

**Item #6:**  
**Resolution Ratifying A Village Identity Protection Act Policy**

**VILLAGE OF LONG GROVE**

**RESOLUTION NO. 2011-\_\_\_\_\_**

**RESOLUTION APPROVING IDENTITY PROTECTION POLICY**

**WHEREAS**, the State of Illinois enacted the Identity Protection Act, 5 ILCS 179/1, *et seq.*, (the "**Act**"), effective June 1, 2010; and

**WHEREAS**, the Act requires State and local government agencies, including the Village of Long Grove (the "**Village**"), to take certain steps to protect Social Security Numbers from unauthorized disclosure; and

**WHEREAS**, the Act further requires the Village to implement an Identity Protection Policy, as defined by the Act, by June 1, 2011; and

**WHEREAS**, the Village Manager has developed and approved an Identity Protection Policy;

**WHEREAS**, the President and Board of Trustees endorse the Identity Protection Policy and find its approval to be in the best interests of the Village and its residents;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Long Grove, Lake County, Illinois, **THAT**:

Section 1: Recitals. The recitals set forth above are incorporated as part of this Resolution by this reference.

Section 2: Approval of Policy. The Board of Trustees hereby approves and ratifies the Identity Protection Policy, attached to this Resolution as Exhibit A.

Section 3: Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

AYES:

NAYS:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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Maria Rodriguez, President  
Village of Long Grove

ATTEST:

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Karen Schultheis, Clerk  
Village of Long Grove

EXHIBIT A

Identity Protection Policy

# **VILLAGE OF LONG GROVE IDENTITY PROTECTION POLICY**

## **I. INTRODUCTION AND IDENTIFICATION OF ACT**

This Identity Protection Policy is adopted pursuant to the Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.* The Identity Protection Act requires the Village of Long Grove to draft, approve, and implement this Identity Protection Policy to ensure the confidentiality and integrity of Social Security numbers (SSNs) that the Village collects, maintains, and uses. It is important to safeguard 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 the Village and other local and State government agencies to assess their personal information collection practices and make necessary changes to those practices to ensure confidentiality. All Village officers, employees, and agents shall comply with the Identity Protection Act and this Policy at all times.

## **II. DEFINITIONS**

The following words shall have the following meanings when used in this Policy.

“Act” means the Illinois Identity Protection Act, 5 ILCS 179/1 *et seq.*

“Board” means the Board of Trustees of the Village.

“Village” means the Village of Long Grove.

“Employee” means any individual in the employ of the Village.

“Policy” means this Identity Protection Policy.

“Publicly post” or “publicly display” means to intentionally communicate or otherwise intentionally make available to the general public.

“Redact” means to alter or truncate data so that no more than five sequential digits of a SSN are accessible as part of personal information.

“SSN(s)” means any Social Security number provided to an individual by the Social Security Administration.

“Statement of Purpose” means the statement of the purpose or purposes for which the Village is collecting and using an individual’s SSN. An example of a Statement of Purpose for the Village is attached to this Policy.

## **III. STATEMENT OF PURPOSE**

Anytime the Village collects an individual’s SSN, or at any other time upon request of the individual, the Village shall provide the individual with a Statement of Purpose..

## **IV. PROHIBITED ACTIVITIES**

(a) Neither the Village nor any Employee may:

1. Publicly post or publicly display in any manner an individual's SSN.
  2. Print an individual's SSN 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 SSN over the Internet unless the connection is secure or the SSN is encrypted.
  4. Print an individual's SSN 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 SSN to be on the document to be mailed. Notwithstanding the foregoing, SSNs may be included in applications and forms sent by mail, including, but not limited to: (i) any material mailed in connection with the administration of the Unemployment Insurance Act; (ii) any material mailed in connection with any tax administered by the Department of Revenue; and (iii) 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 SSN. A SSN that is permissibly mailed pursuant to this paragraph 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.
- (b) Except as otherwise provided in paragraph (c) below or unless otherwise provided in the Act, neither the Village nor any Employee may:
1. Collect, use, or disclose a SSN 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 SSN is otherwise necessary for the performance of the Village's duties and responsibilities; (ii) the need and purpose for the SSN is documented before collection of the SSN; and (iii) the SSN collected is relevant to the documented need and purpose.
  2. Require an individual to use his or her SSN to access an Internet website.
  3. Use the SSN for any purpose other than the purpose for which it was collected.
- (c) The prohibitions in paragraph (b) above do not apply in the following circumstances:
1. The disclosure of SSNs 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 first receives 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 SSN will be achieved.
  2. The disclosure of SSNs pursuant to a court order, warrant, or subpoena.
  3. The collection, use, or disclosure of SSNs for purposes of ensuring 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 SSNs for internal verification or administrative purposes.
5. The disclosure of SSNs by a State agency to the Village for the collection of delinquent child support or of any State debt or to the Village to assist with an investigation or the prevention of fraud.
6. The collection or use of SSNs 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.

## **V. COORDINATION WITH THE FREEDOM OF INFORMATION ACT AND OTHER LAWS**

The Village shall comply with the provisions of the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, and 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 SSN. However, the Village shall redact SSNs from the information or documents before allowing the public inspection or copying of the information or documents.

When collecting SSNs, the Village shall request each SSN in a manner that makes the SSN easy to redact if required to be released as part of a public records request.

## **VI. LIMITED EMPLOYEE ACCESS TO SOCIAL SECURITY NUMBERS**

Only Employees who are required to use or handle information or documents that contain SSNs in the course of performing their duties will have access to such information and documents. All Employees who have access to SSNs shall first be trained to protect the confidentiality of SSNs. The training will include instructions on the proper handling of information that contains SSNs from the time of collection through destruction of the information.

## **VII. EMBEDDED SOCIAL SECURITY NUMBERS**

Neither the Village nor any Employee shall encode or embed a SSN 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 SSN as required by the Act and this Policy.

## **VIII. APPLICABILITY**

If any provision of this Policy conflicts with any provision of the Act, the provisions of the Act shall prevail, except that where any provision of this Policy is more restrictive than the requirements of the Act, this Policy shall prevail.

This Policy does not apply to:

1. the collection, use, or disclosure of a SSN as required by State or federal law, rule, or regulation; or

2. documents that are recorded with a county recorder or required to be open to the public under a State or federal law, rule, or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois; provided, however, that the Village shall redact the SSN from such document if such law, rule, or regulation permits.

#### **IX. AVAILABILITY OF POLICY**

All Village Employees shall be advised of the existence of this Policy. Village Employees who are required to use or handle information or documents that contain SSNs shall be provided a copy of this Policy, which each shall maintain at all times. The Village shall file a written copy of this Policy with the Board. A copy of the Policy is available to all Employees and any member of the public by requesting a copy from: Village of Long Grove, 3110 RFD, Long Grove, IL 60047, 847-634-9440.

#### **X. AMENDMENTS**

This Policy may be amended by the Village at any time. If the Policy is amended, the Village shall file a written copy of the Policy, as amended, with the Board and shall also advise all Employees of the existence of the amended Policy. A copy of the amended Policy will be made available to Employees and the public as set forth in the preceding section above.

#### **XI. EFFECTIVE DATE**

This Policy becomes effective May 31, 2011.

## ATTACHMENT

### STATEMENT OF PURPOSE FOR COLLECTION OF SOCIAL SECURITY NUMBERS BY THE VILLAGE OF LONG GROVE

The Identity Protection Act, 5 ILCS 179/1 *et seq.*, and the Identity Protection Policy of the Village of Long Grove (“Village”) require the Village to provide an individual with a statement of the purpose or purposes for which the Village is collecting and using the individual’s Social Security number (“SSN”) anytime an individual is asked to provide the Village with his or her SSN or upon request of the individual. This Statement of Purpose is being provided to you because you have been asked by the Village 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:

Employment  
Volunteer (Background Check)  
Contract Payment  
W-9

#### **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. If mailed, your SSN will not be visible without opening the envelope in which it is contained.

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

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Write to the VILLAGE OF LONG GROVE:

Attn: Village Manager  
3110 RFD  
Long Grove, IL 60047