STATE OF OHIO
OHIO DEPARTMENT OF AGRICULTURE

TITLE: CONFIDENTIAL PERSONAL INFORMATION POLICY

1.0 PURPOSE

The Ohio Department of Agriculture (ODA) remains committed to ensure the privacy and security of information of Ohio's citizens that is stored within the agency data systems. This policy implements principles, procedures and practices that safeguard Ohio's citizens' personal information within their control.

2.0 SCOPE

This policy applies to all data systems maintained by ODA containing confidential personal information (CPI) and employees requiring access to data systems containing CPI. Ohio Revised Code Section 1347.15 requires ODA and all other state agencies to treat certain personal information confidential, and to limit employee access to such personal information.

3.0 BACKGROUND

The Ohio Department of Agriculture may need to maintain confidential personal information about Ohio citizens in order to exercise its mission to provide regulatory protection to producers, agribusinesses, consuming public and promote Ohio agricultural products. It is the responsibility of ODA to ensure that this information, whether it is stored electronically or other media, is properly protected.

The criteria for determining who has access to CPI and the valid reasons for accessing CPI may be found in the protocols relating to each relevant data system. ODA will create protocols for any future data system containing CPI.

DATA SYSTEM POLICY

3.1 Data Privacy Point of Contact

The ODA Chief Information Officer will serves as the data privacy point of contact (DPPOC) to work with the State Chief Privacy Officer to ensure compliance that CPI is properly protected and compliance with State of Ohio laws and statues regarding CPI.

3.2 Collection of Confidential Personal Information

The basis of collection of CPI will be directly related to specific, legitimate objectives of ODA.

3.3 Data System documentation

3.3.1 Privacy Threshold Analysis

The ODA Office of Information Technology (ODA IT) will maintain documentation for each data system to identify CPI in a given information system known as a Privacy Threshold Analysis (PTA). This document is based on a standard template provided by State of Ohio Office of Information Technology (OIT). If the data system is found to contain CPI a Privacy Impact Assessment must also be completed (PIA).

3.3.2 Privacy Impact Analysis

The purpose of a Privacy Impact Assessment is to determine the privacy implications of collecting CPI. This document is based on a standard template provided by OIT.

3.3.3 Employee Access

The purpose of a Privacy Impact Assessment is to determine the privacy implications of collecting CPI. This document is based on a standard template provided by OIT.

3.4 Computer Data Systems

3.4.1 Encryption

All CPI with data systems will be encrypted. The corresponding computer application associated with the database will provide decryption in order to prevent any but the intended recipient from reading that data.

3.4.2 User Authentication

All computer data systems containing CPI will require username and password for access.

3.4.3 System Bypass

Special system bypass for all computer data systems containing CPI will be enabled only for the system programmer and only for system development purposes.

3.4.4 Data System Access Logging

All computer data systems containing CPI will automatically maintain a historical record each time a user logs on including computer name, logon username, network logon name, and date and time of logon.

3.4.5 Data System Confidential Personal Information Access Logging

All computer data systems containing CPI will automatically maintain a historical record each time a user views or updates any CPI including the identification number of the individual whose CPI is accessed, reason for the access, computer name, logon username, network logon name, and date and time of access.

3.4.6 ODA Systems

ODA systems, which contain CPI, include the Auctioneer and Human Resource databases and the Enforcement Division and Human Resource hardcopy investigation records.

The computer database system will automatically record access (see 3.4.4). The Human Resource hardcopy files are maintained information that is accessed only for the purpose of internal administration, the use of which would not adversely affect a person. Thus no manual log of access to this system is necessary. Access to the Enforcement investigative records will be maintained in a manual (paper) log in the form attached. The log will contain the following information: name of the system; date of access; time of access; name of employee accessing; and name of person whose file containing CPI was accessed. The log shall be maintained by the Enforcement Division Chief and retained until they are of no administrative value. Administrative value shall be one (1) year, but the log may be retained for longer if there is the possibility of litigation relating to the ODA employee's access to the CPI.

3.4.7 Removable Media Security

CPI data will not be written to any removable media unless required to support agency business processes and authorized by the Director of Agriculture or his designee. All employees required to save CPI will be assigned encrypted removable media for this purpose by ODA IT.

3.4.8 Electronic Transmission

CPI data will not be electronically transmitted unless required to support agency business processes and authorized by the Director of Agriculture

or his designee. Only systems which employ end-to-end encryption may be used for electronic transmission of CPI.

4.0 REFERENCES

This policy has been developed in accordance with the State of Ohio ORC 1347.15 Implementation Plan.

5.0 COMPLIANCE

It is the responsibility of management to implement and ensure compliance with the laws, rules, policies, procedures applicable to confidential personal information within their functional areas.

Any ODA employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment

Employees required or entitled to access CPI are required to receive training. This training will be conducted by the DPPOC, and will include understanding R.C. Section 1347 and any future regulations passed by ODA. Those trained will be expected to learn and retain all information relating to the responsibilities of having access to CPI, and the potential consequences for improperly accessing and/or disseminating CPI. Any new employees who will be required or entitled to access CPI must undergo training before the commencement of any work involving access to CPI.

After training is completed, those employees required or entitled to access CPI will be given copies of ODA's CPI policies and the relevant laws and regulations pertaining to CPI access. Upon receipt, those employees must sign an acknowledgment that they have received and understand those materials.

A poster will be created summarizing the policies with respect to accessing CPI and will be posted in those areas occupied by employees with authority to access CPI.

6.0 INQUIRIES

An individual, whether a party regulated by ODA or otherwise, has a right to inquire whether ODA has CPI relating to said individual. Any individual who wishes to inquire whether ODA has CPI about himself or herself should submit such an inquiry in writing by mail, fax, or email. ODA will send a complete response to such an inquiry within ten days of receipt.

CPI inquiries should be sent to:

[Agency Name] Log of Access of Confidential Personal Information	
Name of Personal Information System:	
Name of Person Accessing Confidential Personal Information (CPI)	

Acknowledgment: I acknowledge that the information on this log is true and complete and that I have accessed CPI only for purposes relating to my job duties or my agency's governmental function. _____ Initials _____ Date

	Name (or identifier) of person whose CPI was accessed	Date	Time
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			

The Ohio Department of Agriculture
Legal Section
8995 East Main St
Reynoldsburg, Ohio 43068
614-728-6430
Fax: 614-995-4585
legal@agri.ohio.gov

Furthermore, ODA will notify in writing within ten days of discovery any individual whose CPI has been improperly accessed. This notification will include all relevant information, including the measures taken to prevent dissemination of this information, and what corrective steps will be taken to prevent future improper access.

Individuals may submit other inquiries about this policy to:

The Ohio Department of Agriculture
Office of Information Technology
8995 East Main St.
Reynoldsburg, Ohio 43068
614-728-6233
IT@agri.ohio.gov

7.0 REVISION HISTORY

Description	
August, 2008	New Policy
July, 2009	Revised Policy

8.0 ADMINISTRATION SIGNOFF

Robert J. Boggs, Director — Date: 11-17-09

William A. Hopper, Jr., Chief Legal Counsel — Date: 11/16/09

Lorant Ipacs, Chief Information Officer — Date: 11/16/09