

TITLE: SOCIAL SECURITY NUMBER PROTECTION POLICY

POLICY:

Purpose.

A social security number is considered confidential and exempt from public inspection in accordance with applicable law. The primary purpose of this policy is to implement compliance with Chapter 119, Florida Statutes more commonly known as "The Florida Public Records Act", and the Privacy Act of 1974 and to create greater awareness throughout the Orange County Public Schools ("OCPS") district regarding same.

Policy.

OCPS collects and maintains social security numbers of its employees, students, vendors and others in the ordinary course of its business and as required by law. OCPS will handle social security numbers with a high degree of security and confidentiality. In an effort to protect the privacy rights of individuals who provide social security numbers to OCPS and to manage its records and records systems responsibly, OCPS employees will:

- (a) Preserve the confidentiality of social security numbers in compliance with applicable law;
- (b) Not unlawfully disclose, transfer or use an individual's social security number;
- (c) Strictly limit access to records and records systems containing social security numbers to those who have a business related reason to know this information; and
- (d) When disposing of records with social security numbers, dispose of such records in a responsible manner that minimizes risk that the social security numbers can be accessed inappropriately.

Collection from Applicants or Employees.

Social security numbers shall be collected only when allowed by law or when necessary for the performance of the school system's duties. OCPS shall collect the social security number of each applicant and employee for the following purposes:

- (a) Verification of citizenship or immigration status, as required by the U. S. Department of Homeland Security or other governmental agencies;
- (b) Employee benefit processing, including membership in the Florida Retirement System, health insurance, insurance, or other benefits offered to employees by The School Board of Orange County, Florida ("Board");

- (c) Compliance with any applicable reporting requirements for the Internal Revenue Service, U. S. Social Security Administration, Unemployment Compensation, Florida Agency for Workforce Innovation, Florida Department of Education, Florida Division of Workers' Compensation, and any other official reporting responsibilities imposed by law;
- (d) Processing pre-employment and post-employment criminal background checks required by law; and
- (e) For such purposes as may be directed by an OCPS employee, such as direct deposit of wages or salary, payroll deductions, or any other purposes as required by applicable law.

Social security numbers or federal employer identification numbers shall be collected from all vendors to facilitate vendor record keeping by OCPS and to permit compliance with income reporting requirements of the Internal Revenue Service, including but not limited to, issuance of U.S. Internal Revenue Form 1099.

Collection from Students.

Student social security numbers provided to OCPS are protected in accordance with applicable state and federal law. Social security numbers may be collected from OCPS students under the following circumstances:

- (a) As required by Section 1008.386, Florida Statutes; and
- (b) As otherwise consented to by the student or the student's parent or legal guardian.

Collection from Volunteers.

Social security numbers shall be collected from individuals desiring to serve as volunteers in the OCPS district.

Regulations and Procedures.

Social security numbers will not be:

- (a) Publicly displayed;
- (b) Used as the primary account number or identifier for an individual; or
- (c) Used, transmitted or stored in records or records systems that are not encrypted or secure. This provision shall be implemented throughout the OCPS district by the OCPS' Information, Communication and Technology Services department.

- (d) It is the Board and OCPS's intention to comply with this policy, and with all applicable laws regarding the privacy of social security numbers. Corrective action will be taken in the event of intentional violations of this policy. Such action may include the modification of a process, practice, record or record system to better protect the confidentiality of social security numbers, or, if appropriate, disciplinary action in accordance with Board policy. Loss or theft of social security numbers from OCPS records or records systems will be promptly reported to the superintendent or his or her designee for responsive action.

Notification.

Applicants for employment with OCPS shall be notified of the requirement for providing their social security number and the purposes for which the applicant's number will be used prior to the time of completion and submission of the application for employment.

Individuals applying to serve as volunteers shall be notified at the time of their application that their social security numbers will be used for background checking purposes.

Each student enrolling in the OCPS district shall be requested to provide his or her social security number to OCPS at the time of enrollment. However, students are not required to provide a social security number as a condition of enrollment or graduation. Student social security numbers will be used for the purposes stated herein in compliance with applicable law.

Review.

The superintendent or his or her designee shall review the collection of social security numbers, the purpose for collection, the process and maintenance of collection in accordance and consistent with Florida law.

Disclosure of Social Security Numbers.

Social security numbers may be disclosed to another agency or governmental entity if: (i) disclosure is necessary for the receiving agency or entity to perform its duties and responsibilities; (ii) disclosure is expressly required by federal or state law or a court order; or (iii) the individual expressly consents in writing to the disclosure of his or her social security number. The receiving agency shall be responsible for the securement and protection of the provided information pursuant to Sections 119.071 (4), and (5), Florida Statutes, and the Federal Educational Rights and Privacy Act, 20 U.S.C. Section 1232g.

Non-student social security numbers may be released to a "commercial entity" engaged in the performance of a "commercial activity" as permitted by Section 119.071(5) (b), Florida Statutes. The commercial entity must make a written request to OCPS for the social security numbers which must be: (i) verified; (ii) legibly signed by an authorized officer, agent or employee or agent of the commercial entity; (iii) contain the commercial entity's name, business mailing and location address, and business telephone number; and (iv) contain a statement of the specific purposes for which it needs the social security numbers and how the numbers will be used in the performance of a commercial activity, including,

without limitation, the identification of any specific federal or state law that permits such use.

OCPS student social security numbers will only be released in accordance with the consent requirement set forth in the Federal Educational Rights and Privacy Act, 20 U.S.C. Section 1232g and applicable law.

SPECIFIC AUTHORITY: Sections 119.071; 440.185; 1001.41; 1001.42; 1001.43; 1008.386; and 1012.23; 1012.32; 1012.465 Florida Statutes.

5 U.S.C. Section 552(a); 8 U.S.C. Section 1324a and 20 U.S.C. Section 1232g.

ADOPTED: 10/09/12