

RECORDS ACCESS:

An Overview for Auxiliary Organizations

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Presentation Objectives

- 3 Basic Types of Records
- Summarize Requirements
- Commit to Policy Principles
- Compliance – and Beyond

Types of Records

- Disclosure Required (on some basis)
- Protected as Business Information
- Protected Personal Information
- Mixed Types in Document?
Redaction or “Summaries”

Records for Disclosure to Public

Major Category Examples:

- **Tax Exemption Applications & Filings**
- **Corporate Formation & Organization Instruments**
 - **Audited Financial Statements**
- **Board/Committee Meeting Information**
 - **Operating Agreements & Leases**
 - **Charitable Organization Filings**

Protected Business Information

- *Proprietary Information*
 - Trade Secrets
 - Intellectual Property
 - Financial & Economic Data
- *Confidential Data*
 - Donor Data
 - Employment Records
 - Security/Safeguard Systems
 - Accounting Systems/Data
 - Legal & Related Records
 - Notes/Internal Memoranda

Protected Personal Information

Major Category Examples:

- Employee Personnel Files
- Social Security/Drivers License/ID #s
 - Credit & Financial Related Data
 - Image, Recordings, Impressions
 - Educational Records
- Names, Address, Contact Information
- Electronic Communications & Protected Computers

Records Access Requirements

- Auxiliary Organizations not under *Public Records Act* . . . yet
- Auxiliary records held by University are subject to *Public Records Act*
- Duty to Protect Personal Information held by organization under varied Laws (but not under *Information Practices Act*)

Records Access Requirements

(continued)

- Duty to Protect & Preserve Corporate Proprietary & Confidential Information
- Disclosures to Oversight Authorities –
 - > **AG Charitable Trust Section**
 - > **IRS & FTB**
 - > **CA Bureau of Audits; Dept of Finance**
 - > **CSU Trustees & Chancellor**

Commit to Policy Principles

- **Accountability & Transparency to Public**
 - > Full Compliance with Requirements (restate as needed)
 - > Candid Policy Statements & Practices
 - > Proactive Public Access Programs & Techniques

- **Protect & Preserve Business Information**
 - > “Fiduciary” Standards of Conduct and Commitment
 - > Security Systems

- **Personal Information Fairness & Safeguard Standards**
 - > Collection & Use Limitations
 - > Purpose Specification
 - > Data Quality
 - > Security Safeguards
 - > Accountability

Compliance – and Beyond

- Promptly Review Existing Policy & Practices . . . then . . .
- Adopt Comprehensive Board Policy Incorporating Key Principles & Compliance Standards . . . and . . .
- Implement Policies with Smart & Consistently Applied Practices.