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POLICY NO. 021
Committee: Admin. Committee
Policy Category: Administration
Approved.

Issue No. 1.0
Effective Date:
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By: _____
Chair of the Board

Subject: HANDLING OF PERSONALLY IDENTIFIABLE INFORMATION (PII)

HANDLING OF PERSONALLY IDENTIFIABLE INFORMATION (PII)

PURPOSE:

To provide guidelines for the use, access, and disclosure of Personally Identifiable Information ("PII") in SBCERA's possession related to members, beneficiaries and other related persons of record; members of the public; SBCERA employees and Board of Retirement trustees; and participating employers.

BACKGROUND:

PII means information in any format that could reasonably be used to identify a person including, but not limited to, name, address, e-mail address, Social Security number, birth date, or any other combination of information, including personnel, medical, financial, or similar files protected by the right to privacy under applicable law. The policy is intended to strike an appropriate balance between the objectives of open government and the protection of the privacy rights of individuals.

GUIDELINES:

There are a number of Federal and California laws that address privacy and security issues that significantly impact SBCERA. In the absence of any provision of applicable law to the contrary, SBCERA employees must handle PII in accordance with the following guidelines. SBCERA Legal Services shall be consulted in the determination of whether to disclose or withhold PII based upon the application of these guidelines and state and federal law.

1. PII shall not be disclosed to anyone for any reason unless: there is a written authorization by the individual whose privacy interest is at stake; SBCERA receives an order of a court of competent jurisdiction; the disclosure is required under the California Public Records Act; or it is necessary for the administration of the system.
2. All SBCERA vendors, partner agencies, or other parties, subject to contractual terms, who may have access to or are exposed to PII maintained by SBCERA, shall be required to execute a non-disclosure/confidentiality agreement.

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CONSEQUENCES:

The deliberate or negligent mishandling or misuse of PII by an SBCERA employee is considered misconduct and may subject the employee to discipline, up to and including termination, or Board action.

Unauthorized access, including data breach, or improper disclosure of PII shall be reported to the Chief Executive Officer, Chief Counsel, Chief Information Officer, SBCERA Board, and, depending on the severity of the breach and if required by law, to the affected person(s). Upon discovery of the unauthorized access or disclosure, SBCERA and/or its vendor shall take prompt corrective action to mitigate any risks or damages involved, and any further action as required by applicable law.