

FORM 3 (AGENCY REPORT) (Due on or before July 31, 2022)

Agency:	Department of Youth & Community Development		
Agency Privacy Officer:	Caroline Press		
Email:	cpress@dycd.nyc.gov	Telephone:	(646) 343 6270
Date of Report:	August 1, 2022		

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)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)* Biometric Information <input type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input checked="" type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences* Contact Information <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number Demographic Information <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 Status Information <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	Work-Related Information <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address Government Program Information <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 Law Enforcement Information <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 Technology-Related Information <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
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Other Types of Identifying Information (list below):

DYCD collects DUNs numbers for certain contracts that require it.

*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1)

2. Explain why the collection and retention of identifying information described in Question 1 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.

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.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

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)	

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Add additional rows as needed.

Describe Type of Collection or Disclosure
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. Be as specific as possible.

NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.

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.

DYCD also strives to produce compliance with the City's Identifying Information Law and other protections by email reminders and trainings for staff and contracted providers.

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 those policies specify that access to identifying information must be necessary to perform their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.	<p>DYCD endeavors to ensure that access to any identifying, personal or confidential information is limited to those with a legitimate need for such access.</p> <p style="text-align: right;">N.Y.C. Admin. Code §§ 23-1205(a)(1)(c)(1), and (4)</p>

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. Be as specific as possible.
<p>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.</p> <p style="text-align: right;">N.Y.C. Admin. Code § 23-1205(a)(1)(c)(2)</p>

10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.
<p>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.</p> <p style="text-align: right;">N.Y.C. Admin. Code § 23-1205(a)(1)(c)(3)</p>

11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.
<p>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.</p> <p style="text-align: right;">N.Y.C. Admin. Code § 23-1205(a)(1)(c)(4)</p>

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.

See above. In addition, DYCD has adopted a procedure for approval of requests for studies and evaluations involving DYCD information. DYCD's Agency Privacy Officer/GC is a member of the committee that considers such requests.

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, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.

Add additional rows as needed.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
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
City agencies	To access funding from another agency	Allows 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, planning, program design, and evaluation
Research organizations	Research and evaluation	Allows more informed decision making in terms of funding, planning, program design and evaluation
		N.Y.C. Admin. Code §23-1205(a)(1)(e)

- Proceed to Next Question on Following Page-

15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

The law, and the Identifying Information Rider that is now included in city human service contracts, has increased attention to the need to safeguard identifying and other confidential 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 collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

DYCD reviews and, as appropriate, distributes policies and protocols issued by the Chief Privacy Officer and takes them into consideration when developing programs, policies and communications, and drafting agreements. It has been particularly helpful to have the "Privacy Rider" distributed by the Chief Privacy Officer, as a complement to the Identifying Information Rider, to use in non human services contracts.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

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ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

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Electronic
Signature:



Date: August 1, 2022

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