

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

April 4, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 4:15- Identity Protection

This policy is new to Millburn. It goes over the expectations for our districts with respect to the collection, storage, use, and disclosure of social security numbers in accordance with the Identity Protection Act.

We can use this as our first reading and place this on the consent agenda for next time.

## Operational Services

### Identity Protection <sup>1</sup>

The collection, storage, use, and disclosure of social security numbers by the School District shall be consistent with State and federal laws. The goals for managing the District's collection, storage, use, and disclosure of social security numbers are to: <sup>2</sup>

1. Limit all activities involving social security numbers to those circumstances that are authorized by State or federal law.
2. Protect each social security number collected or maintained by the District from unauthorized disclosure.

The Superintendent is responsible for ensuring that the District complies with the Identity Protection Act, 5 ILCS 179/. Compliance measures shall include each of the following: <sup>3</sup>

1. All employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information containing social security numbers from the time of collection through the destruction of the information.
2. Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
3. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if the record is required to be released as part of a public records request.
4. When collecting a social security number or upon request by an individual, a statement of the purpose(s) for which the District is collecting and using the social security number shall be provided. <sup>4</sup>
5. All employees must be advised of this policy's existence and a copy of the policy must be made available to each employee. The policy must also be made available to any member of the public, upon request.

No District employee shall collect, store, use, or disclose an individual's social security number unless specifically authorized by the Superintendent. <sup>5</sup>

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**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> The Identity Protection Act, 5 ILCS 179/, requires that this subject matter be covered in policy and controls its content. The Act places greater limits on the use of SSNs than federal law. The Act defines *identity-protection policy* as "any policy created to protect social security numbers from unauthorized disclosure." Thus, the policy will be sufficient if it focuses exclusively on protecting the privacy and confidentiality of social security numbers. Each district must implement its identity-protection policy before 6/1/2011 (5 ILCS 179/35). *Social security number* is not capitalized in the Identity Protection Act (5 ILCS 179/5).

<sup>2</sup> The list of goals is optional; it may be deleted, augmented, or otherwise amended.

<sup>3</sup> Items 1-4 in this numbered list must be covered in board policy (5 ILCS 179/35(a). Item #5 is not required to be in the policy but districts are required to do it (5 ILCS 179/35(b). These compliance measures are covered in administrative procedure 4:15-AP, *Protecting the Privacy of Social Security Numbers*.

<sup>4</sup> See 4:15-E2, *Exhibit - Statement of Purpose for Collection of Social Security Numbers*.

LEGAL REF.: 5 ILCS 179/, Identity Protection Act.

CROSS REF: 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

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<sup>5</sup> This sentence is optional. Its intent is to inform employees of the need to have proper authority before collecting, storing, using, or disclosing SSNs. A board may attach a sanction to the paragraph by adding the following option: “An employee who has substantially breached the confidentiality of social security numbers may be subject to disciplinary action or sanctions up to and including dismissal in accordance with District policy and procedures.”