

## **RESOLUTION ESTABLISHING A CITY OF ROCHELLE IDENTITY PROTECTION POLICY**

This policy is adopted pursuant to the Identity Protection Act (5 ILCS 170/1 *et seq.*) to protect social security numbers from unauthorized disclosure.

PROHIBITED ACTS. No City employee may do any of the following:

1. Publicly post or publicly display or otherwise intentionally communicate or otherwise intentionally make available to the general public in any manner as 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 City.
3. Require an individual to transmit his/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 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 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 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's having been opened.
5. 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 agency'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.
6. Require an individual to use his or her social security number to access an Internet website.
7. Use the social security number for any purpose other than the purpose for which it was collected.
8. 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.

EXCLUSIONS FROM PROHIBITIONS. The above-listed 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 the Identity Protection 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 a fraud.
6. The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, or 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.

FREEDOM OF INFORMATION ACT REQUESTS. Consistent with the Illinois Freedom of Information Act, City employees must redact social security numbers from information or documents being supplied to the public pursuant to a Freedom of Information Act request before allowing the public inspection or copying of the information or documents.

APPLICABILITY. 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. This policy does 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.

If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, any City employee that complies with the federal law shall be deemed to be in compliance with this policy.

IDENTITY PROTECTION PROCEDURES. All City 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. The 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.

Only City employees who are required to use or handle information or documents that contain social security numbers have access to such information or documents.

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.

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

DISTRIBUTION OF POLICY. A written copy of this policy has been provided to the City's elected officials.

Each current City employee shall be provided and shall acknowledge receipt of a copy (Exhibit A) of this policy. Each employee hereinafter hired by the City shall be provided and shall acknowledge receipt of a copy of this policy upon commencing his or her employment. A copy of this policy shall be made available to any member of the public, upon request. If the City Council amends this policy, the City shall file a written copy of the amended policy with the City Manager, shall also advise all City employees of the existence of the amended policy and make a copy of the amended policy available to each of its employees. The acknowledged copy of this policy shall be filed and maintained in the City employee's personnel file.

This policy is effective 23<sup>rd</sup> day of May, 2011.

Attest:

---

Chet Olson  
Mayor, City of Rochelle

---

Bruce W. McKinney  
City Clerk, City of Rochelle

**Exhibit A**

I acknowledge that I received a copy of the City of Rochelle's Identity Protection Policy with Regard to the Collection, Use and Communication of Individual's Social Security Numbers. I have reviewed and understand the policy. I agree to follow and abide by this policy throughout my employment with the City.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**Witness:** \_\_\_\_\_