

**NOTICE REGARDING PROTECTION OF PERSONAL INFORMATION  
AND REQUEST FOR CONSENT TO HANDLE AND FOR CROSS-BORDER TRANSFER  
FROM MAINLAND CHINA**

**关于个人信息保护和请求同意处理和从中国大陆跨境转移的通知**

Montclair State University and the Montclair State University Foundation, Inc. (collectively “Montclair”) is providing you with the following notice, pursuant to the Personal Information Protection Law of the People’s Republic of China (hereinafter referred to as “PIPL”). The PIPL, effective November 1, 2021, pertains to the handling of Personal Information of natural persons within the territory of the People’s Republic of China (“PRC”) and the movement of such information, including the transfer of your Personal Information out of Mainland China. For the purposes of this consent form, “China” shall refer to the continental landmass under the direct control of the PRC, including the islands of Hainan Province and five major autonomous regions (i.e., Tibet, Inner Mongolia, Xinjian, Ningxia, and Guangxi), but excluding the Hong Kong Special Autonomous Region (SAR), Macao SAR and Taiwan.

蒙特克莱尔州立大学和蒙特克莱尔州立大学基金会（统称“蒙特克莱尔”）根据《中华人民共和国个人信息保护法》（以下简称《个人信息保护法》）的规定，向您发出以下通知：《个人信息保护法》于 2021 年 11 月 1 日生效，适用于在中华人民共和国（简称“中国”）境内自然人的个人信息的处理和该等信息的移动，包括将您的个人信息转移出中国大陆。本同意书所称“中国”是指中华人民共和国直接管辖的大陆地区，包括海南岛和五个自治区（如西藏、内蒙古、新疆、宁夏和广西），但不包括香港特别行政区、澳门特别行政区和台湾省。

The PIPL is designed to provide greater protection of your Personal Information. This notice will inform you of the location of Montclair’s China PIPL Privacy Notice, which includes a Table that describes the purposes for which Personal Information is collected, the legal basis for Montclair’s handling of your Personal Information, the ways in which your Personal Information will be used, handled, and maintained by Montclair; and will give you the opportunity to consent to the use, handling, sharing, retention, and transfer out of China of your Personal Information, including Sensitive Personal Information. Montclair’s China PIPL Privacy Notice can be found here: [Insert link].

个人信息保护法旨在为您的个人信息提供更大的保护。本通知将告知您蒙特克莱尔中国个人信息保护法隐私通知的位置，其中包括描述收集个人信息目的的表格，蒙特克莱尔处理您个人信息的法律依据，蒙特克莱尔将使用、处理和您的个人信息的方式，并给予您同意使用、处理、共享、保留和将您的个人信息（含敏感个人信息）转移到中国境外的机会。蒙特克莱尔中国个人信息保护法隐私通知详见：【填入链接】。

1. Definitions/定义:

- a. “Personal Information” refers to various kinds of information related to identified or identifiable natural persons recorded by electronic or other means, excluding information handled anonymously. Identifiers include a name, identification number, on-line identifiers such as IP addresses, images, or other factors related to the physical, physiological, genetic, mental, economic, cultural, or social identity of a person.  
“个人信息”系指以电子或者其他方式记录的与已识别或者可识别的自然人有关的各种信息，不包括匿名化处理后的信息。标识符包括姓名、标识号、在线标识符(如 IP 地址、图像)或与一个人的身体、生理、遗传、心理、经济、文化或社会身份相关的其他因素。
- b. “Sensitive Personal Information” refers to Personal Information that can easily lead to the infringement of the personal dignity of natural persons, or the harm of personal or property safety once leaked or illegally used. Sensitive Personal Information includes biometrics, religious beliefs, specific identities, medical health, financial accounts, and whereabouts (i.e., location data) and any personal information of minors under the age of 14. Specific examples of Sensitive Personal Information would include information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic data, biometric data and data concerning health or a person’s sex life or sexual orientation.  
“敏感个人信息”系指一旦泄露或者非法使用，很容易导致自然人的人格尊严受到侵害或者人身、财产安全受到危害的个人信息。敏感个人信息包括生物识别、宗教信仰、特定身份、医疗健康、金融账户和行踪轨迹（即位置数据）等信息，以及不满十四周岁未成年人的个人信息。

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敏感个人信息的具体例子包括揭示种族或族裔出身、政治观点、宗教或哲学信仰、基因数据、生物特征数据以及有关健康或个人性生活或性取向的数据。

- c. “Handling” is any operation or set of operations that is performed on Personal Information or on sets of Personal Information, whether or not by automated means, and includes the collection, storage, use, handling, transmission, provision, publication, and erasure of Personal Information. Handling operations must be in accordance with the principles of legality, legitimacy, necessity and good faith, and shall not be done by misleading, fraud, coercion or other means.

“处理”系指对个人信息或对个人信息集执行的任何操作或操作集，无论是否通过自动方式，包括对个人信息的收集、存储、使用、加工、传输、提供、公开、删除等。经营活动应当遵守合法、正当、必要和诚信原则，不得通过误导、欺诈、胁迫等方式处理个人信息。

2. In order to comply with all applicable legal obligations related to your status as a student, employee, alumnus, independent contractor or other relationship with Montclair as indicated in the China PIPL Privacy Notice, Montclair will collect and handle your Personal Information, including Sensitive Personal Information, in accordance with its policies, procedures, and protocols, the PIPL, to the extent applicable, and with the principles of fairness, legality, legitimacy, necessity and good faith, transparency, purpose limitation, accuracy, storage limitation, integrity, confidentiality, accountability, and the protection of your privacy. Montclair may collect your Personal Information, including Sensitive Personal Information, directly from you and/or any other source listed in the China PIPL Privacy Notice.

为了遵守中国个人信息保护法隐私通知中规定的与您作为学生、员工、校友、独立承包商或与蒙特克莱尔的其他关系相关的所有适用法律义务，蒙特克莱尔将在适用的范围内，根据其政策、程序和协议、个人信息保护法，本着公平、合法、正当、必要和诚信、透明、目的限制、准确性、存储限制、诚信、保密、问责和保护您的隐私的原则，收集和您的个人信息（包括敏感个人信息）。蒙特克莱尔可能直接从您和/或中国个人信息保护法隐私通知中列示的任何其他来源处收集您的个人信息（包括敏感个人信息）。

Montclair will only handle Personal Information, including Sensitive Personal Information, with your consent, or where necessary to protect your vital interests, for the establishment, exercise or defense of legal claims, in relation to your physical and mental health conditions, as necessary to handle your payment, or as otherwise specified under applicable law. Montclair has adopted required data protection measures (e.g., physical, managerial, and technical safeguards) designed to ensure the integrity and security of Personal Information, including Sensitive Personal Information, that we handle.

蒙特克莱尔只会在征得您同意，或在为保护您的切身利益所必要，为建立、行使或抗辩与您的身体和精神健康状况有关的法律诉讼中，为处理您的付款所必要，或相关法律另有规定的情况下，处理个人信息(包括敏感个人信息)。蒙特克莱尔已采取必要的的数据保护措施(如物理、管理和技术保障)，以确保我们所处理的个人信息(包括敏感个人信息)的完整性和安全。

3. All Personal Information, including Sensitive Personal Information, shall be handled for Montclair institutional purposes, connected or related to your status as a student, employee, alumnus, independent contractor or other relationship with Montclair consistent with the Montclair PIPL Privacy Notice and with the PIPL. The Personal Information supplied or collected will be handled for the purposes listed in the Table in the China PIPL Privacy Notice, including but not limited to, the following purposes:

所有个人信息，包括敏感个人信息，将按照蒙特克莱尔的隐私通知和个人信息保护法，为与您作为学生、员工、校友、独立承包商或与蒙特克莱尔的其他关系有关或相关的蒙特克莱尔的机构目的进行处理。所提供或收集的个人信息将被用于中国个人信息保护法隐私通知表中所列的目的，包括但不限于以下目的：

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- a. To fulfill the obligations established by any applicable law, including without limitation labor, tax, and social security obligations;  
履行任何适用法律规定的义务，包括但不限于劳动、税收和社会保障义务；
  - b. To abide with contractual obligations related to your status as a student, employee, alumnus, independent contractor or other relationship with Montclair, including without limitation contract management and payments;  
遵守与您作为学生、员工、校友、独立承包商或与蒙特克莱尔的其他关系相关的合同义务，包括但不限于合同管理和付款；
  - c. Sensitive Personal Information will be handled only with your consent or for purposes relating to a health or safety emergency and complying with applicable law;  
敏感个人信息的处理将仅在您同意的前提下，或仅用于与健康或安全紧急情况有关的目的，并遵守适用法律；
  - d. Submittal and handling of Personal Information, including Sensitive Personal Information, is necessary in order to achieve the purposes specified above.  
为达到上述目的，有必要提交和处理个人信息（包括敏感个人信息）。
4. If you have provided your consent to our handling or transfer of your Personal Information and/or Sensitive Personal Information, you may withdraw your consent at any time by contacting Montclair. Withdrawal of consent will not be retroactive and will not affect the lawfulness of the handling or transfer of Personal Information, including Sensitive Personal Information, handled by Montclair prior to your withholding or withdrawing of consent. If you withdraw or withhold your consent, Montclair may continue to handle your Personal Information, including Sensitive Personal Information, in accordance with the legal obligations relating to your status or relationship with Montclair or if Montclair otherwise has a legal basis for the handling. 如果您同意我们处理或将您的个人信息和/或敏感个人信息转移至境外，您可以随时联系蒙特克莱尔撤回您的同意。撤回同意不具有追溯力，也不会影响蒙特克莱尔在您拒绝或撤回同意之前处理或转移个人信息(包括敏感个人信息)的合法性。如果您撤回或拒绝同意，蒙特克莱尔可根据与您的身份或与蒙特克莱尔的协议相关的法律义务，或者蒙特克莱尔享有的其他法律依据，继续处理您的个人信息(包括敏感个人信息)。
5. Montclair will only handle your Personal Information, including Sensitive Personal Information, in accordance with applicable law on the terms set forth herein, by those employees, agents and representatives of Montclair who are in charge of and responsible for handling Personal Information, including Sensitive Personal Information, related to your status as a student, employee, independent contractor or other relationship with Montclair. These activities are based at Montclair located at 1 Normal Avenue, Montclair, NJ 07043 unless handled remotely by a third-party Software as a Service (“SaaS”) provider under contract with Montclair. If a third-party SaaS provider will hold your Personal Information, your content is generally administered and managed by Montclair, and you should contact the individual in Montclair’s Privacy Notice to exercise your rights with respect to your Personal Information.  
蒙特克莱尔将仅安排负责处理与您作为学生、员工、校友、独立承包商或与蒙特克莱尔的其他关系有关的您的个人信息(包括敏感个人信息)的员工、代理人和代表，根据本协议条款的适用法律，处理您的个人信息(包括敏感个人信息)。除非根据与蒙特克莱尔的合同由第三方软件即服务（“SaaS”）供应商远程处理，这些活动都是在位于新泽西州蒙特克莱普通大道 1 号的蒙特克莱尔市进行的（邮编为 07043）。如果第三方 SaaS 供应商将保存您的个人信息，您个人信息的具体内容通常由蒙特克莱尔管理，您应在蒙特克莱尔隐私通知中联系该个人，以行使您对个人信息的权利。
6. With your consent, your Personal Information, including Sensitive Personal Information, may be transferred between the U.S. and China pursuant to applicable law. Montclair may also share your Personal Information,

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including Sensitive Personal Information, with your designated emergency contact if you are seriously ill, suffer an injury or serious mental health issue, are hospitalized, arrested, or fail to show up for school or work and do not respond to calls and emails from Montclair regarding your absence.

在您同意的情况下，您的个人信息(包括敏感个人信息)可根据适用法律在美国和中国之间转移。如果您患有重病、受伤或严重精神健康问题、住院、被捕、或者旷工，不回复蒙特克莱尔关于您缺课或缺勤的电话和邮件，蒙特克莱尔还可与您指定的紧急联系人分享您的个人信息(包括敏感个人信息)。

7. Withholding consent or withdrawal of consent to the handling or transferring out of China of your Personal Information, including Sensitive Personal Information, may make it impossible for Montclair to carry out activities necessary in connection with your status as a student, employee, independent contractor or other relationship with Montclair. If you choose to withhold or withdraw your consent, you may continue to act in accordance with your status as a student, employee, independent contractor or other relationship with Montclair if the Personal Information is not required for your activities with Montclair, however, Montclair may not be able to share information about your health and safety as well other information with your emergency contact. 如果您撤回或撤销对处理或转移您的个人信息(包括敏感个人信息)转移到中国境外的同意，可能会使蒙特克莱尔无法开展与您作为学生、员工、校友、独立承包商或与蒙特克莱尔的其他关系有关的必要活动。如果您选择拒绝或撤回您的同意，如果您与蒙特克莱尔的活动不需要个人信息，您可以继续按照您作为学生、员工、独立承包商或与蒙特克莱尔的其他关系行事，但蒙特克莱尔可能无法与您的紧急联系人共享您的健康和信息安全信息以及其他信息。

8. Your Personal Information, including Sensitive Personal Information, may be communicated, in compliance with the rules indicated above, to public or private entities in order to fulfill obligations set forth by your contractual agreement with Montclair, regulations or U.S. laws; Personal Information, including Sensitive Personal Information, may be communicated to public bodies and authorities including without limitation public offices (such as labor and tax agencies) and to private individuals (such as other employees with specific duties relating to labor matters, labor consultants, external accountants, payroll providers, law firms, security supervisors, insurance companies, and banks) only for purposes relating to health, mental health, safety, emergency and crisis response and for the purposes of fulfilling obligations set forth by applicable laws and regulations.

您的个人信息(包括敏感个人信息)，可能会按照上述规定，向公共或私人实体发送，以履行您与蒙特克莱尔之间的合同协议、法规或美国法律规定的义务；个人信息(包括敏感个人信息)可能会仅为与健康、心理健康、安全、紧急情况和危机应对有关的目的，以及为履行适用法律和法规规定的义务，传达给公共机关及当局，包括但不限于公共机构(如劳动和税务机构)，以及私人(如其他与劳动事务相关的员工、劳动顾问、外部会计、工资发放机构、律师事务所、安全监管机构、保险公司和银行)。

9. Your Personal Information, including Sensitive Personal Information, will be stored in accordance with Montclair policies on security, record retention and applicable law.

您的个人信息(包括敏感个人信息)，将根据蒙特克莱尔的安全政策、记录保留和适用法律进行存储。

10. All Personal Information, including Sensitive Personal Information, will be handled by Montclair in its capacity as the “Personal Information Handler” under the supervision of the individual identified in the China PIPL Privacy Notice in compliance with applicable law, whom you can reach at the contact information in section 13 of the China PIPL Privacy Notice.

所有个人信息(包括敏感个人信息)，将由蒙特克莱尔以“个人信息处理者”的身份，在中国个人信息保护法隐私通知中指定的个人的监督下，按照适用法律进行处理，您可以通过中国个人信息保护法隐私通知第13条规定的联系信息与其联系。

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11. Provided you consent to the handling and transferring out of China of your Personal Information, including Sensitive Personal Information, you may exercise your rights including withdrawing your consent to handle and/or transfer out of China your Personal Information, including Sensitive Personal Information, at any time by contacting the individual identified in the China PIPL Privacy Notice.

如果您同意处理您的个人信息（包括敏感个人信息）并将其转移到中国境外，您可以通过联系中国个人信息保护法隐私通知中指定的个人随时行使您的权利，包括撤回您同意处理和/或将您的个人信息（包括敏感个人信息）转移到中国境外的同意。

12. Rights you are entitled to regarding your Personal Information and Sensitive Personal Information, include the right to access, copy, restrict handling, request transfer to another handler, request rectification or supplementation, and the right to deletion, subject to any limitations in the law. You are also entitled to request an explanation from Montclair on our rules for handling your information. You will be able to exercise any and all other rights provided by the PIPL, to the extent applicable, unless otherwise provided for by laws and administrative regulations.

您有权获得的有关个人信息和敏感个人信息的权利，包括访问、复制、限制处理、请求转移到其他处理者、请求更正或补充的权利，以及删除的权利，但受法律限制。您也有权要求蒙特克莱尔解释我们处理您信息的规则。除非法律和行政法规另有规定，在适用范围内，您将能够行使个人信息保护法规定的任何及所有其他权利。

13. The PIPL, to the extent applicable, provides legal rights and remedies against any breach of personal privacy and in the event that Montclair refuses your request to exercise your rights as outlined, you have the right to bring a lawsuit in a court of competent jurisdiction according to the law.

在适用范围内，个人信息保护法为任何侵犯个人隐私的行为提供法律权利和补救措施，如果蒙特克莱尔拒绝您行使所述权利，您有权根据法律向有管辖权的法院提起诉讼。

Please complete the following:

请完成下述内容：

Name (First and Last): \_\_\_\_\_

姓名： \_\_\_\_\_

Position/Relationship with Montclair: \_\_\_\_\_

职位/与蒙特克莱尔州立大学的关系： \_\_\_\_\_

Company (if employed outside Montclair): \_\_\_\_\_

公司（如非受雇于蒙特克莱尔州立大学）： \_\_\_\_\_

For purposes of this Notice and Consent, a copy of an original signature shall be binding and given the same effect as an original signature.

就本通知及同意书而言，原始签署正本的副本具有约束力，并与原始签署正本具有同等效力。

**I hereby:**

**我特此：**

give my consent/同意

do not give my consent/不同意

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for the handling (collection, use, retention, sharing) of my Personal Information, including Sensitive Personal Information, for the purposes outlined in this notice.

为本通知所述目的处理（收集、使用、保留、分享）我的个人信息（包括敏感个人信息）。

**I hereby:**

我特此:

give my consent/同意  do not give my consent/不同意

for the transfer out of the China of my Personal Information, including Sensitive Personal Information, to Montclair in the United States.

将本人的个人信息(包括敏感个人信息)转移至美国的蒙特克莱尔。

**I hereby:**

我特此:

give my consent/同意  do not give my consent/不同意

for Montclair to share my Personal Information, including Sensitive Personal Information, with my designated emergency contact if I am seriously ill, suffer an injury or serious mental health issue, am hospitalized, arrested or fail to show up for school or work and do not respond to calls and emails from the university regarding my absence. I grant Montclair staff and administrators full authority to report to my designated emergency contact any and such all incidents, under the applicable laws, regardless of whether it involves disciplinary action. I understand that if I do not consent, Montclair will not be able to share information about my health and safety as well as other information with my emergency contact and will not be able to confirm my safety or whereabouts with my emergency contact in the event of an act of terrorism or other similar emergency in the location where I am located related to my status or relationship with Montclair.

如果我患有重病、受伤或严重精神健康问题、住院、被捕、或者旷工，不回复蒙特克莱尔关于我缺课或缺勤的电话和邮件，蒙特克莱尔可向我指定的紧急联系人分享我的个人信息(包括敏感个人信息)。本人授权蒙特克莱尔教职员和行政人员根据适用法律向我指定的紧急联系人报告任何此类事件，无论是否涉及纪律处分。我明白，如果我不同意，蒙特克莱尔将无法向我指定的紧急联系人分享我的健康和信息安全信息以及其他信息，在与我的身份相关或与蒙特克莱尔有关的地方发生恐怖主义行为或其他类似的紧急情况时，将无法通过我的紧急联系人确认我的安全或下落。

By signing this document, I certify that I am 18 years or older, that I have read and understand the contents of this Notice and Consent, and I have not modified it in any respect.

通过签署本文件，我证明我已年满十八周岁，我已阅读并理解本通知与同意书的内容，并且我没有对其进行任何修改。

\_\_\_\_\_  
Print Name /姓名

\_\_\_\_\_  
Signature/签名

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Date/日期