

Privacy Certificate

Grantee Organization: _____
Project Name: _____
Grant Number: _____
OVC Grant Manager: _____

Grantee, [This should include the grantee organization as well as the name and title of both the Principal Investigator/Project Director and the person representing the institution receiving the grant fundsⁱ], certifies that data identifiable to a private personⁱⁱ will not be used or revealed, except as authorized in 28 CFR Part 22, §§ 22.21 & 22.22.

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.

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. Grantee also certifies that OVC will 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.

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 alternative arrangements have been agreed upon for future maintenance of such data, in accordance with 28 CFR § 22.23(b)(6).

Grantee certifies that any private person 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 participation in the project may be terminated at any time. In addition, 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.

Grantee certifies that project plans 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.

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 that 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.

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.

To comply with the regulations in 28 CFR Part 22, the following safeguards are incorporated into the grant application.

Brief Description of Project

(To ensure that someone unfamiliar with the project and the organization's processes will understand it, please include a brief description of the project here, which should include the overall purpose and goals of the project and what tasks or objectives will be accomplished. Please limit the description to two concise paragraphs.)

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:

Procedures developed to preserve the confidentiality of personally identifiable information, as required by 28 CFR § 22.23(b)(7):

Justification for the collection and/or maintenance of any data in identifiable form, if applicable:

Procedures for data storage, as required by 28 CFR § 22.23(b)(5):

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

Name and title of individual with the authority to transfer data:

Procedures to insure the physical and administrative security of data, as required by 28 CFR § 22.25(b), including a description of those procedures used to secure a name index, if applicable:

Procedures for the final disposition of data, as required by 28 CFR § 22.25:

Name and title of individual authorized to determine the final disposition of data:

Access to data is restricted to the following individuals, as required by 28 CFR § 22.23(b)(2):

Project Director(s) _____

Project Staff _____

Contractors, Subcontractors, and Consultants _____

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 this Privacy Certificate.

Signature(s): _____ (Project Director/Principal Investigator)

_____ (Institutional Representative)

Date: _____

ⁱ In the case where the Project Director and Principal Investigator (PI) are two separate people,

they should both sign the certificate. (PI signs in the PI slot, and the Project Director signs as the Institutional Representative.) In the case of a project where there is no PI (which is the case for most OVC grants), the Project Director signs in the PI slot. Someone else who can legally bind the organization (e.g., an Executive Director) should sign as the Institutional Representative.

ⁱⁱ 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.”