West Virginia Executive Branch
Privacy Tip

Consent Policy – Opt in or opt out?



What do the terms “opt in” and “opt out” mean?

People often use the terms “opt in” and “opt out” incorrectly when describing choices made about the use of personally identifiable information (PII).

When you “opt in” to a program, you are expressly giving your consent by saying, “Yes, you may use my PII for this reason.” For example, you opt in when you physically check a box on a form or website to agree to receive marketing communications.

When you “opt out” of a program, you are expressly NOT giving your consent by saying, “No, you may not use my PII for this reason.” For example, you opt out when you un-check a pre-checked box on a form, or check a box that says, “Click here if you do not want to receive further communications from us.”

Be careful, though, some websites are very tricky! It may say, “I opt in to receive messages” – but the box could be pre-checked, making it an opt-out! You only have true opt in consent if you actually have to check the box yourself. Always read your choices carefully before giving your consent!

To view the Consent Policy, click here.

Note: Your agency/bureau/department/division may have specific requirements – always check your policies and procedures. If you have questions, contact your Privacy Officer.