



# UC San Diego

## Policy & Procedure Manual

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### RECORDS MANAGEMENT

#### Section: 480-2

Effective: 07/01/1982

Supersedes: Not Applicable

Review Date: TBD

Issuance Date: 07/01/1982

Issuing Office: [IPA Coordinator](#)

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### LEGISLATION AFFECTING UNIVERSITY RECORDS

#### I. REFERENCES

Complete texts of the various laws listed below are available in the reference section of the Central Library.

#### II. BACKGROUND

For interpretations of the various laws listed below the Records Advisor should be consulted. See PPM 480-3, *Supplement I* for list of Records Advisors.

#### III. LEGISLATION

##### A. California Public Records Act (CPRA)

The California Public Records Act provides that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this State; that public records must be open to public inspection during regular office hours; and that every citizen has the right to inspect any public record *except as provided in the Act*.

##### B. Federal Privacy Act of 1974 (FPA)

The Federal Privacy Act is designed to safeguard the rights and privacy of individuals from the encroachments of Federal agencies in maintaining records on individuals. Except with respect to social security numbers (SSN), it applies to the University only in relatively few instances in the area of Contracts and Grants.

The University cannot require individuals to disclose their SSN unless:

The disclosure is required by law

The University system of records which requires the SSN was in existence and operating before January 1, 1975 AND the purpose for which the collection was made is STILL THE SAME.

When requesting the SSN from individuals, their rights under the Federal Privacy Act must be explained by use of a written statement that tells individuals if disclosing the SSN



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is mandatory or voluntary, by what authority the number is requested, and what it will be used for. (See *Exhibit A* for sample statement.)

For more specific details of the law, contact the campus IPA coordinator and the manager of the Contracts and Grants office.

#### C. **Family Education Rights and Privacy Act (FERPA) and the State Stull Act**

These laws pertain to student records. They define student records, grant students access to their records, provide students an opportunity to request changes to their records, and provide students privacy of their records.

#### D. **Confidentiality of Medical Information Act (MIA)**

This law defines medical information and requires authorizations for release, acquisition and disclosure of medical information. The Director of Medical Records should be consulted for more information regarding this law.

#### E. **Information Practices Act (IPA)**

The IPA provides special procedures for providing access to and protecting the privacy of state records containing personal data. All University records which fall within the definitions listed in 480-3 are covered by this law including, but not restricted to personnel, business and financial, gift and endowment, alumni, patents, publications, medical, library and research records. Student records which are covered by FERPA and the Stull Act are excluded. It should be noted that the IPA is not confined to what are traditionally referred to as personnel records, and the term confidential information is narrowly defined by this law. See PPM 480-3 for further information and guidance.



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#### EXHIBIT A

### SAMPLE PRIVACY STATEMENTS SOCIAL SECURITY NUMBERS

Type I: Use this statement when the disclosure of the Social Security Number is required by law and the recordkeeping system was established after January 1, 1975

Pursuant to the Federal Privacy Act of 1974, you are hereby notified that disclosure of your social security number is mandatory. Disclosure of the social security number is required pursuant to (Section 6011 and 6051 of Subtitle F of the Internal Revenue Code and pursuant to Regulation 4, Section 404.1256, Code of Federal Regulations, under Section 218, Title II of the Social Security Act, as amended). The social security number is used to (verify your identity). The principal uses of the number shall be to (report payments and income taxes withheld to Federal and State governments).

Type II: Use this statement when the University system of records which requires the Social Security Number was in existence and operating before January 1, 1975, and the disclosure is required by law or University procedure in effect prior to that date to verify the identity of the individual

Pursuant to the Federal Privacy Act of 1974, you are hereby notified that disclosure of your social security number is mandatory. It is used to (verify your identity in the record-keeping system) which was established prior to January 1, 1975 under the authority of The Regents of the University of California, Article IX, Section 9 of the California Constitution. It may also be used, where applicable, to (report payments and income taxes withheld to Federal and State governments. Disclosure of the social security number is required pursuant to \_\_\_\_\_.



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### SUPPLEMENT I

#### RECORDS ADVISORS

<u>DEPARTMENT</u>	<u>NAME</u>	<u>LOCATION</u>	<u>EXT</u>
Academic Affairs	Tom Hull	105 MAAC, Q-001	43132
Business Affairs	Marcia Rubish	448 TPC, S-025	44237
Health Sciences	Jane Poynter	1306 BSB, M-002	44448
Hospital & Clinics	Elaine Pierce	225 W. Dickerson H-825-A	35707
Marine Sciences	Nora Crampton	102B SB, A-010	46428
Administration	Miles Bowler	346 TPC, S-019	43617
Students	Nick Aguilar	Student Center Bldg. B, B-009	46225

#### ARCHIVISTS

<u>DEPARTMENT</u>	<u>NAME</u>	<u>LOCATION</u>	<u>EXT</u>
Campus	Geoffrey Wexler	Central Library C-075-S	42533
SIO	Deborah Day	SIO Library C-075-C	45970

#### INFORMATION PRACTICES ACT COORDINATOR

<u>NAME</u>	<u>LOCATION</u>	<u>EXT</u>
Miles L. Bowler	346 TPC, S-019	43617