



BOARD OF RETIREMENT

Staff Report

File #: 19-576.1

Agenda Date: 11/7/2019

Agenda #: 25.

FROM: Colin Bishop, Chief of Member Services

SUBJECT: Rescind Administration Policy No. 008 (Privacy and Confidentiality) and Replace with Administration Policy No. 021 (Handling of Personally Identifiable Information (PII))

RECOMMENDATION:

Rescind Administration Policy No. 008 (Privacy and Confidentiality) and replace with Administration Policy No. 021 (Handling of Personally Identifiable Information (PII)).

BACKGROUND:

General Policy No. 005 involves the periodic review of Board policies and indicates that the Administrative Committee review Administration and Benefit policies every three years. Accordingly, SBCERA staff has reviewed Administration Policy No. 008 (Privacy and Confidentiality) and recommends replacing it with a new policy. The updated policy presented here is focused on the protection of Personally Identifiable Information ("PII"). While the previous policy included a number of definitions of terms and specific operational procedures designed to protect PII, the new policy is designed simply to ensure that PII is secure and consequences for the mishandling or improper disclosure of PII are clear. Ultimately, the updated policy is intended to strike an appropriate balance between the objectives of open government and the protection of the privacy rights of individuals.

The updated policy outlines the following:

1. The limited circumstances under which PII may be disclosed, which include: (a) written authorization by the individual whose privacy interest is at stake; (b) an order of a court of competent jurisdiction; (c) disclosures required under the California Public Records Act; or (d) disclosures necessary for the administration of the system.
2. PII may only be disclosed to vendors or other parties subject to that party executing a non-disclosure/confidentiality agreement.

There is no redline version provided for the updated policy. Due to significant changes to the policy, the majority of the document would have appeared as "redlined". Additionally, the updated policy represents a clean-up meant to provide clarity where other applicable laws and statutes do not provide comprehensive guidance.

COMMITTEE REVIEW:

This item was reviewed by the Administrative Committee at its October 17, 2019 meeting and recommends Board approval, with a 3-0 vote. Trustee Bracco was absent from the meeting.

BUDGET IMPACT:

None.

STRATEGIC PLANNING GOAL/OBJECTIVE:

Operational Excellence & Efficiency

STAFF CONTACTS:

Colin Bishop

Joe Michael

Barbara Hannah

ATTACHMENTS:

Exhibit A: Administration Policy No. 008 (Privacy and Confidentiality) - Rescind

Exhibit B: Administration Policy No. 021 (Handling of Personally Identifiable Information (PII)) -
New