



# PROTECTION OF INDIVIDUAL RECORDS POLICY

## PURPOSE

The purpose of this Policy is to clarify what individual member records are subject to disclosure.

## POLICY

### A. Information in Member Records Subject to Disclosure

1. Retirement Benefit Amount: the amount of the member's monthly benefit paid by SCERS (total gross allowance) and the composition thereof (e.g., base allowance amount, cost of living adjustments, other monthly benefit amount, health benefit amount, etc.).
2. Basis for Calculation of Retirement Benefit Amount: the information relied upon by SCERS to calculate the amount of the member's monthly benefit, e.g.:
  - a. Years of service (in the aggregate, but not a breakdown of individual regular and special service credits, such as service purchases);
  - b. Last position held (generally not maintained by SCERS);
  - c. Employer or Department from which retired (Intra-employer department information may not be maintained by SCERS);
  - d. Date of retirement;
  - e. Final compensation;
  - f. Applicable retirement formula and tier;
  - g. Age factor; and
  - h. Any other information determined by SCERS' General Counsel to be necessary for calculation of a particular monthly benefit, such as applicable federal or state limitations on benefits or compensation, unless specifically protected from disclosure under this Policy.

### B. Information in Member Records Not Subject to Disclosure

All otherwise nonpublic information provided to SCERS by a member, or by a third party on behalf of a member (including the employer), is protected from disclosure, including, but not limited to, the following examples:

1. Medical reports and information regarding medical or psychological status or condition;
2. Personal data such as contact and address information, names of spouses, relatives and dependents, and Social Security numbers;
3. Date of birth;
4. Age, including age at retirement;
5. Member contributions;
6. Individual accounts;
7. Breakdown of regular and special service credits, such as service purchases;
8. The names of beneficiaries and eligible survivors;
9. Payment option selections; and
10. Nonpublic correspondence with the Board or staff.

### **C. Procedural Requirements for Disclosure**

1. SCERS will only provide records or disclose information prepared, owned, used or retained by SCERS. No records will be created.
2. The direct cost of duplicating any paper record shall be \$0.25 per page. The cost of duplication of an electronic record shall be the direct cost of producing a copy of the record in an electronic format, including any necessary cost of construction and programming and computer services where data compilation, extraction or programming is required.
3. Any public requests for SCERS' records or information should be referred to General Counsel for review and response in consultation with the Chief Executive Officer. General Counsel will maintain a log of CPRA requests and responses.

### **AUTHORITY**

California Government Code Section 31532

California Government Code Sections 7920.000 *et seq.*

*Sacramento County Employees' Ret. System v. Sup. Court* (2011) 195 Cal. App. 4<sup>th</sup> 440

*Sonoma County Employees' Ret. Assoc. v. Sup. Court* (2011) 198 Cal. App. 4<sup>th</sup> 986

*Haynie v. Superior Court* (2001) 26 Cal.4<sup>th</sup> 1061

### **RESPONSIBILITIES**

Executive Owner: General Counsel

## POLICY HISTORY

<b>Date</b>	<b>Description</b>
09-18-2024	Board amended policy
09-15-2021	Board reaffirmed policy with amendments
08-01-2018	Renumbered from 010
01-17-2018	Board affirmed policy in revised policy format
12-15-2011	Board approved new policy