom identifiable information is collected or obtained shall be notified, in accordance with 28 CFR '22.27, that such data will only be used or revealed for research or statistical purposes and that compliance with the request for information is not mandatory and that they may choose to terminate participation in the activity at any time. In addition, the Grantee certifies that where findings in a project cannot, by virtue of sample size or uniqueness of subject, be expected to totally conceal the identity of an individual, such individual shall be so advised.

The Grantee certifies that project procedures will be designed to preserve the confidentiality of private persons to whom information relates, including where appropriate, name-stripping, coding of data, or other similar procedures.

The Grantee certifies that copies of all questionnaires that have already been designed for use in the project are attached to this Privacy Certificate. Grantee also certifies that any questionnaires developed during the project period will be provided to OVC at the end of the project.

Grantee certifies that project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person, except as authorized by 28 CFR '22.22.

Grantee certifies that adequate precautions will be taken to ensure administrative and physical security of identifiable data and to preserve the confidentiality of the personally identifiable information.

Nothing in this Privacy Certificate, the following Privacy Procedures, and Confidentiality Statement are intended to negate the responsibilities of mandated reporters of child abuse or neglect according to state laws and professional licensing and ethics guidelines.

Grantee certifies that all project personnel, including subcontractors, have been advised of and have agreed, in writing, to comply with all procedures to protect privacy and the confidentiality of personally identifiable information.

Grantee certifies that OVC shall be notified of any material change in any of the information provided in the Privacy Certificate.

To comply with the regulations in 28 CFR Part 22, the following safeguards are incorporated into the Privacy Certificate: Project Privacy Procedures and Project Confidentiality Statement.

# **Underserved Teen Victim Initiative Privacy Procedures**

Senior project team leader, Mitru Ciarlante, Underserved Teen Victim Initiative project director for the National Center, will advise project staff of the Privacy Certificate for this project, and provide training, specifically on the regulations in 28 CFR Part 22. Project staff who must access participants' registration, contact, survey, or evaluation information will sign an agreement of confidentiality for identifying information that will be kept by Judy Kirby, NCPC managing director of programs, training, and multimedia, who has overall responsibility for overseeing the grant files.

Hard copies of materials containing identifying information will be secured in locked file storage, and the project directors will limit access to electronic files that contain

identifying information by protecting these files with a secure password and employing the standard electronic safeguards used by the National Crime Prevention Council and the National Center for Victims of Crime.

Any time participant information is requested, the National Partners will notify participants about their privacy rights and options, including the availability of the Privacy Certificate. The Privacy Certificate will be available on project Web pages as well as upon request.

Participants will be informed that we will use or disclose performance measurement data to help evaluate the effectiveness of the training sessions and the training method and for statistical purposes only. Participation in all data collection and evaluation processes will be voluntary.

The National Partners will use secure on-line registration and communication practices provided through online platforms, vendors, and hosts. Project staff will receive additional training on industry practices in online communication from project technical staff and technical involved as staff, consultants, vendors, and/or advisors.

The National Partners will administer anonymous pre- and post training knowledge tests at the national training. The National Partners will also administer online pre- and post-training knowledge tests. The National Partners will elicit project and event feedback and evaluation information using written and online tools. Project staff may share summaries of pre- and post- training knowledge tests (excluding any identifying information about participants) with presenters and other project staff, and the National Center will provide OVC with summaries of pre- and post-test scores in progress reports.

Procedures to notify subjects, as required by 28 CFR '22.23(b) (4) or, if notification is to be waived, pursuant to 28 CFR '22.27(c), please provide a justification: The National Partners will ensure that upon registering to use online tools, participants will receive a confirmation e-mail that presents information about the pre- and post-tests, feedback

forms, polling and surveys. The e-mail will inform participants that data collected will be used to evaluate the effectiveness of the training sessions and the training method and for statistical purposes only. The National Partners will notify participants that compliance with the request for information is voluntary and may be terminated or withdrawn at any time. The National Partners will also direct participants to the availability of the Privacy Certificate for this project.

Procedures developed to preserve the confidentiality of personally identifiable information, as required by 28 CFR '22.23(b) (7): The National Partners will use a secure on-line registration service delivered over a private, secure network. Personal information will never be persistently stored on the servers and 128-bit SSL and AES encryption will ensure privacy and security. These procedures will be updated to incorporate new online components as they are developed under this project.

Project staff who must access participants' registration, survey, or evaluation information will sign an agreement of confidentiality for identifying information.

Justification for the collection and/or maintenance of any data in identifiable form, if applicable: There is no need to retain performance measurement data matched with identifying information for this project. Online training participants will be given the option of submitting their name and contact information to the National Crime Prevention Council and National Center for Victims of Crime email lists used to notify providers about future training and about the release of new training and technical assistance materials.

Procedures for data storage, as required by 28 CFR '22.23(b) (5): On-line data collected through on-line registration, surveys, polls, and forms will be collected and stored only as tallied results.

Description of any institutional limitations or restrictions on the transfer of data in identifiable form, if applicable: N/A

The name and title of the individual with the authority to transfer data is Judy Kirby, NCPC managing director of programs, training, and multimedia.

Procedures to insure the physical and administrative security of data, as required by 28 CFR '22.25(b), including, if applicable, a description of those procedures used to secure a name index: Hard copies of materials containing identifying information will be secured by the National Partners in locked file storage, and the project directors will limit access to electronic files that contain identifying information by protecting these files with a secure password.

Identifying information does not need to be matched with data collected for the statistical and evaluation components of this project. On-line polls, surveys, and feedback forms will be collected without identifying information. If evaluation documents are received that contain identifying information, that data will be stripped from the document. Project findings, reports, and publications prepared for dissemination, such as the guidebook, will not contain information which can reasonably be expected to be identifiable to a private person, without the informed written consent of those participants, their legal guardians, where appropriate, and the prior approval of OVC. When the final tallying, analysis, and reporting of data for this project have been completed, documents used to collect evaluation data will be maintained in a secure file storage location for no more than three years after which the documents will be shredded and disposed of properly.

Procedures for the final disposition of data, as required by 28 CFR '22.25: The project directors will oversee the final disposition of data in consultation with the National Crime Prevention Council managing director of Programs and Communications, and the National Center for Victims of Crime director of Finance and Administration.

Access to data is restricted to the following individuals, as required by 28 CFR '22.23(b)(2): Kelsey Tokar, program associate, Children and Youth Initiatives, in consultation with Judy Kirby, managing director of programs, training, and multimedia,

National Crime Prevention Council, and M. A. Mitru Ciarlante, director of the Youth Initiative in consultation with Mark Butler, director of finance and administration, National Center for Victims of Crime, with agreement from NCPC.

Nothing in the Privacy Procedures are intended to negate the responsibilities of mandated reporters of child abuse or neglect according to state laws and professional licensing and ethics guidelines.

Grantee certifies that the procedures described above are correct and shall be carried out.

Grantee certifies that the project will be conducted in accordance with all the requirements of the Omnibus Crime Control and Safe Streets Act of 1968 as amended and the regulations contained in 28 CFR Part 22.

Grantee certifies that OVC shall be notified of any material change in any of the information provided in the Privacy Procedures.

Kelsey Tokar, program associate, Children and Youth Initiatives National Crime Prevention Council

Judy Kirby, Managing Director of Programs and Communications
National Crime Prevention Council

M. A. Mitru Ciarlante, Director of the Youth Initiative
National Center for Victims of Crime

Mark Butler, Director of Finance and Administration

Mark Butler, Director of Finance and Administration National Center for Victims of Crime

# NATIONAL CRIME PREVENTION COUNCIL AND NATIONAL CENTER FOR VICTIMS OF CRIME

## UNDERSERVED TEEN VICTIM INITIATIVE

## PROJECT CONFIDENTIALITY STATEMENT

Updated: April 15, 2010

Grant No. 2009-SZ-B9-K007

Title: Underserved Teen Victim Initiative Project Period: 09/01/2009 – 02/28/2011

#### Background

Pursuant to Title 28 of the Code of Federal Regulations, Part 22, all project staff have an obligation to those we interview or survey to protect their identities and the information they provide to the National Crime Prevention Council and the National Center for Victims of Crime (National Partners) through the Underserved Teen Victim Initiative.

The identity of persons interviewed or surveyed and the related data are to remain confidential. Removal of names or a disclosure of identities and related information is strictly forbidden. Contents of interviews and surveys are not to be discussed with anyone except project staff and only as necessary to complete the assigned work. Sensitive information should not be discussed anywhere it could be overheard by persons who are not authorized to know this information. Any and all requests for private and confidential information should be directed to the appropriate project director, Mitru Ciarlante, director of the Youth Initiative at the National Center for Victims of Crime and Judy Kirby, Judy Kirby, Managing Director of Programs and Communications, National Crime Prevention Council.

Project staff, interns, consultants, and advisors are required to receive training on the below confidentiality statement and privacy policy before signing, at which time their respective project directors will address questions and clarify project staff roles about needs to access confidential information.

## **Confidentiality Statement**

As a member of staff, intern, consultant, or advisor of Underserved Teen Victim Initiative of the National Crime Prevention Council and National Center for Victims of Crime, I agree that I will protect the confidentiality of all information identifiable to a private person that is collected in the conduct of my work.

I agree that I will not discuss identifiable information that I may learn during the course of my employment, internship, consulting, advising, or as part of the Underserved Teen Victim Initiative project, with anyone other than project staff members who have a need to know this information.

I confirm that I have received a copy of the Underserved Teen Victim Initiative **Privacy** Certificate, and I have received training on this Confidentiality Statement and the project Privacy Procedures before signing.

I agree to follow the established procedures to prevent unauthorized access to information identifiable to private persons. If I have questions about these privacy and confidentiality at any time, I will address them to the project directors, Judy Kirby, Managing Director of Programs and Communications and Mitru Ciarlante, director of the Youth Initiative, National Center for Victims of Crime.

I certify that I have been informed that the Underserved Teen Victim Initiative, which is being funded by the Office for Victims of Crime, Office of Justice Programs, Department of Justice, is governed by the Department of Justice Regulations in 28 CFR Part 22 & Part 46, which govern the use and revelation of research and statistical information

identifiable to a private person, and that I, as a member of the project team, staff, intern, consultant, or advisor am governed by these regulations as well.

Nothing in the Privacy Certificate, Privacy Procedures, and Confidentiality Statement are intended to negate the responsibilities of mandated reporters of child abuse or neglect. If you are a designated mandated reporter for child abuse or neglect, your license requirements and/or state reporting laws take precedence over this confidentiality policy. You are required to inform a project director if you believe a situation requires mandated reporting.

I certify that these confidentiality requirements have been discussed with me by the project director and that I understand the obligations imposed by them and have retained a copy for my individual files.

Full Legal Name (please print):
Title:
Organization:
Signature:
Date:
Witnessed by the Project Director:
Full Legal Name:
Title:
Organization:
Signature:
Date: