

**ILLINOIS BOARD OF HIGHER EDUCATION  
IDENTITY PROTECTION POLICY**

**Submitted for:** Action.

**Summary:** This item requests approval of an identity-protection policy pursuant to the Identity Protection Act (5 ILCS 179). With the recent passage and signing of this Act, Illinois has taken a necessary step in protecting against the widespread dissemination of Social Security numbers. The new law requires state and local government agencies to take a more active role in the fight against identity theft by approving and implementing an identity-protection policy. Upon Board action, the approved policy will be provided to the Social Security Number Protection Task Force prior to the June 1, 2011 deadline.

**Action Requested:** That the Illinois Board of Higher Education approve the identity-protection policy as contained in this item.



STATE OF ILLINOIS  
BOARD OF HIGHER EDUCATION

**ILLINOIS BOARD OF HIGHER EDUCATION  
IDENTITY PROTECTION POLICY**

This item requests approval of the identity-protection policy by the Illinois Board of Higher Education (IBHE). Pursuant to the Identity Protection Act (5 ILCS 179), state agencies subject to auditing are required to draft and approve an identity-protection policy to ensure the confidentiality and integrity of Social Security numbers. IBHE approval of a policy is required by June 1, 2011.

**Background**

As reported by the Social Security Protection Task Force “the social security number remains the key piece of sensitive personally identifiable information that identity thieves use to commit fraud.” (12/31/2010). Illinois’ Identity Protection Act sets forth a number of restrictions and requirements to ensure confidentiality and integrity. The new Act prohibits a person, a state agency, or a local government from publicly posting or displaying Social Security numbers; printing the numbers on cards required for access to products or services; requiring an individual to transmit her or his number over the Internet, unless the connection is secure or the number is encrypted; and printing the number on any materials that are mailed, with exceptions. The exceptions include a governmental entity disclosing Social Security numbers to another governmental entity or contractor when necessary to perform duties and responsibilities. When higher standards have been adopted by a federal or state agency for the collection, use, or disclosure, then the stricter standards will control.

**Policy Requirements**

The new Illinois’ Identity Protection Act (P.A. 96-874) was the outgrowth of deliberations by an inter-agency Social Security Number Protection Task Force (Task Force) created by earlier legislation to study this problem. Don Sevener of IBHE served on that Task Force. As a result of those deliberations and the passage of P.A. 96-874, the IBHE is required to protect Social Security numbers by approving and implementing an identity-protection policy. This new policy must include specific requirements regarding the proper handling of Social Security numbers. Requirements include providing employee training, limiting employee access to Social Security numbers, making numbers easier to redact, and providing a statement of purpose when requesting a Social Security number. The Office of the Attorney General has provided a template to assist agencies in drafting the requisite policy. This template was reviewed and ultimately used for the IBHE policy. The Act also requires implementation of the policy within one-year of the deadline.

**Requests for Social Security Numbers**

The IBHE requests Social Security numbers from individuals in a limited number of situations. The most common purposes are as follows: (1) for vendor services such as executing contracts, billing, and payment; (2) for administrative purposes such as reimbursement for necessary traveling; and (3) for personnel transactions required for new hires. Measures to ensure confidentiality and integrity of Social Security numbers are currently in place and activities to implement the new policy are ready to be

scheduled. The new policy generally is consistent with current IBHE practice and will require little additional administrative action to implement.

Upon Board action, the approved policy will become effective immediately and will be provided to the Social Security Number Protection Task Force as required by law.

**Staff Recommendation**

Staff recommends the adoption of the following resolution:

*The Illinois Board of Higher Education hereby approves the identity-protection policy as detailed in the attached document.*

## **Illinois Board of Higher Education IDENTITY-PROTECTION POLICY**

The Illinois Board of Higher Education adopts this Identity-Protection Policy pursuant to the Identity Protection Act. 5 ILCS 179/1 *et seq.* The Identity Protection Act requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy to ensure the confidentiality and integrity of Social Security numbers agencies collect, maintain, and use. It is important to safeguard Social Security numbers (SSNs) against unauthorized access because SSNs can be used to facilitate identity theft. One way to better protect SSNs is to limit the widespread dissemination of those numbers. The Identity Protection Act was passed in part to require local and State government agencies to assess their personal information collection practices, and make necessary changes to those practices to ensure confidentiality.

### **Social Security Number Protections Pursuant to Law**

Whenever an individual is asked to provide this Office with a SSN, the Board of Higher Education shall provide that individual with a statement of the purpose or purposes for which the Board of Higher Education is collecting and using the Social Security number. The Board of Higher Education shall also provide the statement of purpose upon request. That Statement of Purpose is attached to this Policy.

The Board of Higher Education shall not:

- 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 person or entity.
- 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, 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. 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.

In addition, the Board of Higher Education shall not<sup>1</sup>:

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<sup>1</sup> These prohibitions do 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 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.

- 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 the Board of Higher Education'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 for any purpose other than the purpose for which it was collected.

#### *Requirement to Redact Social Security Numbers*

The Board of Higher Education 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. The Board of Higher Education shall redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

When collecting Social Security numbers, the Board of Higher Education shall request each SSN in a manner that makes the SSN easily redacted if required to be released as part of a public records request. "Redact" means to alter or truncate data so that no more than five sequential digits of a Social Security number are accessible as part of personal information.

#### *Employee Access to Social Security Numbers*

Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs are trained to protect the confidentiality of SSNs.

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- (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 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.

## **What does the Board of Higher Education do with your Social Security Number?**

### Statement of Purpose for Collection of Social Security Numbers

#### Identity-Protection Policy

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, requires each local and State government agency to draft, approve, and implement an Identity-Protection Policy that includes a statement of the purpose or purposes for which the agency is collecting and using an individual's Social Security number (SSN). This statement of purpose is being provided to you because you have been asked by the Board of Higher Education to provide your SSN or because you requested a copy of this statement.

### **Why do we collect your Social Security number?**

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You are being asked for your SSN for one or more of the following reasons:

- Vendor services, such as executing contracts and/or billing;
- Law enforcement investigation;
- Child support collection;
- Internal verification;
- Administrative services; and/or
- Other:\_\_\_\_\_

### **What do we do with your Social Security number?**

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- We will only use your SSN for the purpose for which it was collected.
- We will not:
  - Sell, lease, loan, trade, or rent your SSN to a third party for any purpose;
  - Publicly post or publicly display your SSN;
  - Print your SSN on any card required for you to access our services;
  - Require you to transmit your SSN over the Internet, unless the connection is secure or your SSN is encrypted; or
  - Print your SSN on any materials that are mailed to you, unless State or Federal law requires that number to be on documents mailed to you, or unless we are confirming the accuracy of your SSN.

### **Questions or Complaints about this Statement of Purpose**

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Write to the Illinois Board of Higher Education:

Executive Director  
431 East Adams, Second Floor  
Springfield, IL 62701-1404

