



27 September 2019

**ADVISORY OPINION**

Reference No. DPO 19-42

FOR : [REDACTED]  
[REDACTED]

SUBJECT : **Review of the UP [REDACTED] Registration Form**

Dear [REDACTED] :

We respond to your inquiry if the fields in the UP [REDACTED] Registration Form for Kindergarten to Grade 12 is compatible with UP Diliman's declared purposes for processing information.

**Advisory Opinion**

Except for Religion, the information gathered by the Registration Form are compatible with UP Diliman's purposes declared in the UP Diliman Privacy Policy for Students, Parents and Guardians.

It is suggested that UP [REDACTED] evaluate if it has a legitimate purpose for collecting the religion of students. If there is such a purpose and it is different from the one stated in the UP Privacy Notice for Students, then it is suggested that there be a footnote explaining the need to collect religion. If in actuality there is no legitimate purpose for collecting information on religion, then it is suggested that "Religion" be removed from the Registration Form.

## **Discussion**

### ***UP Diliman's Purposes for Collecting Personal Information***

Personal information may be collected under the Data Privacy Act of 2012 if such information is “compatible” with the “declared, specified and legitimate purposes” of an institution.<sup>1</sup>

Our purposes in UP Diliman for collecting and processing personal information are declared in the UP Diliman Privacy Policy for Students, Parents and Guardians found at <https://upd.edu.ph/wp-content/uploads/2019/03/Privacy-Policy-for-Students-Parents-and-Guardians.pdf>. This policy declares that UP Diliman processes personal data of students, parents and guardian for the following purposes:

- (1) Academic purposes such as:
  - a. Processing of raw or final grades, including evaluation and use of grades to make and act on decisions about students;
  - b. Formulation, study of, and implementation of UP Diliman’s policies, guidelines, procedures, processes, rules and regulations;
- (2) Extra-curricular purposes such as:
  - a. Regulation of student organizations and bodies;
  - b. Collaborations with public and private agencies and institutions;
- (3) Medical purposes such as:
  - a. Rendering of medical, dental, psychiatric and psychological aid, whether in emergency situations or otherwise;
  - b. Keeping of health records and medical histories to understand patient context and tendencies;
- (4) Student assistance purposes such as:
  - a. Provision of legal, scholarship, financial, athletic, dormitory assistance;
  - b. Provision of tutorial, mentorship or internship assistance;
- (5) Student disciplinary purposes such as:
  - a. Conducting investigations, hearing of cases or evaluating matters related to UP Diliman policies, guidelines and rules;
  - b. Implementation of laws or orders of government authorities;
- (6) Records and account purposes;
- (7) Security and community affairs purposes; and
- (8) Purposes necessary for UP Diliman to perform its obligations, exercise its rights, and conduct its associated functions as a higher education institution, an instrumentality of the government, and as a juridical entity with its own rights, interests and internal and external affairs.

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<sup>1</sup> Data Privacy Act of 2012, Section 11(a).

***Religion should be collected for a legitimate purpose***

UP ██████ should have a “legitimate purpose” for collecting information about religion.<sup>2</sup> Under the UP System-wide UP Privacy Notice for Students,<sup>3</sup> it is declared that UP collects religion for the following purpose:

“UP processes information regarding your religious affiliation in the course of verifying your identity—e.g. offices match information in your birth certificate and school records provided to us etc.—to conduct research to see to it that we uphold the principle of democratic access and that, as a non-sectarian institution, we do not discriminate on the basis of religious creed and to uphold your right to freedom of religion, e.g. by providing you with services that are consistent with your beliefs in relation to your health needs and food preparation, etc.”

If UP ██████ indeed collects religion due to the above purpose, then “Religion” may be retained in the Registration Form. However, we kindly request for UP ██████ to determine if evaluate if the above purpose is actually conducted by UP ██████ .

We in UP Diliman aspire to *sincerely* respect the privacy of its students. Hence, we do not wish to rely on afterthought justifications why UP has been collecting religion all these years. If UP ██████ in reality conducts the above-quoted purpose or if UP ██████ has another legitimate reason for collecting religion, then “Religion” may be retained in the Registration Form. If not, then it is suggested that “Religion” be removed from the form.

If UP ██████ has another legitimate reason for collecting religion, then we suggest that students be informed of this other purpose by having a footnote explaining why religion needs to be collected.

Please feel free to reach out for additional concerns.

Yours,

**(Sgd.) Elson B. Manahan**  
Data Protection Officer  
University of the Philippines Diliman

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<sup>2</sup> Implementing Rules and Regulations of the Data Privacy Act of 2012, Section 19(a).

<sup>3</sup> The UP Privacy Notice for Students may be accessed at <https://upd.edu.ph/wp-content/uploads/2018/06/UP-Privacy-Notice-for-Students-2.pdf>