

65-1 Confidential Information Security

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- 1. Purpose.** The purpose of this policy and guidelines is to establish protocols for securing social security numbers (SSNs) and other protected records by Eastern New Mexico University System (the System) personnel, to provide clear guidance to employees and students about protected confidential records and to comply with federal and state law related to the treatment of confidential information.
- 2. Policy.** System policies are as follows:
 - A. The System shall not use SSNs for identification purposes other than:
 - (1) As required by law and
 - (2) As required for internal purposes (e.g., reconciliation of documents to determine eligibility for admission and residency for tuition purposes; academic and employment record keeping; verification of identity, employment and financial aid).
 - B. SSNs shall not be used as the primary identification number for students or employees.
 - C. The System shall establish an Information Security Plan (ISP) to protect the confidentiality of all records protected by federal and state law.
 - D. The System shall establish an administrative team of three (3) persons to coordinate the ISP.

The foregoing purposes and policies shall be implemented using the following.

Guidelines and Procedures

- 3. Administration.** These policies, procedures and guidelines shall be administered by the ENMU System chief financial officer (CFO), the System chief information officer (CIO) and the administrator for Student Affairs at ENMU-Portales, ENMU-Roswell and ENMU-Ruidoso.
- 4. General Background and Law.**
 - A. The federal government has adopted SSNs as a means of identification; many businesses and organizations use SSNs as a means of identification beyond governmental requirements.
 - B. However, federal law clearly states that it is unlawful for any federal, state or local government agency (such as the ENMU System) to deny to any individual any right, benefit or privilege provided by law because of such individual's refusal to disclose his or her SSN, unless the disclosure is required by federal statute.
 - C. Federal law requires all government agencies requesting SSNs to provide a "disclosure" statement on forms requesting SSN information. The statement must disclose if an individual is required to provide an SSN or if it is optional, how the SSN shall be used and under what statutory or other authority the number is requested.

- D. The Financial Services Modernization Act of 1999 (FSMA) requires that financial institutions protect the confidentiality of electronic, paper and other records through a systematic institutional plan.

5. Background and Law Relating to Schools.

- A. Schools, such as the ENMU System, receiving federal funding must comply with the Family Educational Rights and Privacy Act (FERPA), also known as the "Buckley Amendment."
 - B. FERPA requires written consent for the release of educational records or personally identifiable information, with some exceptions. SSNs fall within this requirement.
 - C. The Gramm-Leach-Bliley Act, also known as the "GLB Act," and its supporting regulations (i.e., 16 CFR Part 314) requires colleges and universities to develop plans and establish policies to protect student records, including financial information and SSNs. Failure to establish such plans and policies could result in a loss of funding.
 - D. Relative to the statutes cited above, universities administering federal funding, including student loans and grants, are defined as "financial institutions."
- 6. The Information Security Plan (ISP).** The System shall maintain and implement an ISP that describes the method for assuring the confidentiality of data and information about its students, staff and other clients covered under the FSMA, the GLB Act, FERPA and other applicable statutes and regulations. The current ISP is available from the ENMU-Portales office of Information Technology (ITS).

Approved by the Board of Regents on December 16, 2005
Amendments approved the Board of Regents on March 29, 2019