



POLICY 3.09

4-C I recommend that the Board adopt the proposed new Policy 3.09, entitled “Social Security Numbers.”

[Contact: Gerald A. Williams, Esq. or Elizabeth T. McBride, Esq., PX 48500.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on March 4, 2009.
- This proposed new policy relates to the District’s handling of employee and student social security numbers.
- To protect confidentiality and maintain privacy the District will limit access to records and records systems and will dispose of records in a manner that minimizes risk of inappropriate use.
- This proposed policy sets forth specific situations for which an employee’s or applicant’s social security number will be collected.
- This proposed policy addresses the collection of student and volunteer social security numbers.
- This proposed policy sets forth parameters under which social security numbers may be released to other agencies, governmental or commercial entities.

POLICY 3.09

SOCIAL SECURITY NUMBERS

- 1
2
3 1. **Purpose.** -- A social security number is considered confidential and exempt from
4 public inspection in accordance with Florida Statutes. The primary purpose of this
5 policy is to ensure that the necessary procedures and awareness exist to ensure
6 that School District employees comply with both the letter and spirit of the Florida
7 Public Records Act, and the Privacy Act of 1974.

- 8 2. **Policy.** -- The School District collects and maintains social security numbers of its
9 employees, students, vendors and others in the ordinary course of its business and
10 as required by law. The School District will handle social security numbers with a
11 high degree of security and confidentiality. In an effort to protect the privacy rights
12 of individuals who provide social security numbers to the School District and to
13 manage its records and records systems responsibly, District employees will:
 - 14 a. Ensure the confidentiality of social security numbers in conformance with
15 Florida law;
 - 16 b. Not unlawfully disclose, transfer or use an individual's social security number;
 - 17 c. Strictly limit access to records and records systems containing social security
18 numbers to those who have a business related reason to know this
19 information; and
 - 20 d. When disposing of records with social security numbers, dispose of such
21 records in a responsible manner that minimizes risk that the social security
22 numbers can be accessed inappropriately.

- 23 3. **Collection from Applicants or Employees.**
 - 24 a. Social security numbers shall be collected only when allowed by law or when
25 necessary for the performance of the school system's duties.
 - 26 b. The School District shall collect the social security number of each applicant
27 and employee for the following purposes:
 - 28 i. Verification of citizenship or immigration status, as required by the U.S.
29 Department of Homeland Security or other governmental agencies.
 - 30 ii. Employee benefit processing, including membership in the Florida
31 Retirement System, health insurance, insurance, or other benefits offered
32 to employees by the School Board.
 - 33 iii. Compliance with the reporting requirements for the Internal Revenue

- 34 Service, U.S. Social Security Administration, Unemployment
35 Compensation, Florida Agency for Workforce Innovation, Florida
36 Department of Education and such other official reporting responsibilities
37 imposed by law.
- 38 iv. Processing pre-employment and post-employment criminal background
39 checks required by law.
- 40 v. For such purposes as may be directed by the employee, such as direct
41 deposit of wages or salary, payroll deductions, etc.
- 42 c. Social security numbers or federal employer identification numbers shall be
43 collected from all vendors to facilitate vendor record keeping by the School
44 District and to permit compliance with income reporting requirements of the
45 Internal Revenue Service, including but not necessarily limited to issuance of
46 U.S. Internal Revenue Form 1099.
- 47 4. **Collection from Students.** -- Student social security numbers are confidential and
48 will only be released in accordance with the consent requirement set forth in
49 §1002.22(3)(d), Florida Statutes, or as otherwise provided by that section. Social
50 security numbers may be collected from students under the following
51 circumstances:
- 52 a. As required by §1008.386, Florida Statutes; or
- 53 b. As otherwise consented to by the student or the student's parent or legal
54 guardian.
- 55 5. **Collection from Volunteers.** -- Social security numbers shall be collected from
56 individuals desiring to serve as volunteers or volunteers in the School District's
57 Volunteers in Public Schools Programs, for the criminal background screening as
58 provided in School Board Policy 2.53, and for persons serving as chaperones on
59 field trips as provided in School Board Policy 2.40.
- 60 6. **Regulations and Procedures.**
- 61 a. Social security numbers will not be:
- 62 i. Publicly displayed;
- 63 ii. Used as the primary account number or identifier for an individual, except
64 where existing District records or records systems require such use.
65 Existing records or records systems, when retired, will be replaced with
66 records or records systems that do not require or use social security
67 number as the primary account number or identifier; or

68 iii. Used, transmitted or stored on records or records systems that are not
69 encrypted or secure. This provision shall be implemented throughout the
70 School District by the Department of Information Technology.

71 b. It is the School District's intention to comply with this policy, and with all
72 applicable laws regarding the privacy of social security numbers. Corrective
73 action will be taken in the event of intentional violations of this policy. Such
74 action may include the modification of a process, practice, record or record
75 system to better protect the confidentiality of social security numbers, or, if
76 appropriate, disciplinary action in accordance with the applicable disciplinary
77 policy. Loss or theft of social security numbers from District records or records
78 systems will be promptly reported to the Superintendent or designee for
79 responsive action.

80 7. **Notification.**

81 a. Applicants for employment and employees shall be notified of the requirement
82 for providing their social security number prior to the time of the completion
83 and submission of the application for employment, the submission of their
84 recommendation(s) for employment to the School District and the purposes for
85 which an applicant/employee's number will be used.

86 b. Applicants for the Volunteers in Public Schools Program and chaperones for
87 field trips shall be notified that their social security numbers will be used for
88 background checking purposes as provided in the relevant school board
89 policies.

90 c. Students and their parents shall be notified if they will be asked to provide their
91 social security numbers at the time of enrollment; however, students and their
92 parents shall also be notified that a student is not required to provide a social
93 security number as a condition of enrollment or graduation. Further, that
94 student social security numbers will be used for the purposes above stated.

95 8. **Review.** -- The Superintendent or designee shall review the collection of social
96 security numbers to ensure that the reasons for collection and the process for
97 collection and maintenance are consistent with Florida laws.

98 9. **Release of Social Security Numbers.**

99 a. Social security numbers may be disclosed to another agency or governmental
100 entity if disclosure is necessary for the receiving agency or entity to perform its
101 duties and responsibilities. The receiving agency shall be responsible for the
102 securing and protection of the provided information.

103 b. Non-student social security numbers may be released to a "commercial entity"
104 engaged in the performance of a "commercial activity" as permitted by

105 §119.071(5) (a), Florida Statutes. The commercial entity must make a written
106 request for the social security numbers which must be: verified; legally signed
107 by an authorized officer, agent or employee; contain the commercial entity's
108 name, business mailing and location address, and business telephone
109 number; and contain a statement of the specific purposes for which it needs
110 the social security numbers and how the numbers will be used in the
111 performance of a commercial activity.

112 i. The School District shall annually report to the Executive Office of the
113 Governor, the President of the Senate and the Speaker of the House by
114 January 31st of each year the identity of all commercial entities that have
115 requested social security numbers during the preceding calendar year
116 and the specific purpose stated by the commercial entity for each request.
117 If no requests have been received during the preceding calendar year,
118 the District shall report that information.

119 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41; 1001.42; 1012.23

120 LAWS IMPLEMENTED: Fla. Stat. §§ 119.071; 1001.43; 1012.23; 1008.386; 5 USCA
121 §552(a)

122 HISTORY: ___/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 3.09 and finds it legally sufficient for development by the Board.

Attorney

Date