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MEMORANDUM

TO: All District Employees

FROM: Jim Pacanowski

DATE: 5/31/11, 2011

RE: Burr Ridge Park District Identity Protection Policy

The Board of Park Commissioners has approved the attached Burr Ridge Park District Identity Protection Policy. All local governments, as well as the State, are required to adopt and implement such a policy pursuant to the Identity Protection Act. The purpose of the Policy is to protect the unauthorized disclosure of social security numbers.

The District has relatively little need to know the social security numbers of persons with whom it deals; however, in instances where this information may be required, this Policy must be followed carefully.

Questions regarding the Policy should be directed to Jamie Janusz, Director of Finance.

Each employee must sign and date the acknowledgment form and give it to his/her supervisor. Supervisors will transmit the forms to Jamie Janusz for placement in each employee's personnel file.

BURR RIDGE PARK DISTRICT IDENTITY PROTECTION POLICY

Purpose:

This Identity Protection Policy is adopted pursuant to the Identity Protection Act (5 ILCS 179/1 *et seq.*) (the “Act”) to protect social security numbers from unauthorized disclosure.

Definitions:

District: The Burr Ridge Park District (the “District”).

Identity Protection Policy:

Any policy created to protect social security numbers from unauthorized disclosure, including this “Burr Ridge Park District Identity Protection Policy”.

Person: Any individual in the employ of the District or acting as an agent or representative of the District under contract in a professional capacity.

“Publicly Post” or “Publicly Display”:

To intentionally communicate or otherwise intentionally make available to the general public.

Prohibited Activities:

No person acting on behalf of the District may do any of the following:

(1) Publicly post or publicly display in any manner 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 provided by the District.

(3) 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.

(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, unless State or Federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision of the Act or this Policy 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 Illinois 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 the Act or this Policy 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.

Except as otherwise provided in the Act or this Policy, no person 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 unless the collection, use or disclosure of the social security number is otherwise necessary for the performance of the District's duties and responsibilities;
 - (b) The need and purpose for the social security number is documented before collection of the social security number; and
 - (c) 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 for any purpose other than the purpose for which it was collected.
- (4) 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 the Act or this Policy.

Exclusions from Prohibitions:

The prohibitions listed hereinabove shall not apply in 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 the 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; 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.

(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 Report 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.

Freedom of Information Act Requests:

Notwithstanding any provisions of the Act or this Policy to the contrary, the District and any person acting on behalf of the District shall comply with the provisions of any other State law with respect to allowing the public inspection and copying of information of documents containing all or any portion of an individual's social security number, including, but not limited to the Illinois Freedom of Information (5 ILCS 140/1, *et seq.*); provided, that the District and any such person shall redact all social security numbers from such information or documents before allowing the public inspection or copying thereof.

Applicability:

This Policy shall not apply to the collection, use or disclosure of a social security number as required by State or Federal law, rule or regulation. If a Federal law takes effect requiring any Federal agency to establish a national unique patient health identifier program, any person who complies with the Federal law shall be deemed to be in compliance with this Policy.

This Policy shall not apply to documents that are recorded with a County Recorder or 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.

Training:

All District employees who have access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Such 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.

Other Requirements:

The District and any person acting on behalf of the District shall also comply with the following additional requirements:

(1) Only those District employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.

(2) Social security numbers required 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.

(2) When collecting a social security number, or upon request by the individual, a statement of the purpose or purposes for which the District is collecting and using the social security number shall be provided to the individual.

Distribution of Policy:

This Policy will be distributed as follows:

(1) A written copy of this Policy shall be provided to the District's President and Board of Park Commissioners within thirty (30) days after its effective date.

(2) Each current District employee shall be provided and shall acknowledge receipt of a copy of this Policy. Each employee hereinafter hired by the District shall be provided and shall acknowledge receipt of a copy of this Policy upon commencing his or her employment. The acknowledged copy of this Policy shall be filed and maintained in each District employee's personnel file.

(3) A copy of this Policy shall be made available to any member of the public, upon request.

If the District amends this Policy, a written copy of the amended Policy shall be provided to the District's President and Board of Park Commissioners, and all District employees shall be provided with a copy of the amended Policy.

Effective Date:

This Policy shall be effective on June 1, 2011.

ACKNOWLEDGEMENT BY EMPLOYEE

Received a copy of this Burr Ridge Park District Identity Protection Policy this ____ day
of _____, 20__.

Name of Employee: _____

Signature