During the 2005 legislative session, the General Assembly enacted the North Carolina Identity Theft Protection Act (the “Act”). The Act imposes new restrictions upon the collection and segregation of social security numbers (“SSNs”) and upon the disclosure and security of SSNs and other personal identifying information (“PII”).

In order to implement the requirements of the Act, the University has established the Social Security Number Management and Advisory Committee (the “Committee”) to oversee the University’s compliance regarding the collection, segregation, disclosure,

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1 “Personal identifying information” (“PII”) is defined by the Act as the following:

- Employer taxpayer identification numbers
- Drivers license numbers (unless appearing in a law enforcement record), State identification card numbers, or passport numbers
- Checking account numbers
- Savings account numbers
- Credit card numbers
- Debit card numbers
- Personal identification (“PIN”) codes, which are numeric and/or alphabetical codes assigned to the cardholder of a financial transaction card (“FTC”) by the issuer to permit authorized electronic use of that FTC
- Digital signatures
- Any other numbers or information that can be used to access a person’s financial resources
- Biometric data
- Fingerprints
- Passwords
and security of SSNs and PII and the development of related polices. The Committee is also responsible for approving the collection and use of SSNs and PII. A list of Committee members can be found on the Committee’s website located at http://www.unc.edu/depts/legal/ssn.

On behalf of the Committee, we wish to convey four (4) key points concerning the University’s compliance with the Act:

I. **Collecting SSNs**

Unless specifically approved by the Committee, no University department or employee may create a form or electronic template that requests an SSN for any purpose. This prohibition includes the creation of internal spreadsheets or other documents for administrative convenience that contain SSNs. Additionally, when collecting SSNs on forms or electronic templates, a disclosure statement must appear on that form or electronic template. For your convenience, template disclosure statements may be copied and pasted electronically by accessing the document entitled, “Disclosure Statements for Collecting SSNs” online at http://www.unc.edu/depts/legal/ssn/.

In December 2005, every University department was asked to submit samples of existing forms and electronic templates created or managed by that department which request SSNs. A list of departmental responses received to date and a blank SSN survey form can be found at http://www.unc.edu/depts/legal/ssn/ for those departments that have not yet responded. Further, we ask that any department that has created new forms or electronic templates, or that has modified the forms or electronic templates submitted in December, forward samples of those documents to legal@unc.edu. The Committee is in the process of reviewing sample forms and electronic templates and will send responses to submitting departments in the near future.

II. **Segregating SSNs**

The Act further requires each University department that properly collects SSNs to segregate the SSNs from the rest of the record in some manner that permits SSNs to be easily redacted in the event of a public records request. For example, if your department appropriately collects this information in a document or form, the SSN should be on a line by itself so that it can be easily redacted without affecting public information on the document or form. SSNs should not be included in header or footer information or as part of the document file name.
III. DISCLOSING SSNs AND PII

Pursuant to the Act, University departments may not intentionally communicate or otherwise make available to the general public a person’s SSN or other identifying information. As a general matter, the Committee will approve disclosures of SSN or PII to University vendors or contractors so long as the vendor or contractor completes a form certifying compliance with the provisions of the Act. This form is available from the Committee and may be accessed online at http://www.unc.edu/depts/legal/ssn/. Upon execution, please maintain a copy of this form in your files. The Committee will also approve the collection of SSNs or PII on behalf of another State or federal government entity.

IV. SECURING SSNs AND PII

Finally, University departments that maintain SSNs or PII must utilize security measures to protect this information. Proper security measures include, for example, locked filing cabinets, password-protected electronic files, and encryption.

Please disseminate this memorandum to employees within your unit who may be interested in this topic or who may be affected by the information provided herein. Thank you for your assistance and cooperation. If you have questions regarding these requirements, please contact:

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