

ELIMINATION OF SOCIAL SECURITY NUMBERS IN PUBLIC RECORDS

17 VAC 15-120-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“Electronic record” means records created or stored by electronic means, including but not limited to, computer files and optically scanned files on tapes, disks, CD-ROMs or internal memory.

“Overwritten” means replacing previously stored data on a drive or disk with a predetermined pattern of meaningless information that renders the data unrecoverable.

“Retention period” means the required time period and disposition action indicated in a Library of Virginia approved records retention and disposition schedule.

“Shredding” means destroying paper records by mechanical cutting. Cross cut shredders cut in two directions, 90 degrees from the other.

17 VAC 15-120-20. Purpose.

Public records, regardless of media, that contain social security numbers must be shredded, pulped, burned, made electronically inaccessible or erased so as to make the social security numbers unreadable or undecipherable by any means. These regulations apply only to those records whose retention periods have expired.

17 VAC 15-120-30. Procedures.

A. Paper Records. Paper records shall be shredded by a mechanical cross-cut shredder that reduces paper to strips no wider than 3/8 inches. The custodian of the records must prepare a certificate of destruction which lists what records have been destroyed, who destroyed the documents, and the date of destruction.

If the shredding is done off-site, locked bins are required to protect the records prior to shredding. Contractors doing the shredding must be bonded. The agency contracting for the shredding retains responsibility for protecting the social security numbers on the records until destruction.

B. Electronic records: Agencies must establish procedures and processes to destroy social security numbers in public records that have reached the end of their retention period in electronic format and stored on information or recordkeeping systems.

a. Files stored on a computer must not only be deleted but also overwritten to prevent the information from being reconstructed. Software programs that overwrite the data with meaningless data multiple times to totally obliterate the original data must be utilized for overwriting.

b. Back-up tapes must be overwritten at the same time as all other copies are destroyed. Tapes shall be held no longer than the conclusion of the retention period for the information contained in the tape.

c. Data containing social security numbers on floppy disks, tapes and other magnetic storage devices must be overwritten.

(1.) Disks, tapes and other magnetic media must be shredded in a shredder to insure that the information is totally destroyed or the materials must be exposed to a powerful magnetic field to disrupt the information.

(2.) If magnetic media are used the data must be reviewed to insure that the social security numbers are not retrievable

d. CD-ROMs must be physically broken, into several pieces, to be rendered unusable.

e. When disposing of computers that contain social security numbers or other privacy-protected information hard drives must be overwritten and inspected to insure no privacy-protected data remains. If data remains, the hard drive must be removed and disposed of separately by drilling to prevent it from being used again.