



UNIVERSITY *of the* PHILIPPINES

OFFICE OF THE PRESIDENT

19 June 2018

**MEMORANDUM PDLC 18-25**

FOR : Dr. Cynthia Rose B. Bautista  
Vice President for Academic Affairs

SUBJECT : POSTING OF UP'S PRIVACY NOTICE IN THE UPCAT SITE

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Kindly see to it that the attached privacy notice is posted or uploaded in the UPCAT site.  
It is further requested that the wording of the assent be inserted in the UPCAT Form 1.  
For immediate implementation.

  
**DANILO L. CONCEPCION**  
President

## **UNIVERSITY OF THE PHILIPPINES (UP) PRIVACY NOTICE FOR UPCAT APPLICANTS**

To exercise and safeguard academic freedom and uphold your right to quality education, the University of the Philippines needs to process your personal and sensitive information—that is, information that identifies you as an individual. UP is committed to comply with the Philippine Data Privacy Act of 2012 (DPA) <http://www.officialgazette.gov.ph/2012/08/15/republic-act-no-10173/> in order to protect your right to data privacy.

This notice explains in general terms the purpose and legal basis for the processing of the personal information that UP collects from UPCAT applicants like you, the measures in place to protect your data privacy, and the rights that you may exercise in relation to such information.

The term UP/University/us refers to the University of the Philippines System and Constituent University offices.

The term you/your refers to UPCAT applicants and, in the case of minors, where the context so indicates, their parents or guardians who also sign the UPCAT form.

### **PERSONAL INFORMATION COLLECTED FROM UPCAT APPLICANTS, THE PURPOSE AND LEGAL BASIS FOR COLLECTING THE INFORMATION**

The UP System Office of Admissions, which is in charge of administering the UPCAT, collects your personal information through paper-based and/or online processing systems. In case you visit a UP Campus your image may be captured by UP's CCTV cameras.

When you apply for admission to UP through the UPCAT you provide us through the forms you submit and sign (and in the case of minors, that your parents/guardians also sign), among others, your name, sex assigned at birth (male/female), date and place of birth, citizenship, your photograph, information about your family (names of your parents, their citizenship, civil status ) and other personal information that we use, along with other documents you provide us—such as information contained in educational records—to be able to verify your identity in the course of determining your eligibility to enroll in UP.

You also provide information regarding the highest educational attainment and occupation of your parents as well as your family's annual household income. UP requires the submission of a photocopy of the family's Income Tax Return for applicants whose gross family income is at or below a certain level in order to be exempted from paying the UPCAT fee. UP processes such information along with your permanent address and other information, e.g. grades, as the selection of campus qualifiers also considers socioeconomic and geographic factors as explained in the UPCAT Bulletin. We also ask if you are a member of an Indigenous People's group and/or if you have any physical disability or condition that will make it difficult for you to take a regular test. Such processing is pursuant to Section 9 of RA 9500

<http://www.officialgazette.gov.ph/2008/04/19/republic-act-no-9500/> which requires UP to take affirmative steps to enhance the access of disadvantaged students to the

University's programs and services.

In order for the UP to exercise its right to academic freedom and to uphold academic standards under its Charter, it processes the educational records you provide us as well as your UPCAT test, along with other information as mentioned in the UPCAT General Information Bulletin, in order to determine whether you are qualified to enroll in the University.

Contact information is processed by UP in order to be able to communicate effectively with you and to enable us to contact your family or other people you identify in the case of an emergency.

The University may compile statistics and conduct research on your personal information subject to the provisions of the DPA and applicable research ethics guidelines in order to carry out its mandate as the National University. As mentioned in the consent form, your personal information will be kept secure.

We require you to attest that the information that you provide us is true and correct as we also use the information in order to prevent the commission of fraud. Such processing is necessary for compliance with our legal obligation as a publicly funded University and to uphold our legitimate interest as an educational institution as well as that of taxpayers.

CCTVs and other security measures which may involve the processing of your personal information are intended to protect your vitally important interests, for public order and safety and pursuant to the University and the public's legitimate interests.

As stated in the UPCAT Bulletin, UP will post the UPCAT results, that is the name, campus and course of those who qualified for admission through the UPCAT in order to enable qualifiers, especially those from disadvantaged groups, to confirm their slots on time and make the necessary arrangements for their enrollment. Online posting of results is done pursuant to the provisions of R.A. 9500 which requires UP to provide democratic access to disadvantaged groups and in order to observe the principle of transparency in the admissions process.

We also post online the names of those with pending applications, that is, those who have not submitted complete requirements. You shall be required to present a valid school identification card or government-issued identification card when you request for documents containing your personal information such as your UP Predicted Grade, in the event you need the same for your appeal, in order for UP to see to it that we protect your privacy and identity fraud is prevented.

UP does not process your personal information to carry out any wholly automated decision making that affects you.

When consent is the appropriate or relevant basis for collecting your personal information, the University will obtain such consent in written, electronic, or recorded form at the appropriate time.

We retain your information that is processed for determining your eligibility to be admitted through the UPCAT for a maximum period of two (2) years and thereafter securely dispose of the same. This disposal is conducted according to the provisions of the National Archives Act of 2007 R.A. 9470

<http://www.officialgazette.gov.ph/2007/05/21/republic-act-no-9470/> and the procedures of the National Archives of the Philippines.

### **NONDISCLOSURE OF YOUR PERSONAL INFORMATION TO THIRD PARTIES EXCEPT UPON YOUR CONSENT OR AS REQUIRED OR PERMITTED BY LAW**

As a general rule, UP will only disclose your personal and sensitive personal information to third parties with your consent. The University will disclose or share such information only when required or allowed by applicable laws.

Examples of applicable laws that may require UP to disclose your information pursuant to law include the Implementing Rules and Regulations and Implementing Guidelines for the Universal Access to Quality Tertiary Education Act of 2017 (RA 10931 <http://www.officialgazette.gov.ph/2017/08/03/republic-act-no-10931/>) and the UNIFAST Act (RA 10687 <http://www.officialgazette.gov.ph/2015/10/15/republic-act-no-10687/>). Please note that under the UNIFAST Act, among others, the UNIFAST Board is authorized under Section 15 to

(e) Promulgate the minimum guidelines, rules, and regulations for determining qualified Beneficiaries of student financial assistance for Tertiary Education;

(f) Provide general guidelines for the drawing up of contracts with the student Beneficiaries specifying the rights and obligations of the parties that may include a service clause or such other stipulations of cost recovery the Board may deem in the best interest of the public and consistent with, or responsive to, national, social, economic, and human resources development plans, subject to Section 12;

(g) Monitor, assess, and make impact evaluation of StuFAPs and projects, with the end in view of determining whether these programs shall be adopted, continued, or terminated;

Under the DPA, personal information may be processed e.g. disclosed, for instance, when it is necessary in order for UP to comply with a legal obligation; to protect your vitally important interests including life and health; necessary to respond to national emergency, public order and safety; necessary to fulfill the functions of public authority or for the pursuant to the legitimate interests of the University or a third party except where such interests are overridden by your fundamental rights.

Sensitive personal information (e.g. confidential educational records, age/ birthdate, civil status, health, ethnicity) on the other hand may be processed, e.g. disclosed, when such is allowed by laws and regulations, such regulatory enactments provide for the protection of such information and the consent of the data subject is not required for such law or regulation, e.g. under the Education Act of 1982, parents have the right to access the educational records of children who are under their parental responsibility;

such is needed to protect the life and health of the data subject or another person and the data subject is unable to legally or physically express consent, in the case of medical treatment, needed for the protection of lawful rights and interests of natural or legal persons in court proceedings, for the establishment, exercise or defense of legal claims or where provided to government or public authority.

## **HOW UP PROTECTS YOUR PERSONAL INFORMATION**

Even prior to the effectivity of the DPA, UP put in place physical, organizational, and technical measures to protect your right to privacy, and is committed to reviewing and improving them, so as to be able to comply, among others, with its obligations under the applicable provisions of the Education Act of 1982 which require us to keep your educational records confidential. You may wish for instance to read UP's Acceptable Use Policy for IT Resources (AUP).

From time to time, UP posts information on relevant sites and sends emails that explain how you can secure and maintain the confidentiality of your personal information. Rest assured that UP personnel are allowed to process your personal information only when such processing is part of their official duties. The Office of Admissions only discloses personal information needed by other offices such as the University Registrars of the Constituent Universities in order to perform their functions of verifying your identity for admissions purposes in the event you pass the UPCAT.

We encourage you to visit this site from time to time to see any updates regarding the Privacy Notice for UPCAT applicants, including the latest information about the implementation of the Universal Access to Quality Tertiary Education Act of 2017 and the UNIFAST Act as it relates to the processing of your personal information. We shall alert you regarding changes to this Policy through this site and/or through written notices e.g. email or SMS.

## **ACCESS TO YOUR PERSONAL INFORMATION**

In case you request documents, e.g. UP Predicted Grade, through a representative, in order to protect your privacy, as stated above, UP requires you to provide a letter of authorization stating the name of your authorized representative, the purpose(s) for which the requested document(s) will be used and your valid school identification card or government-issued ID (GIID) as well as the valid GIID of your authorized representative.

## **QUERIES REGARDING DATA PRIVACY**

If you have any Data Privacy queries or concerns regarding your UPCAT application or suggestions regarding this privacy notice you may contact the UP System Data Protection Officer through the following:

a. Via post

2F North Wing Quezon Hall  
(Admin Building) University Avenue,  
UP Diliman, Quezon City 1101  
Philippines

b. Through the following landlines

Phone | (632) 9280110; (632) 9818500 loc. 2521

c. Through email  
dpo@up.edu.ph