

BUSINESS POLICY

TO: All Members of the University Community

2007:04

DATE: September 2006

Social Security Number Privacy Policy

In accordance with Michigan's Social Security Number Privacy Act, Act 454 of the Public Acts of 2004 (hereinafter the "Privacy Act"), Ferris State University (hereinafter "Ferris") shall protect the privacy of social security numbers it receives in the ordinary course of business by:

- A. Ensuring to the extent practicable the confidentiality of social security numbers;
- B. Prohibiting the unlawful disclosure of social security numbers;
- C. Limiting who has access to information or documents that contain social security numbers;
- D. Describing how to properly dispose of documents that contain the social security numbers;
- E. Establishing penalties for violation of this Policy.

Effective January 1, 2006, Ferris' social security number privacy policy (hereinafter the "Policy") is as follows:

- 1. Ferris employees shall not intentionally do any of the following with the social security number of an employee, student, or other individual, except as permitted by the Privacy Act:
 - a. Publicly display all or more than 4 sequential digits of the social security number.
 - b. Use all or more than 4 sequential digits of the social security number as the primary account number for the individual.
 - c. Visibly print all or more than 4 sequential digits of the social security number or any identification badge or card, membership card, or permit or license.
 - d. Require an individual to use or transmit all or more than 4 sequential digits of his or her social security number over the internet or a computer system unless the connection is secure or the transmission is encrypted.

- e. Require an individual to use or transmit all or more than 4 sequential digits of his or her social security number to gain access to an internet website or a computer system or network unless the connection is secure, the transmission is encrypted, or password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.
- f. Include all or more than 4 sequential digits of the social security number in or on any document or information mailed or otherwise sent to an individual if it is visible on or, without manipulation, from outside of the envelop or packaging.
- g. Include all or more than 4 sequential digits of the social security number in any document or information mailed to a person, unless any of the following apply:
 - i. State or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a social security number appear in the document.
 - ii. The document is sent as part of an application or enrollment process initiated by the individual.
 - iii. The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy, or employee or health insurance benefit.
 - iv. The document or information is mailed by a public body under any of the following circumstances:
 - A. The document or information is a public record and is mailed in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.
 - B. The document or information is a copy of a vital record recorded as provided by law and is mailed to a person entitled to receive that record.
 - v. The document or information is mailed by or at the request of an individual whose social security number appears in the document or information or his or her parent or legal guardian.
 - vi. The document or information is mailed in a manner or for a purpose consistent with subtitle A of title V of the Gramm-Leach-Bliley act, 15 USC 6801 to 6809; with the health insurance portability and accountability act of 1996, Public Law 104-191; or with section 537 or 539 of the insurance code of 1956, 1956 PA 218, MCL 500.537 and 500.539.
- 2. Section 1 of this Policy does not apply to any of the following:

- a. A use of all or more than 4 sequential digits of a social security number that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery or process.
 - b. A use of all or more than 4 sequential digits of a social security number by a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or providing all or more than 4 sequential digits of a social security number to a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.
3. It is not a violation of section (1)(b) or (g) to use all or more than 4 sequential digits of a social security number if the use is any of the following:
- a. An administrative use of all or more than 4 sequential digits of the social security number in the ordinary course of business, by a person or a vendor or contractor of a person, to do any of the following:
 - i. Verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment.
 - ii. Investigate an individual's claim, credit, criminal, or driving history.
 - iii. Detect, prevent, or deter identity theft or another crime.
 - iv. Lawfully pursue or enforce a person's legal rights, including, but not limited to, an audit, collection, investigation, or transfer of a tax, employee benefit, debt, claim, receivable, or account or an interest in a receivable or account.
 - v. Lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
 - vi. Provide or administer employee or health insurance or membership benefits, claims, or retirement programs or to administer the ownership of shares of stock or other investments.
 - b. A use of all or more than 4 sequential digits of a social security number as a primary account number that meets both of the following:
 - i. The use began before the effective date of the Privacy Act.
 - ii. The use is ongoing, continuous, and in the ordinary course of business. If the use is stopped for any reason, this subdivision no longer applies.
4. In the implementation and interpretation of this policy, the following terms shall have the following definitions:

- a. “Child or spousal support” means support for a child or spouse, paid or provided pursuant to state or federal law under a court order or judgment. Support includes, but is not limited to, any of the following:
- i. Expenses for day-to-day care.
 - ii. Medical, dental, or other health care.
 - iii. Child care expenses.
 - iv. Educational expenses.
 - v. Expenses in connection with pregnancy or confinement under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.
 - vi. Repayment of genetic testing expenses, under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.
 - vii. A surcharge paid under section 3a of the support and parenting time enforcement act, 1982 PA 295, MCL 552.603a.
- b. “Computer”, “computer network”, or “computer system” mean those terms as defined in section 2 of 1979 PA 53, MCL 752.792.
- c. “Internet” means that term as defined in 47 U.S.C. 230.
- d. “Mailed” means delivered by United States mail or other delivery service that does not require the signature of recipient indicating actual receipt.
- e. “Person” means an individual, partnership, limited liability company, association, corporation, public or nonpublic elementary or secondary school, trade school, vocational school, community or junior college, college, university, state or local governmental agency or department, or other legal entity.
- f. “Publicly display” means to exhibit, hold up, post, or make visible or set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device, to members of the public or in a public manner. The term does not include conduct described in section 3(1)(b), (c), or (f).
- g. “Title IV-D agency” means that term as defined in section 2 of the support and parenting time enforcement act, 1982 PA 295, MCL 552.602.
- h. “Vital record” means that term as defined in section 2805 of the public health code, 1978 PA 368, MCL 333.2805.

i. “Website” means a collection of pages of the world wide web or internet, usually in HTML format, with clickable or hypertext links to enable navigation from 1 page or section to another, that often uses associated graphics files to provide illustration and may contain other clickable or hypertext links.

5. This Policy shall be published in any employee handbook, in a procedures manual, or in 1 or more similar documents, which may be made available electronically.

6. The Privacy Act may be amended from time to time or interpreted or modified by a court of law. This Policy shall be deemed amended to be consistent with the Privacy Act as amended or with the interpretations or modifications to the Privacy Act as made by a court of law.

7. Employees and other persons shall not be provided access to information or documents that contain social security numbers unless reasonably necessary for the performance of their job responsibilities.

8. Documents that contain social security numbers shall be managed in accordance with Ferris’ record retention policies and shall be retained, archived, or destroyed in accordance with such policies.

9. Any employee violating this policy shall be disciplined in accordance with Ferris’ employment related policies, including collective bargaining agreements if applicable.

Contact Office: Vice President for Administration and Finance

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