



# Commonwealth of Pennsylvania Public School Employees' Retirement Board

<b>Policy Name:</b>	<b>Board Inquiry Request</b>
<b>Policy Number:</b>	2025-POL-BD-03
<b>Effective Date:</b>	March 21, 2025
<b>Last Reviewed Date:</b>	March 21, 2025
<b>Executive Staff Contact:</b>	Board Information Officer

## I. Purpose

This policy's purpose is to set forth the processes for the members of the Public School Employees' Retirement Board ("Board") Trustees and their designees (herein referred to collectively as a "Board Trustee") to request of agency staff: (i) agency records, (ii) new reports and (ii) new analyses (herein referred to collectively as a "Board Inquiry Request" or "Request") and for agency staff to respond to such Requests.

## II. Policy

### A. Inquiry Requests by Board Trustees

1. A Board Trustee shall have a right to access and inspect any information, book, record or document regarding the assets, liabilities, or operations of the System, to the extent such information is reasonably related to Trustee's performance of his or her duties as a fiduciary of the System (the "Fiduciary Standard").
2. The Board Information Officer shall track each Board Inquiry Request and monitor the progress of the response to ensure an accurate and timely response to the Request, as well as perform all other duties consistent with the responsibilities assigned by the Executive Director.
3. For Board Inquiry Requests made by Board Trustees during a Board or committee meeting, the Board Information Officer shall ensure that the response is provided to the requestor and the full Board or committee, the Board liaison, the committee liaison, and the Executive Director, as appropriate.
4. For Board Inquiry Requests made by Board Trustees outside of a Board or committee meeting, a Board Trustee should direct the Request in writing, which may be done via electronic mail, to the Board Information Officer.

Board Inquiry Requests made directly to PSERS staff outside of a committee or Board meeting do not need to be directly distributed to other Board Trustees, but the Requests and responses will be added to the Board's document management system and a notification email will be sent to the Board, notifying them that the Board Inquiry folder has been updated.

5. The Board Information Officer's Board Inquiry Tracker shall be regularly updated once a Board Inquiry Request is received or completed. The tracker shall be available to Board Trustees for review.

Requests by Board Trustees working with committee liaisons or the Executive Director to prepare agenda items for committee or Board meetings do not need to be tracked by the Board Information Officer, nor do items requested of the Chief Counsel, Chief Compliance Officer, Chief Audit Officer, or Human Resources Director that are confidential in nature.

## **B. Staff Response to Board Inquiry Requests**

1. Within two business days of the Board Information Officer's receipt of a written Board Inquiry Request, which may be via electronic mail, the Board Information Officer shall provide to the Board Trustee requestor a written acknowledgement of the Request.
2. For any Board Inquiry Request that the Board Information Officer is unsure whether it fits within the Fiduciary Standard, the Board Information Officer shall refer the Request to the Chief Counsel as soon as practical and at the latest, three business days after receipt of the Request. There shall be a presumption that the Request is reasonably related to the performance of the Board Trustee's duties. The Chief Counsel shall only deny the Request if no reasonable person could find that the Board Inquiry Request is either (i) related to a matter before the Board or (ii) reasonably related to the performance of the Board Trustee's duties, except that determinations of the redaction of personally identifiable information shall be determined without the aforementioned presumption. The Chief Counsel shall provide to the Board Information Officer a brief statement setting forth the reasoning of the Chief Counsel's denial of all or part of the Board Inquiry Request. The Chief Counsel shall be required to submit this statement to the Board Information Officer within seven business days of receipt of the Board Inquiry Request.
3. Within seven business days of receipt of the Request, the Board Information Officer shall inform the Board Trustee requestor in writing whether:
  - i. any part of the Request is approved and a time estimate for providing the responsive information to the Board Trustee;
  - ii. any part of the Request is denied or redacted and Chief Counsel's brief statement setting forth the reasoning of the denial or redaction based on state or federal law;
  - iii. any material provided will be redacted based on privacy laws protecting personally identifiable information or any other applicable state or federal law and specifying what type of information will be redacted;

- iv. the Request would impose an undue administrative burden or entail significant material expense to the System, and if so, describe the expected impacts and if applicable, identify reasonable accommodations or alternatives to provide the requested information to the Board Trustee in a manner that would not impose an undue administrative burden or significant material expense on the System and a time estimate for providing to the Board of Trustee the proposed modified response to the Board Inquiry Request.

C. The timeframes set forth in this Subsections B and C are illustrated below:

<b>Business Day 1</b>	Board Inquiry Request Submitted.
<b>Business Day 3</b>	Due Date For Board Information Officer to Acknowledge Board Inquiry Request in Writing.
<b>Business Day 4</b>	Due Date For The Board Information Officer to Refer Board Inquiry Request to the Chief Counsel.
<b>Business Day 7</b>	Due Date For Chief Counsel To Provide Statement Supporting Denial
<b>Business Day 7</b>	Due Date For Board Information Officer to Submit Subsection 3(B) Response to the Board Trustee Requestor
<b>Business Day 7+</b>	Board Trustee Requestor May Appeal to the Board Inquiry Request

### III. Responsible Committee and Frequency of Review

1. The Responsible Committee for this policy is the Governance and Administration Committee.
2. This policy shall be reviewed by the Governance and Administration Committee every three years and when there are changes in the Board’s strategic priorities and initiatives, risks or performance factors, legislation or regulation, actual or potential litigation, or recommendations from studies or audits that may impact the efficacy of the policy. The Governance and Administration Committee shall report the results of this review to the Board.

# Policy History:

## Summary of Changes:

Date	Version	Summary
3/21/2025	1.0	NEW Policy adopted via Resolution 2025-29