

AGENCY REPORT

(due on or before July 31, 2020)

Agency:	Department of Youth & Community Development		
Agency Privacy Officer:	Caroline Press		
Email:	cpress@dycd.nyc.gov	Telephone:	646 343 6270 (office)
Date of Report:	July 31, 2020		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input type="checkbox"/> Photographs	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input checked="" type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input checked="" type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<u>Status Information</u> <input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): DYCD collects taxpayer identification numbers/EIN numbers for business entities proposing to do or doing business with it. DYCD also for certain contracts that require it collects DUNS numbers as well.	
*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).	

2. Specify the reasons why collection and retention of identifying information specified above furthers the purpose or mission of your agency.
DYCD's mission is to alleviate the effects of poverty and provide opportunities for New Yorkers and communities to flourish, which it accomplishes by funding a wide range of human services through contracts, primarily with non profit organizations. The program areas DYCD funds and oversees include afterschool programs, literacy programs, runaway and homeless youth programs, workforce programs, and community centers. DYCD collects and retains identifying information necessary to the administration/oversight of the programs funded by the agency, as well as the agency's internal operations.

3. Describe the types of collections and disclosures classified as: (1) pre-approved as “routine,” (2) pre-approved as routine by APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the 2020 Agency Guidance includes detailed examples of routine and non-routine collections and disclosures, with descriptions.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Information collected from and concerning DYCD funded program participants as part of their registration/participation in the program.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Information collected and disclosed as part of the administration and oversight of funded programs, by both DYCD and its oversight agencies.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

N.Y.C. Admin. Code §23-1205(a)(1)(b)

(Answer to 2 continued). To support the City’s Census response, the City funded NYC Census 2020, a program focused on maximizing the number of city residents responding to the Census. Administrative/back office support for the Census program has been provided by DYCD, with programmatic decisions made by Census NYC management. A key focus of the City’s Census efforts has been outreach, for which the City has, as appropriate, drawn upon information about how to reach people.

The collection and retention of identifying information serves to further DYCD’s mission by allowing for evaluation and appropriate oversight, creating opportunities for synergies among program areas and funded contractors, and enabling program participants to avail themselves of other city or DYCD-funded opportunities. In the case of the Census program, the collection and retention of identifying information serves the City interest in providing as complete a count of city residents in the Census as possible, which has implications both for federal funding to the City as well as identification of City priorities.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

4. If applicable, specify the types of collections and disclosures that have been approved by the Chief Privacy Officer as being “in the best interests of the City” which involve any collections and disclosures of identifying information relating to your agency.

Add additional rows as needed.

Describe Type of Collection or Disclosure
In 2020, The CPO determined that disclosure of NYC311 phone numbers to the Census project for purposes of providing information to New Yorkers with information about the Census was in the best interests of the City.
In 2020, the CPO determined that disclosure by HPD of ownership and management data on city residential and transient buildings to DYCD/Census for further sharing with the U.S. Census Bureau, with an appropriate letter agreement in place between DYCD/Census and the U.S. Census Bureau, was in the best interests of the City as furthering federal/City Census coordination.
In 2019, the CPO determined that DYCD's sharing of information from its SYEP program with NYC Opportunity/Operations for purposes of evaluating the HRA Work Progress Program was in the best interests of the City.
N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

5. Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties.	
Requests for disclosure are reviewed by senior management, including the Office of Legal Affairs, to make sure that any disclosure is allowed by law and furthers a legitimate interest and advances the purpose or mission of the agency. DYCD typically requires that a written agreement is in place before any disclosure to other city agencies or third parties takes place; such agreements are reviewed by the Office of Legal Affairs. DYCD has adopted a formal procedure for consideration of proposed evaluation and research projects.	
6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. If YES, do such policies specify that access to such information must be necessary for the performance of their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Describe whether the policies are implemented in a manner that minimizes such access to the greatest extent possible while furthering the purpose or mission of the agency.	DYCD endeavors to ensure that access to any identifying, personal or confidential information is limited to those with a legitimate need for such access.
N.Y.C. Admin. Code §23-1205(a)(1)(c)(1), and (4)	

9. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties.
Requests for disclosure are reviewed by senior management, including the Office of Legal Affairs, to make sure that any disclosure is allowed by law and furthers a legitimate interest and advances the purpose or mission of the agency. DYCD typically requires a written agreement to be in place before any disclosure to other city agencies or third parties takes place; such agreements are reviewed by the Office of Legal Affairs. DYCD has adopted a formal procedure for consideration of proposed evaluation and research projects.
N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

10. Describe the agency’s current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine.

DYCD’s current policy is for DYCD staff to contact the Office of Legal Affairs in the event that they receive a request for information that is in any way unusual; an agency attorney will review the request and determine the appropriate response, in accordance with applicable laws and city policies, including the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

11. Describe the agency’s current policies regarding which divisions and categories of employees within an agency make disclosures of identifying information following the approval of the privacy officer.

The agency division or category of employee that makes disclosure of identifying information on behalf of DYCD depends on the nature of the information, “where” it resides in the agency, and which unit is best suited to handle the actual disclosure. For information that is maintained on a database, DYCD’s IT unit may be involved. DYCD strives to involve as few people as possible in any disclosure of identifying information.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the purpose or mission of such agency.

See above. In addition, DYCD has adopted a procedure for approval of requests for studies and evaluations involving DYCD information.

N.Y.C. Admin. Code §23-1205(a)(4)

13. Describe the agency’s use of agreements for any use or disclosure of identifying information.

It is DYCD’s policy to require the use of an agreement whenever confidential or identifying information is disclosed to another city agency or a third party. The exact terms of a given agreement will depend on the specific information sharing contemplated and who the information is being shared with, but DYCD typically includes in such agreements provisions intended to protect such information, such as an enumeration of the individuals who can see or work with the information, mandated use of protocols to protect identifying information from inadvertent disclosure, and the like.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

14. Using the table below, specify the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information, and for each entity, describe (1) the reasons why an agency discloses identifying information to such entity, and (2) why any such disclosures furthers the purpose or mission of such agency.

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the purpose or mission of the agency
City agencies	To access funding from another agency	Allow DYCD to maximize the amount of funding available for funded programs
City agencies	Research and evaluation	Allows more informed decision making in terms of funding, program design, and evaluation
City agencies	To create opportunities for program participants to avail themselves of other City services and benefits	Promotes better outcomes for participants in DYCD funded programs.
Research organizations	Research and evaluation	Allows more informed decision making in terms of funding, program design, and evaluation
		N.Y.C. Admin. Code §23-1205(a)(1)(e)

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15. Describe the impact of the Identifying Information Law and other applicable laws upon your agency's practices in relation to collection, retention, and disclosure of identifying information.

The Law has heightened attention to safeguarding of identifying information.

N.Y.C. Admin. Code §23-1205(a)(2)

16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to the collection, retention, and disclosure of identifying information.

DYCD reviews and, as appropriate, distributes and policies and protocols issued by the Chief Privacy Officer and takes them into consideration when developing programs, policies and communications.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

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SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

Name: Bill Chong

Title: Commissioner

Email: bchong@dycd.nyc.gov

Phone: 646 343 6710

Signature:



Date:

July 31, 2020

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