

Youth On Their Own Confidentiality Policy

Confidentiality is the preservation of privileged information. All information and documents concerning clients, former clients, donors, staff, volunteers, financial data, and business records of YOTO are confidential. Confidential means that information may not be released without appropriate authorization.

A. Expectations

Clients: YOTO expects employees to respect the privacy of clients and to maintain their personal information as confidential. All records dealing with specific clients must be treated as confidential. YOTO must obtain a youth's consent to use their image, name, story, voice, or any other identifier in training settings, for promotion of YOTO, and for any other purpose. General information, policy statements, or statistical material that is not identified with any individual or family is not classified as confidential. Employees within YOTO's Program and Finance Departments have an important duty of care because they often receive personal information about youth clients in order to provide/process needed services. Program staff in particular may gain access to a youth's protected health information. All employees must comply with health information privacy according to the Health Insurance Portability and Accountability Act (HIPAA). Program staff should refer to the Program Manual for additional details on youth confidentiality and boundaries.

Donors: Unless otherwise requested by the donor, the names of all donors may be listed in the YOTO annual report and/or in any other appropriate manner related to donor acknowledgement. Donors making gifts to YOTO by bequest or other testamentary device are deemed to have granted such permission unless stated otherwise. YOTO will not publish the amount of any philanthropic contribution without the donor's consent. YOTO shall not release to third parties or allow third parties to copy, inspect, or otherwise use YOTO's records or other information pertaining to the identification of donors. No disclosures to third parties of such information, including addresses and demographic information, shall be made without the donor's consent. As outlined in YOTO's Gift Acceptance Policy, the organization has adopted and enforces the "AFP Code of Ethical Principles & Standards of Professional Practice" and "A Donor Bill of Rights" and complies with the confidentiality principles therein.

Employees: Staff members are responsible for maintaining the confidentiality of information relating to other staff members and volunteers, in addition to clients.

B. Technology Use

YOTO is sensitive to the issue of protection of trade secrets and other confidential and proprietary information of both YOTO and third parties. Therefore, employees are expected to use good judgment and to adhere to the highest ethical standards when using or transmitting confidential information on the organization's technology resources. Confidential information should not be accessed through YOTO's technology resources in the presence of unauthorized individuals. Similarly, confidential information should not be left visible or unattended. Monitors should be turned off when employees

leave the room or when non-employees enter the area. All paperwork should be securely stored off when an employee is not at their workspace. Some of the information to which employees have electronic access to is confidential. When possible, employees should avoid sending confidential information over the Internet. Employees also should verify electronic mail addresses before transmitting confidential messages.

C. Public Disclosure

YOTO will comply with both the letter and spirit of all public disclosure requirements, including the open availability of its Form 990 tax returns. This policy shall not be construed in any manner so as to prevent YOTO from disclosing information to taxing authorities or agencies responsible for regulatory oversight.

D. Consequences of Policy Violation

Failure to maintain confidentiality may result in termination of employment or other corrective action. This policy is intended to protect employees as well as YOTO because, in extreme cases, violations of this policy also may result in personal liability. Although the agency is liable for acts within the scope of an employee/volunteer's duty, giving information to an unauthorized person could result in the agency's refusal to support an employee or volunteer in the event of legal action. Violation of the state statutes regarding confidentiality of records is punishable upon conviction by fines, by imprisonment, or both.