

BIENNIAL AGENCY REPORT

INSTRUCTIONS

The Identifying Information Law requires City agencies to submit comprehensive biennial agency reports related to their collection, retention, and disclosure of identifying information and their privacy protection practices.

To complete the 2024 biennial agency report:

- Review Form 2s (<u>APO Designation of Collection and Disclosures as "Routine"</u>) made since the 2022 compliance cycle;
- Review Form 5s (Agency Privacy Officer Approval of Collections and Disclosures on a "Non-Routine" Basis) made since the 2022 compliance cycle;
- Use Forms 2 & 5 to complete <u>Worksheet 1</u> for all new and existing collections between 2022-2024;
- Use Forms 2 & 5 to complete <u>Worksheet 2</u> for all new and existing **disclosures** between 2022-2024.
- Complete the Biennial Agency Workbook;
- Submit the biennial agency report by **July 31, 2024**.

Submit the biennial agency report to:

- Mayor at MOReports@cityhall.nyc.gov
- City Council Speaker at reports@council.nyc.gov
- Chief Privacy Officer and the Citywide Privacy Protection Committee at oip@oti.nyc.gov
- Department of Records and Information Services (DORIS) online submission portal at https://a860-gpp.nyc.gov

THIS REPORT IS PUBLIC. PREPARERS SHOULD CONSULT AGENCY COUNSEL OR THE CHIEF PRIVACY OFFICER TO ENSURE THE RESPONSES ARE PROVIDED ACCORDING TO APPLICABLE LAW AND CITY POLICY.



VERSION CONTROL

Version	Description of Change	Approver	Date
4.0	New design for ease of use and technological	Michael Fitzpatrick	April 2024
	enhancements, and miscellaneous clarifying	Chief Privacy Officer, City of New	
	revisions.	York	
3.0	Updated completion date; miscellaneous clarifying	Aaron Friedman	April 2022
	revisions.	Principal Senior Counsel	
		Office of Information Privacy	
2.0	Updated completion date; miscellaneous clarifying	Laura Negrón	April 2020
	revisions.	Chief Privacy Officer, City of New	
		York	
1.0	First Version	Laura Negrón	April 2018
		Chief Privacy Officer, City of New	
		York	



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BIENNIAL AGENCY REPORT (Due on or before July 31, 2024)

1. Agency: Board of Standards and Appeals

2. APO Contact Details

a. Name: Yaa Sarpong

b. Title: Deputy Counsel

c. Email: ysarpong@bsa.nyc.gov

d. Telephone: 2123860076

COLLECTIONS

3. How many collections does the agency have to describe?

8

4. **COLLECTIONS.** Upload worksheet 1.



- Proceed to the next page -



5. For all **collections**, select the types of identifying information collected (check all that apply). *See*Citywide Privacy Protection Policies and Protocols § 3.1.

■ Name	Work-Related Information
■ Social security number (full or last 4 digits)*	■ Employer information
■ Taxpayer ID number (full or last 4 digits)*	■ Employment address
Biometric Information	Government Program Information
☐ Fingerprints	☐ Any scheduled appointments with any
☐ Photographs	employee, contractor, or subcontractor
☐ Palm and handprints*	☐ Any scheduled court appearances
☐ Retina and iris patterns*	☐ Eligibility for or receipt of public assistance or
☐ Facial geometry*	City services
☐ Gait or movement patterns*	☐ Income tax information
☐ Voiceprints*	☐ Motor vehicle information
☐ DNA sequences*	
☐ Height	
☐ Weight	
Contact Information	Law Enforcement Information
Current and/or previous home address	Arrest record or criminal conviction
Email address	☐ Date and/or time of release from custody of
■ Phone number	ACS, DOCS, or NYPD
	Information obtained from any surveillance
	system operated by, for the benefit of, or at the
	direction of the NYPD
<u>Demographic Information</u>	Technology-Related Information
☐ Country of origin	☐ Device identifier including media access
Date of birth*	control (MAC) address or Internet mobile
Gender identity	equipment identity (IMEI)*
Languages spoken	GPS-based location obtained or derived from a
☐ Marital or partnership status	device that can be used to track or locate an
☐ Nationality	individual*
□ Race	☐ Internet protocol (IP) address*
☐ Religion	Social media account information
☐ Sexual orientation	
Status information	
☐ Citizenship or immigration status	
☐ Employment status	
☐ Status as a victim of domestic violence or	
sexual assault	
Status as crime victim or witness	
Other Types of Identifying Information (list below)	:
*Type of identifying information designated by the	CPO (see CPO Policies & Protocols, §3.1.1).



DISCLOSURES

6. How many disclosures does the agency have to describe?

9

7. **DISCLOSURES**. Upload worksheet 2.



- Proceed to the next page -



8. For all **disclosures**, select the types of identifying information disclosed (check all that apply). See Citywide Privacy Protection Policies and Protocols § 3.1.

■ Name	Work-Related Information
■ Social security number (full or last 4 digits)*	■ Employer information
■ Taxpayer ID number (full or last 4 digits)*	■ Employment address
Biometric Information	Government Program Information
☐ Fingerprints	☐ Any scheduled appointments with any
☐ Photographs	employee, contractor, or subcontractor
☐ Palm and handprints*	☐ Any scheduled court appearances
☐ Retina and iris patterns*	☐ Eligibility for or receipt of public assistance or
☐ Facial geometry*	City services
☐ Gait or movement patterns*	☐ Income tax information
☐ Voiceprints*	☐ Motor vehicle information
☐ DNA sequences*	
☐ Height	
□Weight	
Contact Information	Law Enforcement Information
■ Current and/or previous home address	☐ Arrest record or criminal conviction
■ Email address	☐ Date and/or time of release from custody of
■ Phone number	ACS, DOCS, or NYPD
	Information obtained from any surveillance
	system operated by, for the benefit of, or at the
	direction of the NYPD
<u>Demographic Information</u>	<u>Technology-Related Information</u>
☐ Country of origin	☐ Device identifier including media access
☐ Date of birth*	control (MAC) address or Internet mobile
☐ Gender identity	equipment identity (IMEI)*
☐ Languages spoken	☐ GPS-based location obtained or derived from a
☐ Marital or partnership status	device that can be used to track or locate an
☐ Nationality	individual*
Race	Internet protocol (IP) address*
☐ Religion	Social media account information
☐ Sexual orientation	
Status information	
☐ Citizenship or immigration status	
☐ Employment status	
☐ Status as a victim of domestic violence or	
sexual assault	
Status as crime victim or witness	
Other Types of Identifying Information (list below)	:
*Type of identifying information designated by the	CPO (see CPO Policies & Protocols, §3.1.1).



9.	policies local p	te from the Citywide Privacy Protection Policies and Protocols, what are the agency's regarding requests for disclosures from other City agencies, local public authorities or ublic benefit corporations, and third parties? Please summarize or upload a copy of the See N.Y.C. Admin. Code § 23-1205(a)(1)(c)(1).
10.		divisions of employees within the agency make disclosures of identifying information ng the approval of the privacy officer? See § N.Y.C Admin. Code § 23-1205(a)(1)(c)(4).
11.		categories of employees within the agency make disclosures of identifying information ng the approval of the privacy officer? See § N.Y.C Admin. Code § 23-1205(a)(1)(c)(4).
12.		y of the agency's policies address access to identifying information by employees, ctors, and subcontractors? See § N.Y.C. Admin Code § 23-1205(a)(4).
	0	Yes – GO TO QUESTION 13
	•	No – GO TO QUESTION 16
13.	employ	ese policies state that access to identifying information must be necessary for the rees, contractors, and subcontractors to perform their duties? See N.Y.C. Admin Code 205(a)(4).
	0	Yes – GO TO QUESTION 14
	0	No – GO TO QUESTION 16
14.		ese policies implemented so that access is limited to the greatest extent possible, but also s the purpose or mission of the agency?
	0	Yes – GO TO QUESTION 15
	0	No – GO TO QUESTION 16



15.		be how access is limited to the greatest extent possible while furthering the purpose or of the agency.
	City ag	arize or upload the agency's current policies for handling proposals for disclosures to other encies, local public authorities, or local public benefit corporations, and third parties. See admin Code § 23-1205(a)(1)(c)(2).
	necess	arize or upload the agency's current policies regarding the classification of disclosures as itated by the existence of exigent circumstances or as routine. See N.Y.C Admin Code $205(a)(1)(c)(3)$.
		022, has the agency considered or implemented , where applicable, policies that minimize
		lection, retention, and disclosure of identifying information to the greatest extent possible urthering the purpose or mission of the agency? See N.Y.C Admin Code § 23-1205(a)(3).
	•	Yes – GO TO QUESTION 19
	0	No – GO TO QUESTION 20
	minimi	arize the policies that the agency has considered or implemented regarding data zation for the collection, retention, and disclosure of identifying information. See N.Y.C Code § 23-1205(a)(4).



20. Summarize the agency's use of agreements for any use or disclosure of identifying information. See N.Y.C Admin Code § 23-1205 (a)(1)(d).
21. Since 2022, describe the impact of the Identifying Information Law and any other local, state, or federal laws upon your agency's practices in relation to the collection, retention, and disclosure of identifying information (i.e., if such practices would differ in the absence of these laws). The impact can be positive or negative. See N.Y.C Admin Code § 23-1205(a)(2).
22. Describe how the current privacy policies and protocols issued by the Chief Privacy Officer, or the guidance issued by the Citywide Privacy Protection Committee affected your agency's practices in relation to the collection, retention, and disclosure of identifying information. The effects can be positive or negative. See N.Y.C Admin Code § 23-1205(a)(2).
- Proceed to the next page -



APPROVAL SIGNATURE FOR AGENCY REPORT

PREPARER OF AGENCY REPORT

Name: Yaa Sarpong

Title: Deputy Counsel

Email: YSarpong@bsa.nyc.gov

Phone: 2123860076

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Name: Shampa Chanda

Title: Chairperson, Commissioner

Email: schanda@bsa.nyc.gov

Phone: 212386.0083

Signature: Date: 08/21/2024



Describe the following types of collections. *Note, you may have multiple collections of the same type.*

	COLLECTIONS				
	Type of Collection	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Collection.	
1	Records Management	The BSA keeps records of all its proceedings in case of an Article 78 filing against a ruling. Should a member of the public submit a comment about a case, their information, including name and address are placed in the file and can be made public record. Our cases records are also subject to FOIL requests.	Pre-approved as routine	The BSA has a duty to keep accurate and full records of its proceedings as part of an assessment of what goes into the Board's decisions. Applicant information, application materials and public hearing records are retained for purposes of maintaining agency records, providing valuable research materials to the general public and defending the agency in future litigation.	
2	Office Administration	Visitor names are collected for building security to provide access to the Board's offices.	Pre-approved as routine	As part of security management, visitors must provide their names to get access to the Board's records unit.	
3	Records Management	Application materials include applicant contact information to provide Board staff with a point of contact for future application-related communications.	Pre-approved as routine	BSA staff must be able to contact applicants after an applicant has been filed.	
4	Human Resources and other Personnel Matters	Student intern names	Pre-approved as routine	Students often get school credit for their internship with the BSA,	



		and contact information is collected and shared with the Department of Education to ensure that the students meet internship program requirements.		and this disclosure is a prerequisite for the fulfillment of their program requirements
5	Records Management	Identifying information is collected at public hearings, where applicants present their applications and members of the public provide testimony in support of or in opposition to those applications, and videos of these hearings are recorded, live-streamed, and maintained on the agency YouTube page as an agency record and to provide greater public access to the Board's decision-making process.	Pre-approved as routine	This information is limited to the name and place of employment of the person presenting testimony.
6	Compliance	Identifying information—including dates of birth, social security numbers and arrest records—is also collected from operators of facilities applying to the Board for special permits to operate a health and fitness	Pre-approved as routine	This information is disclosed to the Department of Investigation, when health and fitness establishments submit applications for Board reviews



7	Human Resources and other Personnel Matters	establishment and such information Staff names and contact information is collected and disclosed annually for publication in the NYC Green Book.	Pre-approved as routine	This information is collected and disclosed by all City agencies.
8	Office Administration	Collection of application materials, scheduled appointments and agency records (which may include names, contact information, employer information and employer addresses), which are disclosed in response to requests submitted pursuant to the Freedom of Information Law.	Pre-approved as routine	This information is collected and disclosed in response to requests submitted pursuant to the Freedom of Information Law.
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	Type of Collection	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Collection.
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Describe the following types of disclosures. *Note, you may have multiple disclosures of the same type.*

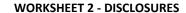
			DISCLOSURES		
	Type of Disclosure	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Disclosure.	Was this disclosure made pursuant to an external request?
1	Records Management	Applicant information, including names and employers, are disclosed to City Land and the City Record for purposes of providing the public with notice of new filings, new decisions and public hearings.	Pre-approved as routine	The BSA has a duty to keep accurate and full records of its proceedings as part of an assessment of what goes into the Board's decisions.	No
2	Records Management	Identifying information—including dates of birth, social security numbers and arrest records—is also collected from operators of facilities applying to the Board for special permits to operate a health and fitness establishment and such information is disclosed to the Department of Investigation, when	Pre-approved as routine	The disclosure to the Department of Investigation is less frequent as the Board does not have de facto jurisdiction over health and fitness establishments but still has applications for certain types of these establishments that may need a variance or are of a certain size.	No



		hardtha ad Chara			
		health and fitness			
		establishments submit			
		applications for Board			
		reviews.			
	Human Resources and	Staff names and contact	Pre-approved as routine	City Agencies are	Yes
	other Personnel Matters	information is collected		required to provide this	
3		and disclosed annually		information about staff	
		for publication in the		members	
		NYC Green Book.			
	Human Resources and	Student intern names	Pre-approved as routine	Students often get school	Yes
	other Personnel Matters	and contact information		credit for their internship	
		is collected and shared		with the BSA, and this	
		with the Department of		disclosure is a	
4		Education to ensure that		prerequisite for the	
		the students meet		fulfillment of their	
		internship program		program requirements	
		requirements.			
	Response to a Request or	Disclosure of application	Pre-approved as routine	BSA solicits the advice of	Yes
	Demand	materials to other NYC		agencies that have	
		agencies (including		certain expertise and	
		FDNY, DOT, DEP and		provides identifying	
5		DOB), Community Boards		information about	
		and public officials to		proposals as part of that	
		solicit their		request for help.	
		recommendations on			
		applications.			
	Human Resources and	Collection of Board	Pre-approved as routine	As part of their	Yes
6	other Personnel Matters	Commissioner names		obligations, Board	
		and motor vehicle		members visit application	

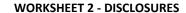


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		information, which is		sites, and because of the	
		then disclosed to the		nature of their work, they	
		New York City		receive parking permits.	
		Department of			
		Transportation in order			
		to obtain parking			
		permits.			
	Compliance	Disclosure of names,	Pre-approved as routine	Compliance request	Yes
		employer information		fulfilled as necessary	
		and employment		should BSA staff or	
		addresses disclosed to		commissioners take	
7		the Mayor's Office in		meetings with lobbyists.	
'		compliance with that			
		office's directive to			
		disclose agency meetings			
		with lobbyists on a			
		monthly basis.			
	Compliance	Disclosure of application	Pre-approved as routine	Applicant information is	Yes
		information for purposes		disclosed as necessary	
8		of completing		complete comptroller's	
		comptroller's audit.		audit.	
	Response to a Request or	Collection of application	Pre-approved as routine	This information is	Yes
	Demand	materials, scheduled		provided after a review	
		appointments and		from the Board's FOIL	
		agency records (which		officer, reviewable by the	
		may include names,		FOIL Appeal Officer.	
9		contact information,			
		employer information			
		and employer			
		addresses), which are			
		disclosed in response to			



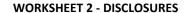


		requests submitted pursuant to the Freedom of Information Law.			
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	Type of Disclosure	Describe the Specific Activity	Classification	Describe the agency purpose or mission served by this Disclosure.	Was this disclosure made pursuant to an external request?
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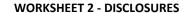


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	Type of Disclosure	Describe the Specific	Classification	Describe the agency	Was this disclosure
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				by this Disclosure.	external request?
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	Type of Disclosure	Describe the Specific	Classification	Describe the agency	Was this disclosure
		Activity		purpose or mission served	made pursuant to an
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83	Choose an item.		Choose an item.		Choose an item.
84	Choose an item.		Choose an item.		Choose an item.
85	Choose an item.		Choose an item.		Choose an item.
86	Choose an item.		Choose an item.		Choose an item.
87	Choose an item.		Choose an item.		Choose an item.





88	Choose an item.	Choose an item.	Choose an item.
89	Choose an item.	Choose an item.	Choose an item.
90	Choose an item.	Choose an item.	Choose an item.
91	Choose an item.	Choose an item.	Choose an item.
92	Choose an item.	Choose an item.	Choose an item.
93	Choose an item.	Choose an item.	Choose an item.
94	Choose an item.	Choose an item.	Choose an item.
95	Choose an item.	Choose an item.	Choose an item.
96	Choose an item.	Choose an item.	Choose an item.
97	Choose an item.	Choose an item.	Choose an item.
98	Choose an item.	Choose an item.	Choose an item.
99	Choose an item.	Choose an item.	Choose an item.
100	Choose an item.	Choose an item.	Choose an item.



For each **disclosure**, select the <u>type</u> of entity **and** provide the <u>name</u> of the entity that received the identifying information.

	Type of Entity	Name of Entity
1	Federal Agency	[free text]
2	Choose an item.	
3	Choose an item.	
4	Choose an item.	
5	Choose an item.	
6	Choose an item.	
7	Choose an item.	
8	Choose an item.	
9	Choose an item.	
10	Choose an item.	
11	Choose an item.	
12	Choose an item.	
13	Choose an item.	
14	Choose an item.	
15	Choose an item.	
16	Choose an item.	
17	Choose an item.	
18	Choose an item.	
19	Choose an item.	
20	Choose an item.	
21	Choose an item.	
22	Choose an item.	
23	Choose an item.	
24	Choose an item.	
25	Choose an item.	
26	Choose an item.	
27	Choose an item.	



	Type of Entity	Name of Entity
28	Choose an item.	[free text]
29	Choose an item.	[ITCC text]
30	Choose an item.	
31	Choose an item.	
32	Choose an item.	
33	Choose an item.	
34	Choose an item.	
35	Choose an item.	
36	Choose an item.	
37	Choose an item.	
38	Choose an item.	
39	Choose an item.	
40	Choose an item.	
41	Choose an item.	
42	Choose an item.	
43	Choose an item.	
44	Choose an item.	
45	Choose an item.	
46	Choose an item.	
47	Choose an item.	
48	Choose an item.	
49	Choose an item.	
50	Choose an item.	
51	Choose an item.	
52	Choose an item.	
53	Choose an item.	
54	Choose an item.	
55	Choose an item.	
56	Choose an item.	



	Type of Entity	Name of Entity
57	Choose an item.	[free text]
58	Choose an item.	
59	Choose an item.	
60	Choose an item.	
61	Choose an item.	
62	Choose an item.	
63	Choose an item.	
64	Choose an item.	
65	Choose an item.	
66	Choose an item.	
67	Choose an item.	
68	Choose an item.	
69	Choose an item.	
70	Choose an item.	
71	Choose an item.	
72	Choose an item.	
73	Choose an item.	
74	Choose an item.	
75	Choose an item.	
76	Choose an item.	
77	Choose an item.	
78	Choose an item.	
79	Choose an item.	
80	Choose an item.	
81	Choose an item.	
82	Choose an item.	
83	Choose an item.	
84	Choose an item.	
85	Choose an item.	



	Type of Entity	Name of Entity
86	Choose an item.	[free text]
87	Choose an item.	
88	Choose an item.	
89	Choose an item.	
90	Choose an item.	
91	Choose an item.	
92	Choose an item.	
93	Choose an item.	
94	Choose an item.	
95	Choose an item.	
96	Choose an item.	
97	Choose an item.	
98	Choose an item.	
99	Choose an item.	
100	Choose an item.	



OPTIONAL QUESTION: Using the table below, describe any proposals for disclosures of identifying information that your agency declined to approve.

	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
1	Choose an item.	[free text]	[free text]	[free text]
2	Choose an item.			
3	Choose an item.			
4	Choose an item.			
5	Choose an item.			
6	Choose an item.			
7	Choose an item.			
8	Choose an item.			
9	Choose an item.			
10	Choose an item.			
11	Choose an item.			
12	Choose an item.			
13	Choose an item.			
14	Choose an item.			
15	Choose an item.			
16	Choose an item.			
17	Choose an item.			
18	Choose an item.			
19	Choose an item.			
20	Choose an item.			
21	Choose an item.			
22	Choose an item.			
23	Choose an item.			
24	Choose an item.			
25	Choose an item.			



	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
26	Choose an item.	[free text]	[free text]	[free text]
27	Choose an item.			
28	Choose an item.			
29	Choose an item.			
30	Choose an item.			
31	Choose an item.			
32	Choose an item.			
33	Choose an item.			
34	Choose an item.			
35	Choose an item.			
36	Choose an item.			
37	Choose an item.			
38	Choose an item.			
39	Choose an item.			
40	Choose an item.			
41	Choose an item.			
42	Choose an item.			
43	Choose an item.			
44	Choose an item.			
45	Choose an item.			
46	Choose an item.			
47	Choose an item.			
48	Choose an item.			
49	Choose an item.			
50	Choose an item.			
51	Choose an item.			
52	Choose an item.			
53	Choose an item.			



	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
54	Choose an item.	[free text]	[free text]	[free text]
55	Choose an item.			
56	Choose an item.			
57	Choose an item.			
58	Choose an item.			
59	Choose an item.			
60	Choose an item.			
61	Choose an item.			
62	Choose an item.			
63	Choose an item.			
64	Choose an item.			
65	Choose an item.			
66	Choose an item.			
67	Choose an item.			
68	Choose an item.			
69	Choose an item.			
70	Choose an item.			
71	Choose an item.			
72	Choose an item.			
73	Choose an item.			
74	Choose an item.			
75	Choose an item.			
76	Choose an item.			
77	Choose an item.			
78	Choose an item.			
79	Choose an item.			
80	Choose an item.			
81	Choose an item.			



	Type of Entity that Requested the Identifying Information	Name of the Entity	Reason for the Request	Description of Agency's Rationale for Rejection
82	Choose an item.	[free text]	[free text]	[free text]
83	Choose an item.			
84	Choose an item.			
85	Choose an item.			
86	Choose an item.			
87	Choose an item.			
88	Choose an item.			
89	Choose an item.			
90	Choose an item.			
91	Choose an item.			
92	Choose an item.			
93	Choose an item.			
94	Choose an item.			
95	Choose an item.			
96	Choose an item.			
97	Choose an item.			
98	Choose an item.			
99	Choose an item.			
100	Choose an item.			