

Chicago Public Schools Policy Manual

Title: SOCIAL SECURITY NUMBER PROTECTION POLICY

Section: 102.9

Board Report: 11-0525-PO3

Date Adopted: May 25, 2011

Policy:

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board adopt a Social Security Number Protection Policy.

PURPOSE: This policy establishes the requirements for compliance with the Illinois Identity Protection Act 5 ILCS 179/1 *et seq.* (the "Act"), to ensure the confidentiality and integrity of Social Security Numbers collected, maintained and used by the District. The goal of the Act's requirements that limit the collection, access and use of Social Security Numbers is to protect against the threat of identity theft.

POLICY TEXT:

I. Prohibited Activities.

A. General Prohibited Activities. No employee of the Board may do any of the following:

1. Publicly post or publicly display in any manner an individual's Social Security Number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.
2. Print an individual's Social Security Number on any card required for the individual to access products or services provided by the District.
3. Require an individual to transmit a Social Security Number over the Internet, unless the connection is secure or the Social Security Number is encrypted.
4. Print an individual's Social Security Number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery ("mail"), unless State or federal law requires the Social Security Number to be on the document to be mailed. SSNs may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract, or policy or to confirm the accuracy of the Social Security Number.
5. A Social Security Number that is permissibly mailed will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

B. Additional Prohibited Activities. In addition, no employee of the Board may do any of the following:

1. Collect, use or disclose a Social Security Number from an individual, unless:
 - a. required to do so under State or federal law, rules, or regulations, or the collection, use, or disclosure of the Social Security Number is otherwise necessary for the performance of the Board's duties and responsibilities;
 - b. the need and purpose for the Social Security Number is documented before or in connection with the collection of the Social Security Number; and
 - c. the Social Security Number collected is relevant to the documented need and purpose.

2. Use the Social Security Number for any purpose other than the purpose for which it was collected.

3. Require an individual to use his or her Social Security Number to access an Internet website;

C. Exceptions. The prohibitions noted in subsection I.B. above do not apply to the following circumstances:

1. The disclosure of Social Security Numbers to agents, employees, contractors, or subcontractors of a governmental entity or disclosure by a governmental entity to another governmental entity or its agents, employees, contractors, or subcontractors if disclosure is necessary in order for the entity to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the governmental entity must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements imposed under this Act on a governmental entity to protect an individual's Social Security Number will be achieved.

2. The disclosure of Social Security Numbers pursuant to a court order, warrant, or subpoena.

3. The collection, use, or disclosure of Social Security Numbers in order to ensure the safety of: State and local government employees including Board employees; persons committed to correctional facilities, local jails, and other law-enforcement facilities or retention centers; wards of the State; and all persons working in or visiting a State or local government agency facility including Board facilities.

4. The collection, use or disclosure of Social Security Numbers for internal verification or administrative purposes.

5. The disclosure of Social Security Numbers by a State agency to any entity for the collection of delinquent child support or of any State debt or to a governmental agency to assist with an investigation or the prevention of fraud.

6. The collection or use of Social Security Numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.

II. **Protections.**

A. Limited Access. Only employees who are required to use or handle information or documents that contain Social Security Numbers will have access.

B. Training. All officers, employees and agents of the Board identified as having access to Social Security Numbers in the course of performing their duties shall be trained to protect confidentiality of Social Security Numbers. Training shall include instructions on the proper handling of information that contains Social Security Numbers from the time of collection through the destruction of the information.

C. Documentation and Authorization of Need. No employee shall collect, store, use or disclose an individual's Social Security Number unless authorized by the General Counsel.

D. Redacting. Social Security Numbers requested from an individual shall be provided in a manner that makes the Social Security Number easily redacted if required to be released as part of a public records request.

E. Statement of Purpose(s). When collecting a Social Security Number or upon request by the individual, a statement of purpose or purposes for which the Board is collecting and using the Social Security Number shall be provided.

F. Additional Protections. Social Security Number information may not be maintained on a portable electronic device without the prior written approval of the Chief Technology Officer or designee. Social Security Number information may not be transmitted via e-mail unless encrypted in accordance with the requirements specified by the Chief Technology Officer or designee.

III. Public Inspections and Copying of Documents.

The Board shall comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's Social Security Number. In such cases, the Board shall redact Social Security Numbers from the information or documents before allowing the public inspection or copying of the information or documents.

IV. Compliance with Federal Law.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, the Board's compliance with federal law shall be deemed compliance with the Act and this Policy.

Disclosure of student Social Security Numbers is further subject to the requirements specified in the Family Educational and Privacy Rights Act (FERPA), 20 U.S.C. 1232g, and the Illinois School Student Records Act, 105 ILCS 10/1 *et seq.*

V. Embedded Social Security Numbers.

The Board shall not encode or embed a Social Security Number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology or other technology, in place of removing the Social Security Number.

VI. Authorization to Formulate Guidelines.

The Chief Executive Officer or designee is authorized to issue Guidelines for the effective implementation of the requirements of this Policy as it relates to Social Security Numbers collected from employees, vendors, volunteers, local school council members and other adults who are not students. The Chief Education Officer is authorized to issue Guidelines for the effective implementation of the requirements of this Policy as it relates to student Social Security Numbers.

VII. Compliance.

Failure to abide by this Policy or Guidelines will subject employees to discipline up to and including dismissal in accordance with the Board's Employee Discipline and Due Process Policy.

Amends/Rescinds:

Cross References:

Legal References: 5 ILCS 179/1 *et seq.*