

NYSTRS Notice of Privacy Practices

(for members, other employees and consultants hired by a NYSTRS participating employer)

(as of April 22, 2020)

PURPOSE OF THIS NOTICE

This Privacy Policy Notice is intended to describe the types of information that the New York State Teachers' Retirement System (NYSTRS) may obtain about you and the categories of persons or entities to whom that information may be disclosed.

OUR PRIVACY POLICIES AND PRACTICES

1. Information we may obtain:

A. Categories of Information Obtained

Personally Identifiable Information ("PII") – any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means including but not limited to an individual's first name and last name or first initial and last name, address, social security number, tax I.D. number, EmplID, driver's license number, state issued identification card number, passport number, date of birth, financial information, banking information, tax information, PINS, codes, or passwords, answers to security questions (e.g. mother's maiden name), and other data elements that may be combined or used in conjunction to identify specific individuals.

Health Information – information that is created, received, and/or maintained by healthcare professionals or NYSTRS relating to an individual's past, present, or future health or condition, medical history, demographic information, and other data that directly or indirectly identifies the individual, for the sole purpose of determining eligibility for a disability retirement from NYSTRS.

Other Information – including but not limited to salary, contributions, benefit selection, beneficiary information, or information regarding a domestic relations order.

B. Sources From Which We May Obtain Information

Under certain circumstances, we may obtain nonpublic personal information about you from the following sources:

- Applications, forms or correspondence from you, including your verbal interactions with us during the course of your membership.
- Federal or State agencies, including Social Security, the United States Postal Service, government Vital Records.
- Medical professionals regarding a disability retirement.
- NYSTRS participating employers.
- Financial institutions.

C. Persons About Whom Information May Be Obtained

We may obtain nonpublic personal information about members and their beneficiaries, and other employees and consultants hired by participating employers.

D. Why We Need This Information

NYSTRS may obtain this information in order to maintain accurate records and administer benefits.

2. Information we may disclose to third parties without your consent:

The following categories describe ways in which NYSTRS may use and disclose your personal information without your written authorization. This list includes some examples, and is not meant to be comprehensive.

- A. As required by law. NYSTRS may use or disclose personal information to the extent that such use or disclosure is required by federal, state or local laws.
- B. Lawsuits and legal proceedings. NYSTRS may use or disclose your information in response to a court or administrative agency order, if you are involved in a lawsuit or similar proceeding. NYSTRS also may disclose your information in response to a subpoena or other lawful process by another party involved in the dispute, but only if

NYSTRS has received satisfactory assurances from the party requesting the information that reasonable efforts have been made to inform you of the request, or a qualified protective order has been obtained.

- C. Law enforcement purposes. NYSTRS may disclose your personal information to law enforcement officials for purposes such as response to court orders, warrants, subpoenas, or similar legal process.
- D. Special government functions. NYSTRS may use any personal information of individuals who are members or veterans of the military for activities deemed necessary by appropriate military command authorities. NYSTRS may also use or disclose personal information to authorized federal officials for the conduct of lawful intelligence, counter-intelligence, and other national security activities.
- E. Third parties. NYSTRS may disclose personal information in the course of business, if the disclosure will enable that party to perform a business, professional or insurance function for the System.

3. Your right to access and amend your personal information:

- A. What records containing personal information can you access and request correction to?

Requests for access to records containing personal information may be made only for your records that are actually maintained by the New York State Teachers' Retirement System.

- B. How do you make a request?

Requests must be made in writing, be reasonably described and contain a name or other identifier that can be used to identify the person that is the subject of the request. Requests must include enough information to enable a search for the records. If the information was obtained on a form, the form number would assist in the search.

Depending on the circumstances of the personal privacy request, validation or proof of the identity of a requestor may be required.

- C. How do you submit your request?

A request for access to and/or correction of a personal privacy record may be sent by regular mail or fax to:

NYSTRS
Attn: Records Access Officer
10 Corporate Woods Drive
Albany, NY 12211

foil@nystrs.org
(800) 348-7298, Ext. 2726

D. What happens after your request is received?

NYSTRS will acknowledge all requests for access to records, conduct a diligent search for the records, determine if the records are disclosable, and either provide the records or deny access, as appropriate. If your request is denied, NYSTRS will advise you of your right to appeal.

E. How do you appeal when you've been denied access?

If you've been denied access by NYSTRS maintained by NYSTRS, you will be notified in writing. You have a right to appeal, but you must do so within 30 days. An appeal must be filed in writing and mailed or faxed to:

NYSTRS
Attn: Records Appeal Officer
10 Corporate Woods Drive
Albany, NY 12211

foil@nystrs.org
(800) 348-7298, Ext. 2726

4. Our practices regarding information confidentiality and security:

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to maintain accurate records and administer benefits. We maintain physical, electronic, and organizational safeguards to protect information about you.