

Policy and Procedure Manual	Section A 14
Governance and Organizational Structure Policy with regard to the Collection, Use, Disclosure and Protection of Individuals' Social Security Numbers	Issued: February 21, 2011  Approving Authority: Board of Library Trustees

## Policy with Regard to the Collection, Use, Disclosure and Protection of Individuals' Social Security Numbers

### 1. Purpose

The purpose of this policy is to protect social security numbers from unauthorized disclosure. Regarding the use of social security numbers, the Orland Park Public Library intends to comply with the provisions of the Illinois Identity Protection Act (5 ILCS 179/1 *et seq.*).

### 2. Prohibited Activities

- A. No officer or employee of the library shall 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, an individual's social security number.
  - (2) Print an individual's social security number on any card required for the individual to access products or services offered by the library.
  - (3) 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 as required by this Policy.
  - (4) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted.
  - (5) 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, unless State or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this Section to the contrary, social security numbers 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. A social security number that may permissibly be mailed under this Section may 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. Except as otherwise provided in this Policy, no officer or employee of the library shall do any of the following:

- (1) Collect, use or disclose a social security number from an individual, unless:
  - (i) 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 that officer's or employee's duties and responsibilities;
  - (ii) the need and purpose for the social security number is documented before collection of the social security number; and
  - (iii) the social security number collected is relevant to the documented need and purpose.
- (2) Require an individual to use his or her social security number to access an Internet website.
- (3) Use the social security number of an individual for any purpose other than the purpose for which it was collected.

C. The prohibitions listed in subsection B. above do not apply in the following circumstances:

- (1) The disclosure of social security numbers to agents, employees, contractors or subcontractors of the library, or disclosure to another governmental entity or its agents, employees, contractors or subcontractors, if disclosure is necessary in order for the library

to perform its duties and responsibilities; and, if disclosing to a contractor or subcontractor, prior to such disclosure, the officer or employee of the library 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 Policy on the library, 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:
  - (i) library employees;
  - (ii) persons committed to correctional facilities, local jails and other law-enforcement facilities or retention centers;
  - (iii) wards of the State; and
  - (iv) all persons working in or visiting a library facility.
- (4) The collection, use, or disclosure of social security numbers for internal verification or administrative purposes.
- (5) 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.

D. Any previously adopted standards of the library, for the collection, use or disclosure of social security numbers, that are stricter than the standards under this Policy with respect to the protection of those social security numbers, shall, in the event of any conflict with the provisions of this Policy, control.

### **3. Public Inspection and Copying of Documents**

Notwithstanding any other provision of this Policy to the contrary, all officers and employees of the library must 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.

All officers and employees of the library must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents, as such information is exempt from disclosure under the Freedom of Information Act, pursuant to 5 ILCS 140/7(1)(b) as "private information," as defined by 5 ILCS 140/2(c-5).

**4. Applicability:**

- A. This Policy does not apply to the collection, use or disclosure of a social security number as required by State or federal law, rule or regulation.
- B. This Policy does not apply to documents that are required to be open to the public under any State or federal law, rule or regulation, applicable case law, Supreme Court Rule or the Constitution of the State of Illinois.

**5. Compliance with Federal Law:**

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, the library's compliance with said program shall not be deemed a violation of this Policy or the Act.

**6. Identity-Protection Requirements:**

- A. All officers and employees of the library, identified as having access to social security numbers in the course of performing their duties, shall receive training in regard to protecting the confidentiality of social security numbers. Said 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.
- B. Only officers and employees of the library who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
- C. 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.
- D. When collecting a social security number, or upon request by the individual providing the social security number, a statement of the purpose or purposes for which the library is collecting and using the social security number shall be provided.
- E. The Library Director shall make sure that all officers and employees of the library are aware of the existence of this Policy, and shall make a copy of this Policy available to each officer and employee. If the library amends

this Policy, then the Library Director shall advise all officers and employees of the library of the existence of the amended Policy, and shall make a copy of the amended Policy available to each officer and employee of the library.

- F. The library shall make this Policy available to any member of the public, upon request.

**7. Violation:**

Any person who intentionally violates the prohibitions in Section 10 of the Act (which are set forth in Sections 2.A. and 2.B. of this Policy) shall, pursuant to the Act, be guilty of a Class B misdemeanor.

- 8. This Policy does not supersede any more restrictive law, rule or regulation regarding the collection, use or disclosure of social security numbers.

**Approved by the Board of Library Trustees February 21, 2011.**