

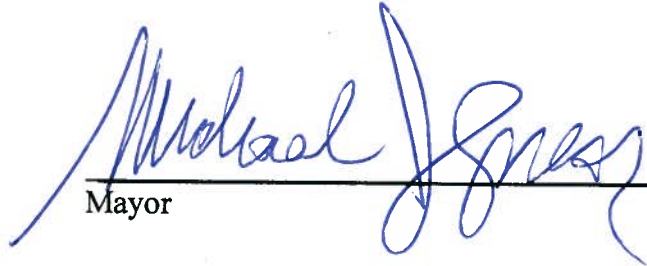
RESOLUTION R-33-11

RESOLUTION ADOPTING AN IDENTITY PROTECTION POLICY AS
REOUURED BY THE ILLINOIS IDENTITY PROTECTION ACT 5 ILCS 179-1 et seq.

WHEREAS, the Illinois Identity Protection Act, 5 ILCS 179-1 et seq. mandates the
adoption of a written policy conforming to its requirements.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of
Wheaton, DuPage County, Illinois that the Identity Protection Policy attached hereto and
incorporated herein as if fully set forth as Exhibit A is hereby adopted and shall be the Identity
Protection Policy of the City of Wheaton.

ADOPTED this 6th day of June, 2011.



Mayor

ATTEST:



City Clerk

Ayes:

Roll Call Vote:

Councilman Suess
Councilwoman Ives
Councilman Mouhelis
Councilman Rutledge
Mayor Gresk
Councilwoman Pacino Sanguinetti
Councilman Scalzo

Nays:

None

Absent:

None

Motion Carried Unanimously

IDENTITY PROTECTION ACT POLICY OF THE CITY OF WHEATON

The following constitutes the policy of the identity policy of the City of Wheaton as required by the Illinois "Identity Protection Act" (5 ILCS 179/1 et seq.) hereinafter the "Act".

For purposes of this Policy the following words or phrases shall have the following meaning:

I. Definitions

"Identity Protection Policy" shall mean this policy created to protect social security numbers from unauthorized disclosure.

"Persons" shall mean, employees or agents or the City of Wheaton.

"Publicly Post" or "Publicly Display" shall mean, intentionally communicating or otherwise intentionally making available to the general public.

II. In General

1. Only Persons who are required by their jobs to use or handle social security numbers shall have access to such numbers.
2. Where feasible the City will only use the last four (4) digits of a social security number.
3. Paper documents containing social security numbers will be stored in locked files or restricted areas. Social security numbers retained in electronic format or entered into on-line databases will be protected through limited password access, encryption or other appropriate means for securing the data.
4. Any time a social security number is requested from any individual it shall be recorded in such manner that makes it easily redacted if required to be released as part of a public records request.

III. Prohibited Activities

No Person shall do any of the following:

1. Publicly post or publicly display 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 Person or 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 on 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 administration by the Illinois Department of Revenue, and any document sent as part of an application or enrollment process or to establish, amend or terminate an account, contract or policy or to confirm that accuracy of the social security number. A social security number that may be permissibly mailed under this section may not be printed, in whole or in part, on a post card or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened;

5. Collect, use or disclose the social security number from an individual unless:
 - i. The Person is required to do so under State or Federal law, rules, or regulations for the collection, use or disclosure of the social security number and is otherwise necessary for the performance of that agencies duties and responsibilities;
 - ii. The need and purpose of collection of a social security number is documented.;
 - iii. The social security number collected is relevant to the document's needed purpose;
6. Require an individual to use his/her social security number to access internet websites.
7. Use a social security number for any purpose other than for the purpose for which it was collected.

The prohibitions contained in Section numbers 5 through 7 do not apply in the following circumstances:

1. The disclosure of social security numbers to any agents, employees, contractors or subcontractors of the City or disclosure by a the City to another governmental entity or its agents, employees, contractors or subcontractors if the disclosure is necessary for the entity to perform its duties and responsibilities; and
2. Where disclosure is to a contractor or subcontractor, only if prior to such disclosure, the City first receives from the contractor or subcontractor a copy of the contractor or subcontractor's policies that set forth how the requirements imposed under the Act on a governmental entity to protect an individual's social security number will be achieved by the contractor or subcontractor;
3. The disclosure of a social security number pursuant to a court order, warrant or

- subpoena;
4. The collection, use or disclosure of social security numbers in order to ensure the safety of; state and local government employees, individuals committed to correctional facilities, local jails and other law enforcement facilities or retention centers; wards of the state; and all individuals working in or visiting state or local government facility;
 5. The collection, use or disclosure of social security numbers for internal verification or administration purposes;
 6. The disclosure of social security numbers by the City to assist in the investigation or prevention of fraud;
 7. The collection or use of social security numbers 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 locating a missing person, a lost relative or a person who is due a benefit, such as a pension benefit or unclaimed property benefit.

IV. Stricter Standards

If the City adopts stricter standards associated with the disclosure of social security numbers in any area of the City's operations the stricter standards shall apply over this policy. Any Person having a question as to whether the City has stricter standards should ask their supervisor whether such stricter standards exist. It shall further be the obligation of the supervisor to communicate any stricter standards to Persons.

V. Policy Inspection and Copying Documents

Notwithstanding any other provision of this policy, a Person shall comply with the provisions of any other state law pertaining to allowing the public inspection and copying of information of documents containing all or any portion of an individual's social security number after redacting the social security number from the information or documents before allowing public inspection or copying.

VI. Applicability

This policy does not apply to the collection, use, or disclosure of social security numbers required by the State or Federal laws, rules or regulations.

This policy does not apply to documents that are recorded with the county's recorder or required to be open to the public under State or Federal law, rule or regulation, applicable case law, Supreme Court Rule or the Constitution of the State of Illinois, except to the extent qualified by Article V.

VII. Implementation

All Persons who have access to social security numbers shall be trained regarding the content of this Policy and the proper handling of information that contains social security numbers from the time of collection through the time of destruction of the information. The City shall also provide a statement of the purpose or purposes for which it is collecting and using a social security number prior to its request.

VIII. Discipline for Violation

Any Person intentionally violating any provision of this Policy shall be subject to discipline up to and including dismissal.

