

Model Confidentiality Policy

Disclaimer concerning the Use of this Model Policy: This Model Policy is designed for local Associations of REALTORS® in Texas to use as a guide in the adoption of a Confidentiality Policy. Texas REALTORS® does not represent or warrant that this model document addresses all items that should be addressed in a confidentiality policy or that compliance with this model document will eliminate any potential responsibility or liability by the association.

Association of REALTORS® (“Association”) Confidentiality Policy

Purpose

This Confidentiality Policy (Policy) is adopted in order to ensure matters which are to remain known only to certain persons affiliated with the Association are kept that way. Association members are frequently involved in proceedings or actions that involve information that should be kept private. The purpose of this Policy is to define and set forth what information that is and to inform members and staff of procedures to be followed to ensure confidentiality.

Scope

This Policy is applicable to all members of the Association who serve in voluntary governance positions. Voluntary governance positions include all members of the Association Leadership Team, Executive Board, Board of Directors, Committees and Task Forces.

Confidential Information

Confidential Information includes but is not limited to any information pertaining to The Association’s current or anticipated operations, procedures, 3rd party relationships and agreements, work product, and personal identification information. Some examples of Confidential Information are:

- Identifying personal or financial information related to any Association employee or member (e.g. driver’s license number, address, phone number, credit card number, etc.)
- Information related to any previous, current, or anticipated Professional Standards proceedings (including the Ombudsman, Mediation, Ethics, and Arbitration programs)
- Information related to Professional Development programs and the creation of such programs that is specifically identified as confidential
- Information related to the development and creation of any artwork, marketing material, graphic design, and other printed material to be used by the Association, its staff and members

- Information concerning the process used to create and publish the Association magazine, newsletters, podcasts and any other communications tool utilized by the Association
- Information related to vendor contracts and any proprietary information learned by the Association in obtaining and fulfilling its obligations pursuant to vendor contracts
- Any information related to government affairs and political involvement programming of the Association not otherwise required to be made public (e.g. process used to determine campaign contributions, discussions surrounding decisions for campaign contributions and endorsements, and membership data, etc.)
- Information pertaining to the process used to create and publish the Association Forms Library that is specifically identified as confidential
- Information related to personnel decisions (e.g. hiring, firing, promotion, reprimand, salary increases, etc.)
- Information obtained pursuant to closed meetings of Association committees, Board of Directors, Executive Board or Leadership Team
- Any other information not generally known that if disseminated could be reasonably expected to adversely affect the Association

General Non-Disclosure of Confidential Information

At no time shall an Association member disclose Confidential Information unless expressly permitted to do so at the discretion or direction of the CEO of the Association. Further, unless expressly permitted to do so, at no time shall an Association member make copies of Confidential Information except as may be required in the performance of the person's job duties or voluntary governance position duties.

Association Governance

From time to time, it may be necessary or required for meetings of Association leadership (i.e. certain committees, Association Leadership Team, etc.) to be held in executive session. The proceedings of these meetings are confidential in nature and shall not be disclosed to individuals who were not present at the meeting.

Any information discussed at a meeting held in executive session or documents that are disseminated are to remain confidential and may not be shared with anyone not in attendance.

Member Information

Members of the Association frequently provide information to the Association related to their membership requirements, contributions to the Texas Real Estate Political Action Committee, or

other reasons. Any information provided to the Association for these limited purposes shall be deemed confidential and may not be shared with any other member of the Association or with Association staff holding positions to which the information would not be relevant.

Acknowledgment

By agreeing to serve in an Association voluntary governance position, each Applicable Person agrees to abide by the terms in this Policy. Applicable Persons also acknowledge that Confidential Information learned or discovered during the course of the person's affiliation with the Association is the sole property of the Association and further agrees to leave any hard copies containing Confidential Information in the possession of the Association upon either the end of the Applicable Person's affiliation with the Association or the end of the person's service in a voluntary governance position.

SAMPLE

_____ **Association of REALTORS®**
Confidentiality Policy Acknowledgment

By agreeing to serve in an Association voluntary governance position, I agree to abide by the terms in this Policy. I also acknowledge that Confidential Information learned or discovered during the course of my affiliation with the Association is the sole property of the Association and further agree to leave any hard copies containing Confidential Information in the possession of the Association upon the end of my service in a voluntary governance position.

I, _____, agree to abide by the terms and conditions stipulated in the Confidentiality Policy. I acknowledge that I have received a copy of the Policy and have read its terms very carefully. I understand that my failure to abide by the terms of the Policy may result in my immediate dismissal from my volunteer governance position with the Association.

Signature: _____

Printed Name: _____

Date: _____