



The University of South Dakota Foundation Data Privacy & Disclosure Policy

Last Amended: August 27, 2025

The University of South Dakota Foundation (dba “The University of South Dakota Foundation & Alumni Association”) is an independent 501(c)(3) nonprofit corporation organized under the laws of the State of South Dakota. The Foundation’s mission is to inspire, solicit, facilitate, and manage charitable gifts to support the University of South Dakota (“USD”), a separate legal entity. This Data Privacy & Disclosure Policy (“Policy”) outlines the Foundation’s commitment to responsibly collecting, managing, and protecting personal information while ensuring compliance with applicable laws, including the General Data Protection Regulation (GDPR) for individuals in the European Union (EU).

Purpose of Data Collection

The Foundation collects and processes personal information about USD alumni, donors, and other constituents to support effective outreach, engagement, and stewardship that advance the Foundation’s mission. Common data includes:

- Names, physical addresses, phone numbers, and email addresses;
- Giving histories and notes from interactions;
- Other information relevant to philanthropy, alumni engagement, or Foundation activities.

This information may be obtained from public sources, directly from individuals, or through interactions with USD, vendors, or other partners. The Foundation is committed to safeguarding this data and using it responsibly to foster meaningful connections and support USD’s mission.

Legal Basis for Processing Personal Data

For individuals in the EU, the Foundation processes personal data under the following GDPR-compliant legal bases:

Legitimate Interests: To support the Foundation’s mission of advancing USD through fundraising, alumni engagement, and stewardship activities, provided such interests do not override individuals’ rights and freedoms.

Consent: Where individuals explicitly provide consent for specific purposes, such as receiving communications or donor recognition.

Contractual Necessity: When processing is necessary to fulfill agreements, such as managing donations or memorial funds.

Legal Obligation: To comply with applicable laws, such as IRS reporting requirements.

Data Privacy Commitment

The Foundation is dedicated to protecting constituent privacy and maintaining public trust. As an independent nonprofit, the Foundation holds all records and data in strict confidence, except in limited circumstances outlined below. The Foundation does not sell or release personal information for commercial purposes.

We do not share mobile contact information with third parties or affiliates for marketing or promotional purposes. Information may be shared with subcontractors in support services, such as customer service. All other categories exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties.

Disclosure of Information

The Foundation may disclose limited, appropriately tailored information under the following circumstances:

Legal Requirements: To comply with applicable laws, such as IRS reporting or other regulatory obligations.

Donor Recognition: For purposes of acknowledging donors, such as in printed or digital honor rolls, typically limited to name, class year, and gift amount. Donors may request anonymity, and the Foundation will honor such preferences.

Strategic Partnerships: To advance the Foundation's mission, limited data may be shared with USD leadership, trusted vendors, volunteers, or other parties deemed necessary to support mission fulfillment.

Memorial or Honorary Funds: To inform family members or designated contacts about funds established at or directed to the Foundation.

Facilitated Communications: To support initiatives (e.g., alumni reunions or fundraising campaigns), the Foundation may facilitate communications on behalf of requesting parties, such as sending letters to identified groups. Direct disclosure of contact information is subject to the Foundation's discretion and privacy considerations.

The Foundation reserves the right to deny requests for information that are inconsistent with USD or Foundation interests or that compromise constituent privacy.

GDPR Rights for EU Residents

If you are located in the EU, you have the following rights under GDPR regarding your personal data:

Right to Access: Request a copy of the personal data the Foundation holds about you.

Right to Rectification: Request correction of inaccurate or incomplete data.

Right to Erasure (“Right to be Forgotten”): Request deletion of your data, subject to legal or contractual obligations.

Right to Restrict Processing: Request limitations on how your data is used.

Right to Data Portability: Request your data in a structured, commonly used format.

Right to Object: Object to processing based on legitimate interests or direct marketing.

Right to Withdraw Consent: Withdraw consent for processing where consent was the legal basis.

To exercise these rights, contact the Foundation as instructed below. Requests will be processed within one month, subject to verification of identity and applicable exemptions.

Data Security

The Foundation employs reasonable administrative, technical, and physical safeguards to protect personal data from unauthorized access, use, or disclosure. These measures include encryption, secure storage systems, and restricted access to sensitive information. However, no system is completely secure, and the Foundation cannot guarantee absolute protection against all risks.

Data Retention

The Foundation retains personal data only as long as necessary to fulfill the purposes outlined in this Policy or as required by law. For example:

- Donor information may be retained to maintain accurate giving histories and comply with IRS regulations.
- Alumni data may be retained to support lifelong engagement with USD.

Data no longer needed is securely deleted or anonymized. EU residents may request deletion of their data, subject to legal or contractual obligations as set forth herein.

Breach Events

In the event of a data breach, the Foundation is required to notify the appropriate “Data Protection Authority” within the EU within 72 hours of the breach being discovered, unless it is demonstrably unlikely that the breach will result in high risk to impacted data subjects. The Foundation is further required to notify impacted data subjects if the breach is likely to result in high risk. High risk is typically present where there is a likelihood fraud will be committed with the leaked information or that publication of the information could cause extreme distress or embarrassment.

Contact Information

For questions, concerns, or to exercise your data rights, contact:

The University of South Dakota Foundation

1110 N. Dakota Street

Vermillion, SD 57069

Phone: 1-800-521-3575

Email: usdfound@usdfoundation.org

For GDPR-specific inquiries, you may also contact our Data Protection Officer at the above email address. EU residents have the right to lodge a complaint with a supervisory authority in their country of residence.