

LINCOLN UNIVERSITY

Policy:	Third-Party Provider Policy
Policy Number:	HRM-137
Policy Office(s):	Purchasing, Office of Information Technology (OIT)
Effective Date:	April 2024
Revisions:	N/A
Next Review Date:	April 2025
Review Officer(s):	Vice President, General Counsel & Secretary to the Board of Trustees, Vice President for Human Resources, Director of Purchasing & Chief Information Officer
Status:	Approved by the President and Board of Trustees

Introduction

This policy outlines the guidelines and procedures for the engagement and management of third-party providers by the University. Third-party providers are external entities that offer services, products, or resources to the University, its faculty, staff, or students. This policy aims to ensure that engagements with third-party providers align with the University's mission, values, and legal obligations while mitigating risks and ensuring accountability.

I. Purpose

Lincoln University ("Lincoln") is responsible for ensuring the quality, ethics, integrity, and transparency of all activities conducted in its name, including services and educational programming delivered by third-party providers ("TPP"). Lincoln is committed to the thorough review of the quality and integrity of institutional services and programs delivered through partnerships with TPP. The purpose of this policy is to outline Lincoln's expectations for its work with TPP.

II. Types of Preparations Covered

This Policy covers arrangements with a Third-Party Provider. The University will establish a formal process for selecting and evaluating third-party providers. This process will include criteria such as reputation, reliability, financial stability, security practices, compliance with applicable laws and regulations, quality of service, scalability and flexibility, customer support and communication, sustainability, ethical practices, and alignment with the University's mission and values to contribute to a stronger partnership and smoother collaboration

The covered arrangements include those related to:

- i. Delivery of student learning opportunities such as non-credit, workforce development, internships, clinical experiences, student teaching and/or credit bearing educational programs;
- ii. Student Support services such as advising, counseling, tutoring, international student management, marketing, recruitment, advertising, campus safety, food or dining services;
- iii. Services for assessment of student learning;
- iv. Operational or business functions of the institution, such as procurement, information technology or human services;
- v. Facilities-related goods or services (construction services, design services, professional A/E services, furniture, fixtures, and building equipment related to facilities)
- vi. Contracts solely for goods, books, supplies, products, and equipment or software programs are not subject to this policy.

III. Contractual Agreements

- i. Lincoln University must obtain internal and external approvals for any TPP arrangements as set out in the University's academic and non-academic policies, including its Contracts Policy, or as otherwise required by the University's Board of Trustees, MSCHE, or other accrediting body.
- ii. All engagements with third-party providers will be formalized through written contracts or agreements. These contracts will clearly outline the rights, responsibilities, obligations, and expectations of both parties. Contracts will address key areas such as service level agreements, data protection and privacy requirements, confidentiality, intellectual property rights, termination clauses, dispute resolution mechanisms, and indemnification.
- iii. Legal review of contracts from the Office of the General Counsel and/or Purchasing will be mandatory to ensure compliance with applicable laws, regulations, and University policies.

IV. Data Protection & Privacy

- i. Information technologies, including computers, computer files, the e-mail system, the telephone system, Internet access, information systems, and software furnished to employees are Lincoln property intended for use in teaching, learning, research and University business. The University maintains policies covering authorized and unauthorized use of its technology. Employees, students, alumni, and visitors may not use or access the University's information technologies without proper authorization. To ensure compliance with this policy, and to properly manage technology, usage may be monitored.
- ii. Third-party providers must adhere to strict data protection and privacy standards in line with relevant laws and regulations such as the General Data Protection Regulation and the Health Insurance Portability and Accountability Act (e.g., GDPR, HIPAA).
- iii. Contracts with third-party providers will include provisions for the protection of sensitive data, including requirements for data encryption, access controls, data retention limits, and breach notification procedures.
- iv. The University has the right to regularly monitor and audit third-party providers' compliance with data protection and privacy requirements. Any other university information acquired by the third party in the course of the contract cannot be used for the third party's own purposes or disclosed to others.

V. Compliance & Regulatory Requirements

- i. Third-party providers must comply with all relevant laws, regulations, and industry standards applicable to their services or products. The University will verify third-party providers' compliance through regular audits, assessments, or certifications.
- ii. Contracts will include clauses requiring third-party providers to notify the University promptly of any changes in their compliance status.

VI. Review and Revision

This policy will be reviewed bi-annually to ensure its effectiveness and relevance. Any necessary revisions will be made in consultation with the appropriate departments, Office of Purchasing and the Office of the General Counsel and in accordance with established governance procedures.

VII. Enforcement

Violation of this Policy may result in disciplinary action which may include termination for employees, termination of business relationships for contractors or consultants. Additionally, individuals are subject to loss of Lincoln University's Information Resources access privileges and civil and criminal prosecution. Third Party Vendors shall be held accountable for payment for reimbursement of damages resulting from a disclosure, breach, data loss or other events that puts the university data at risk.

VIII. Conclusion

The University is committed to fostering productive and ethical relationships with third-party providers while prioritizing the protection of its interests, assets, and stakeholders. This policy provides a framework for the responsible and transparent engagement with third-party providers and underscores the University's commitment to excellence, integrity, and compliance.