

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Statement pursuant to Fla. Stat. § 119.071(5) concerning the collection, use and/or disclosure of Social Security Numbers'

The School Board of Broward County, Florida (SBBC) is authorized to collect, use or disclose social security numbers (SSN) from individuals for the purposes listed below, which are noted as either mandated or authorized by law. The collection of social security numbers is either specifically authorized by law or imperative for the performance of the District's duties and responsibilities as prescribed by Florida law.

EMPLOYMENT APPLICANTS:

For reporting to IRS, SSA, UC, and FAWI, including for W-2, W-4's, Form 1099, and I-9's [Required by federal statute and regulation 26 U.S.C. 605, 26 C.F.R. 31.6011(b)-2, and 26 C.F.R. 301.6109-1) Criminal history, Level 1 and Level 2 background checks, fingerprints by Department of Law Enforcement [Required by Fla. Admin. Code 11C-6.003, Fla. Stat. §§ 1012.315, 1012.32, 435.04.]

EMPLOYEES:

For reporting compensation and other statements required by third parties for payment of disability or sick pay benefits [Required by federal statute 26 U.S.C. 6051 and Fla. Stat. § 119.071(5)(a)(6)]; for the administration of health benefits for a District employee or his or her dependents [Required by Fla. Stat. § 119.071(5)(a)(6)]; for verification of an alien's eligibility for employment, including I-9 [Authorized by 8 U.S.C. 1324(c) and 8 C.F.R. 214.2) Income tax withholding (including for annuity and sick leave)/Payroll deductions on Form W-2 [Required by 26 U.S.C. 3402, 26 C.F.R. 31.6051-1, Fla. Stat. §§ 1012.315, 1012.32]

Wages and Remuneration paid to employees: Report as required by federal regulation 20 C.F.R. 404.1225, Fla. Admin. Code 60BB-2.032; income Reports submitted to U.S. Housing and Urban Development Dept. (HUD) [Required by federal regulation 24 C.F.R. 5.214 et seq.; Require for the collection and reporting of income tax on wages 26 U.S.C. 3402 and for sick pay 26 U.S.C. 6051]; for collection of payroll taxes for Social Security benefits required by the Federal Insurance Contributions Act (FICA) 26 U.S.C. 3102.

Employee retirement system and benefits: For benefits and contributions [Authorized by Fla. Stat. §§ 238.01 et seq., including 238.07, and Fla. Stat. § 119.071(5)(a)(6)] Retirement contributions required for enrollment in Florida Retirement System (FRS) Investment Plan, second election retirement plan enrollment, or for participation in and contributions to FRS [Required by Fla. Admin. Code 19-11.010, 19-13.003, 19-11.006 and 19-11.007, Fla. Stat. §§ 121.051 and 121.071]; for reports pertaining to deferred retirement programs [Required by 26 C.F.R. 301.6057-1 and Fla. Stat. § 119.071(5)(a)(6)]; Payments and plan relating to the health benefits/retiree prescription drug subsidies, authorized by 42 C.F.R. 423.884, 42 C.F.R. § 423.34, and 42 C.F.R. § 423.886) [Required by Fla. Admin. Code 60S-3.010]

Employment certification or licensure: Application, renewal, or add-on credits, or non-employee registration for professional development for in-service points or incentive pay [Required by Fla. Stat. §§ 1012.56, and authorized by Fla. Stat. §§ 1012.59]

Criminal history: Level 1 and Level 2 background checks / Identifiers for processing fingerprints by Department of Law Enforcement. [Required by Fla. Admin. Code 11C-6.003, Fla. Stat. §§ 1012.315, 1012.32, 435.04]

Sexual Predators Registration: Information regarding sexual predators and sexual offenders [Authorized by Fla. Stat. § 943.04351 and required by 42 U.S.C. 16914]

Florida Department of Education (DOE) Reports: Reports required to be submitted, including but not limited to, Out-of-County/Out-of-State Verification of Highly Qualified [Authorized by EDGAR at 34 CFR 74.53, 99.3 and Fla. Stat. §§ 1008.33, 1008.386]

Child Support Enforcement: State directory of new hires (including for determining support obligations and eligibility for several federal and state programs) [Required by federal law 42 U.S.C. 653(a) and Fla. Stat. § 409.2576]; Notice to Payor and Income Deduction notices for child support, or for alimony and child support [Required by Fla. Stat. § 61.1301(2)(e)]; Child support

¹ A separate written statement, found in the Code of Student Conduct, sets forth the reasons for collecting, using or releasing the social security numbers of students and parents.

enforcement [Required by 45 C.F.R. 307.11 and Fla. Stat. §§ 61.13, 742.10 and/or 409.256 or 742.031] Request from depository for support payments [Required by Fla. Stat. § 61.181(3)(b)]

Garnishment: Payment pursuant to a Notice of Levy [Required by 28 U.S.C. 3205, Fla. Admin. Code 12E-1.028(10)(d) and Fla. Stat. § 119.071(4)]

Unemployment benefits and short term compensation plan [Required by Fla. Stat. Ch. 443, including § 443.1116] Unemployment reports from District [Required by Fla. Admin. Code 60BB-2.023]

Worker's Compensation: Payment and reports of worker's compensation injury or death, including for DWC-1 [Required by Fla. Stat. §440.185 and Fla. Admin. Code 69L-3.003 et seq.]

VENDORS/CONSULTANTS:

For purposes of preparation of Internal Revenue Code (IRS) forms when an employer identification number is not provided, including for IRS form W-9 and Form 1099. [Required by 26 C.F.R. § 31.3406-0, 26 C.F.R. § 301.6109-1, and for necessary record keeping purposes by the SBBC.] For background screening, fingerprint, or screening as required by Jessica Lunsford Act (Fla. Stat. §435.04)

VOLUNTEERS:

For background screening or fingerprint screening as required by Florida Law (Jessica Lunsford Act (Fla. Stat. §435.04)

OTHERS:

For processing of tort claim, tort notices of claims against, or payments related to said claims by the School Board [Required by Fla. Stat. § 768.28(6)]

DISCLOSURE OF SOCIAL SECURITY NUMBERS

The disclosure of the social security number is made in compliance with Fla. Stat. § 119.071(5)(a), in compliance with the federal and state laws listed above, for the performance of legal duties and responsibilities as specifically described above, as may be required by court order, as necessary for a receiving agency or governmental entity to perform its duties and responsibilities, or if the individual consents in writing to the disclosure. The disclosure of student or parent's social security numbers is made in accordance with Fla. Stat. § 1002.22(2) and FERPA (20 U.S.C. 1232g and 34 C.F.R. Part 99).

The disclosure of the social security number is in accordance and as authorized by Fla. Stat. § 119.071(5)(a)(6), including but not limited to: comply with the USA Patriot Act of 2001, Pub. L. No. 107-56, or Presidential Executive Order 13224 [Required by Fla. Stat. § 119.071(5)(a)(6)]; is made to a commercial entity for the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. Sec. 2721 et seq.; the Fair Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq.; or the Financial Services Modernization Act of 1999, 15 U.S.C. Sec. 6801 et seq., provided that the authorized commercial entity complies with the requirements of paragraph 5 in Fla. Stat. § 119.071; is made for the administration of employee health benefits and employee dependents; is made for the administration of a pension fund administered for the District employee's retirement fund, deferred compensation plan, or defined contribution plan; is made for the administration of the Uniform Commercial Code by the office of the Secretary of State.

The disclosure of the social security number is made for the following reasons: Use of motor vehicle information from the Department of Motor Vehicles for the District to carry out its functions and to verify the accuracy of information submitted by agent or employee to District, including to prevent fraud, in connection with insurance investigations, and to verify a commercial driver's license [Authorized allowed by federal law 18 U.S.C. 2721 et seq. and F. S. § 119.071(5)(a)(6)]; pursuant to written authorization for direct deposit of funds by electronic or other medium to a payee's account [Required by Fla. Admin. Code 6A-1.0012 and Fla. Stat. § 119.071(5)(a)(6)]; for identification of blood donors [Authorized by 42 U.S.C. 405 (c)(2)(D)(i)]; in response to employee's and former employee's request for report of exposure to radiation [Authorized by 41 C.F.R. 50-204.33 and .3] .