

Resolution No. 10-R-75

**A RESOLUTION ADOPTING AN IDENTITY PROTECTION
POLICY FOR THE CITY OF ROLLING MEADOWS, ILLINOIS**

WHEREAS, the Identity Protection Act (5 ILCS 179/1 *et seq.*) requires that the corporate authorities of the City of Rolling Meadows adopt an Identity Protection Policy to protect social security numbers from unauthorized use; and

WHEREAS, to comply with the requirements of the Identity Protection Act, the City has developed and desires to approve and establish a policy to protect social security numbers from unauthorized use;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rolling Meadows, Cook County, Illinois, as follows:

Section 1: The corporate authorities of the City of Rolling Meadows hereby determine that it is advisable, necessary, and in the public interest that the City of Rolling Meadows adopt an Identity Protection Policy.

Section 2: There is hereby adopted and approved an Identity Protection Policy, which policy is attached hereto marked as Exhibit "A."

Section 3: The City Manager is hereby authorized and directed to implement this policy and to cause a copy of this policy to be provided to each current and future City employee. Each such current and future city employee shall acknowledge receipt of the policy, which acknowledgement shall be filed and maintained in the personnel file of each City employee. In addition, a copy of this policy shall be made available to the public upon request.

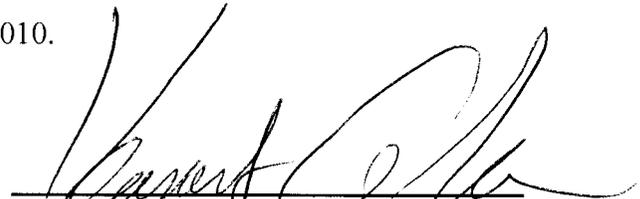
Section 4: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

YEAS: Pitzafarro, Lusk, Buske, Judd, Adams, D'Astice, Larsen

NAYS: 0

ABSENT: 0

Passed and approved this 22nd day of June 2010.



Kenneth A. Nelson, Mayor

ATTEST:



Lisa M. Hinman, City Clerk

CITY OF ROLLING MEADOWS IDENTITY PROTECTION POLICY

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

PROHIBITED ACTS. No City of Rolling Meadows 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 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 City of Rolling Meadows.
- (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 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 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.

FREEDOM OF INFORMATION ACT REQUESTS. Consistent with the Illinois Freedom of Information Act, City of Rolling Meadows 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 of Rolling Meadows employee that complies with the federal law shall be deemed to be in compliance with this policy.

IDENTITY PROTECTION PROCEDURES. All City of Rolling Meadows 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 of Rolling Meadows 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 of Rolling Meadows 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 of Rolling Meadows City Council.

Each current City of Rolling Meadows employee shall be provided and shall acknowledge receipt of a copy of this policy. Each employee hereinafter hired by the City of Rolling Meadows 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 of Rolling Meadows amends this policy, the City of Rolling Meadows shall file a written copy of the amended policy with the City of Rolling Meadows City Council, shall also advise all City of Rolling Meadows 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 each City of Rolling Meadows employee's personnel file.

This policy is effective July 1, 2010.

ACKNOWLEDGMENT BY EMPLOYEE

Received a copy of this Identity Protection Policy this ____ day of _____ 2010.

Name of Employee: _____

Signature

CITY OF ROLLING MEADOWS
STATEMENT OF PURPOSE FOR COLLECTION OF SOCIAL SECURITY NUMBERS

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, requires the City of Rolling Meadows to provide you, when collecting your social security number or upon request, with a statement of the purpose or purposes for which the City of Rolling Meadows is collecting and using your social security number. This statement of purpose is being provided to you because you have been asked by the City of Rolling Meadows to provide your social security number or because you requested a copy of this statement.

The City of Rolling Meadows is collecting your social security number for one or more of the following reasons:

Check the reason(s) that apply:

- Complaint investigation
- Crime victim compensation
- Vendor services, contract administration, billing and/or tax reporting
- Law enforcement investigation
- Child support collection
- Internal verification
- Administrative services, and/or
- Other: _____