Intersections between Privacy & Security
Contracts: Your Best Defense

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Innovation Takes a Village... and Strong Contracts

Great benefits of using vendors:
- Lowers cost
- More robust solutions that can be implemented faster
- Perform reporting functions we cannot

And some drawbacks:
- Vendors are responsible for 42% of all security breaches
- Sell or use data without our permission or oversight
- Act, but leave UC paying the fines or penalties
Harm? What Harm?

California requires that UC contractually bind vendors to protect personal information.

UC contracts outline:
- Access, collection, use
- Retention and disposition
- Breaches
- Liability
- Protection (security considerations like storage, format maintenance, encryption)

Risk-based decisions are critical.

Source: (Cal. Civ. Code 1798.81.5(c))
Be Strong, Sign a Contract

1. Some privacy and security issues are not negotiable. Be prepared to walk away.

2. It’s not always obvious if a contract relates to data:
   - Be on the lookout
   - Don’t forget about free and low cost services

3. Use UC contract templates and negotiate as a united location with potential vendors

4. Make sure it’s “good enough” for UC, *not* another University

If you’re not paying for the product
You are the product.
Questions?

Contact your local privacy or information security professional:

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