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IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q27-Q32):

NEW QUESTION # 27

Within what time period must a commercial message sender remove a recipient's address once they have asked to stop receiving future e-mail?

- A. 15 days
- **B. 10 days**
- C. 7 days
- D. 21 days

Answer: B

NEW QUESTION # 28

Global Manufacturing Co's Human Resources department recently purchased a new software tool. This tool helps evaluate future candidates for executive roles by scanning emails to see what those candidates say and what is said about them. This provides the HR department with an automated "360 review" that lets them know how the candidate thinks and operates, what their peers and direct reports say about them, and how well they interact with each other.

What is the most important step for the Human Resources Department to take when implementing this new software?

- A. Ensuring that the software contains a privacy notice explaining that employees have no right to privacy as long as they are running this software on organization systems to scan email systems.
- B. Confirming that employees have read and signed the employee handbook where they have been advised that they have no right to privacy as long as they are using the organization's systems, regardless of the protected group or laws enforced by EEOC.
- **C. Providing notice to employees that their emails will be scanned by the software and creating automated profiles.**
- D. Making sure that the software does not unintentionally discriminate against protected groups.

Answer: C

Explanation:

The most important step for the HR department to take when implementing this new software is to provide notice to employees that their emails will be scanned by the software and creating automated profiles. This is because the software involves the collection and use of personal information from employees, which may implicate their privacy rights and expectations. By providing notice, the HR department can inform employees about the purpose, scope, and consequences of the software, as well as their choices and rights regarding their data. Notice is also a key element of transparency and accountability, which are essential principles of privacy management. Providing notice can also help the HR department comply with various privacy laws and regulations that may apply to the software, such as the Electronic Communications Privacy Act (ECPA), the Stored Communications Act (SCA), the Fair Credit Reporting Act (FCRA), and state privacy laws. Notice can also help the HR department avoid potential legal risks and liabilities that may arise from the software, such as claims of invasion of privacy, breach of contract, or violation of employee rights. References:

* U.S. Private-Sector Privacy, Third Edition by Peter P. Swire, DeBrae Kennedy-Mayo, Chapter 4, Section 4.2.1, pp. 97-98.

* U.S. Private-Sector Privacy, Third Edition by Peter P. Swire, DeBrae Kennedy-Mayo, Chapter 5, Section 5.2.1, pp. 125-126.

* U.S. Private-Sector Privacy, Third Edition by Peter P. Swire, DeBrae Kennedy-Mayo, Chapter 6, Section 6.2.1, pp. 153-154.

* IAPP CIPP/US Certified Information Privacy Professional Study Guide by Mike Chapple and Joe Shelley, Chapter 4, Section 4.1, pp. 113-114.

NEW QUESTION # 29

Which of the following best describes an employer's privacy-related responsibilities to an employee who has left the workplace?

- A. An employer may consider any privacy-related responsibilities terminated, as the relationship between employer and employee is considered primarily contractual.
- B. An employer has a responsibility to permanently delete or expunge all sensitive employment records to minimize privacy risks to both the employer and former employee.
- **C. An employer has a responsibility to maintain the security and privacy of any sensitive employment records retained for a legitimate business purpose.**
- D. An employer has a responsibility to maintain a former employee's access to computer systems and company data needed to support claims against the company such as discrimination.

Answer: C

Explanation:

A legitimate business purpose for retaining records could aid with references, benefits & pension inquiries; legal proceedings, legal or

regulation retention requirements; health & safety issues; etc.

NEW QUESTION # 30

General health records data for private schools who accept no federal funding are subject to:

- A. PPRA
- B. No Child Left Behind
- C. HIPAA
- D. FERPA

Answer: C

Explanation:

If a school is not subject to FERPA, such as private schools, then the medical records of this school (if a covered entity) are subject to the HIPAA Privacy Rule.

NEW QUESTION # 31

All of the following common law torts are relevant to employee privacy under US law EXCEPT?

- A. Intrusion upon seclusion.
- B. Defamation
- C. Infliction of emotional distress.
- D. Conversion.

Answer: D

Explanation:

Intrusion upon seclusion and defamation are discussed in the book under workplace privacy. Infliction of emotional distress is available as an added-on civil tort with other forms of privacy torts, such as intrusion upon seclusion. The only one that makes sense in this scenario is conversion because it involves property.

NEW QUESTION # 32

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