

Michigan Information Privacy Protection Council Operating Principles

Synopsis

Executive Order 2009-18 has established the Michigan Information Privacy Protection Council, hereafter “the Council,” and has created the position of Chief Privacy Officer (CPO) for the State of Michigan.

Council Description

A. Authorization: the Michigan Information Privacy Protection Council is established by Executive Order 2009-18.

B. Purpose and Objectives:

1. The Council is charged as an advisory body to the Governor in matters relating to the review, development and recommendation of policies and procedures to be implemented by state departments and agencies to assure compliance with state and federal privacy laws and the promotion of effective information security and privacy protection.
2. The Council shall also develop and recommend strategies to enhance awareness, education, and understanding of information security best practices and online measures intended to protect the personal identifiable information of the residents of this state.
3. The Council will also identify security and privacy protection risks within state government and develop and recommend risk mitigation strategies, methods, and procedures to be adopted by state departments and agencies to lessen these risks.
4. The Council will monitor and report compliance by state departments and agencies with state information security and privacy protection policies and procedures.
5. The Council will recommend and coordinate a training program for state employees designed to educate, promote, and advance knowledge of information security and privacy protection policies and procedures.

C. Council Membership: The Council will be comprised of Michigan’s Chief Privacy Officer (CPO), Michigan’s Chief Information Security Officer (CISO), and

the Information Privacy Protection Officers (IPPO) of each principal department of state government as designated under Section III of Executive Order 2009-18.

The CPO shall serve as Chair of the Council. Council members shall elect from the membership a Vice Chair and Secretary.

Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology, Management and Budget, subject to available funding.

D. Operations of the Council: The Council shall be staffed and assisted by personnel from the Michigan Department of Technology, Management and Budget (DTMB), subject to available funding. Any budgeting, procurement, or related management functions of the Council shall be performed under the direction and supervision of the Director of DTMB. Further, any legal, legislative, and media inquiries shall be coordinated by the Council Secretary and referred to DTMB.

Minutes from each meeting will be taken and posted on a publicly available website. This also includes presentations and other materials reviewed at each Council meeting.

The Council shall act by a majority vote of its serving members. A majority of the members of the Council serving constitutes a quorum for the transaction of Council business.

The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

E. Workgroups and Outside Entities: The Council may establish advisory workgroups composed of representatives of entities participating in Council activities or other members of the public as deemed necessary by the Council to assist the Council in performing its duties and responsibilities.

The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts as necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of DTMB deems advisable and necessary, in accordance with Executive Order 2009-18, the relevant statutes, and the rules and procedures of the Civil Service Commission and the Department of Technology, Management and Budget.

F. Decision Making: Recommendations to the Governor will be made as follows:

1. All recommendations shall be generated in an open forum and minutes will be taken.
 2. If the CPO deems that an issue is non-controversial (e.g., no public dissent, or no budgetary impact) or non-substantive (e.g., administrative or editorial issues), then a vote is not required.
 3. Where a vote is required, formal recommendations will only be forwarded to the Governor after obtaining majority approval based on the total Council membership.
 4. Only Council members (as defined in this document) are allowed to participate in a formal vote.
 5. Each represented principal department is allowed one vote.
 6. Quorum and Voting Procedures for Formal Votes:
 - a. A majority of the members physically present at the meeting will constitute a quorum.
 - b. The Council may not vote when a quorum is not present.
 - c. With written approval of a Member's Department Director, members may send designees to participate on their behalf in meeting discussions. Designees will not have voting privileges.
 - d. Each member may have a single vote and must be present, in person or by telephone or videoconference to exercise that vote.
 - e. The final result of the voting shall be reported to the Council during regular meetings.
-