



**REPORT OF THE OFFICE OF THE  
ATTORNEY GENERAL ON THE INVESTIGATION  
CONDUCTED PURSUANT TO SECTION 4-61dd OF  
THE CONNECTICUT GENERAL STATUTES**

**Report on the State Department of Education  
Technical High School System Disclosure of  
Teachers' Social Security Numbers**

**March 2007**

## **EXECUTIVE SUMMARY**

Pursuant to Connecticut General Statutes 4-61dd, the Office of the Attorney General, in conjunction with the Auditors of Public Accounts, investigated a complaint alleging that in March 2006 the State of Connecticut's Department of Education Technical High School System ("THSS") disclosed the social security numbers of over 1200 teachers in an e-mail sent within the Technical High School System. The investigation included interviews of employees at the THSS and review of numerous THSS records and the records of the State of Connecticut's Department of Information Technology. During the initial stages of the investigation, we provided recommendations to the Technical High School System to assist in avoiding another similar situation, and to reduce teachers' exposure to possible identity theft.

### **Findings**

- While informing THSS administrators of professional training opportunities for THSS teachers, a THSS employee accidentally included in the emailed notice a list of the names and social security numbers of 1258 Technical High School teachers. This email was sent to certain employees of the Technical High School System, including principals, other administrators, and teacher union representatives. Some of these recipients in turn forwarded this e-mail to THSS teachers and other employees. As many as 192 Technical High School System employees ultimately received the e-mail.
- The next day the employee who mistakenly sent this e-mail and THSS administrators attempted to correct the situation by directing recipients not to further disseminate the e-

mail, but instead to redact it or delete it, and by seeking written confirmation that the recipients had followed these directions.

- At THSS administration's request, 3 days after the accidental release of the social security numbers, the State of Connecticut's Department of Information Technology (DOIT) systematically removed the e-mail from all accounts in the State of Connecticut's e-mail system.
- Despite these prompt efforts by THSS and DOIT to correct the situation, there can be no assurance that the confidential information was not further disseminated within or outside the state system.
- Although this disclosure was accidental and THSS acted quickly to address the situation, THSS's and the Department of Education's use of personal information was improper and their protection of such information was inadequate.
- The Technical High School System has taken steps toward preventing future disclosures of social security numbers. Although THSS asserted that it had appropriately notified those teachers whose social security numbers were disclosed about steps they may take to protect themselves from identify theft, there is no documentary evidence of such notification. The steps teachers should have been informed of include their obtaining a free credit report from one of the national consumer reporting companies and requesting any one of those companies to place a fraud alert on their credit report.
- THSS published a newsletter to teachers that incorrectly stated that "there appears to be no breach of security," related to the release of the social security numbers. This incorrect assertion implying that teachers had no cause for concern, may have improperly

convinced teachers that they were not required to properly monitor and protect themselves from identity theft.

- THSS must provide System teachers a written notice clearly and conspicuously advising them of steps they may take to monitor whether they have become victims of identity theft and to protect themselves from identity theft in the future. This notice should be provided directly to teachers whose social security numbers were disclosed.
- The Department of Education has failed to protect confidential personal information contrary to Connecticut law and policy.
- The Department of Education has failed to implement a personal data protection policy as required by Connecticut's Personal Data Protection Act.

### **Recommendations**

1. The Department of Education's Technical High School System must provide teachers a written notice clearly and conspicuously advising them of steps they may take to monitor whether they have become victims of identity theft and to protect themselves from identity theft in the future. This notice should be provided directly to those teachers whose social security numbers were disclosed.
2. The Department of Education should immediately implement a comprehensive personal data protection policy that complies with state law and must improve the manner in which it handles confidential personal information. This policy should include the use of encryption, where appropriate, and should eliminate the Department's use of all or part of teachers' social security numbers for recording their compliance with continuing education requirements.

## REPORT

### 1. **The Department of Education's Technical High School System mistakenly disclosed the social security numbers of 1258 teachers by e-mail.**

- Under Connecticut General Statutes § 10-3a, the Connecticut State Department of Education is the administrative arm of the Connecticut State Board of Education. Among other duties, the Department is responsible for distributing funds to the state's school districts and ensuring that local school districts' employees comply with continuing education requirements. In addition, pursuant to Connecticut General Statutes § 10-95, the Department operates a state-wide system of regional vocational-technical schools known as the Connecticut Technical High School System ("THSS"). THSS offers full-time, part-time, and evening programs in vocational, technical, and technological education and training at 20 schools throughout the State. Although the Commissioner of Education has lead executive management responsibility, a superintendent and central office in Middletown directly oversee THSS.
- The State Department of Education's Bureau of Certification requires teachers certified to teach in Connecticut to complete certain continuing education units in order to retain their credentials and teacher certification. The Bureau of Certification requires each school district to make records of teachers' completion of continuing education units, and to produce certificates of completion or transcripts for submission to the Bureau of Certification.
- For purposes of complying with these Bureau of Certification requirements, THSS is considered to be a school district. Patricia Ciccone is an employee of THSS who works

in the System's administrative offices. Her duties include coordinating professional development, including continuing education units, for the System's teachers.

- In discharging her duties, Ms. Ciccone oversees the process by which THSS records teachers' participation in continuing education events, and certifies to the State Department of Education's Bureau of Certification that a teacher has fulfilled the requirements needed to obtain certain continuing education units.
- When Ms. Ciccone started work in her present position in September 2005, THSS used a database program to track teacher completion of continuing education units and make reports to the Bureau of Certification. When this database was created several years before, the Bureau of Certification required school districts to include in its reports teachers' nine digit social security numbers. This database required THSS to enter the nine digit social security number of a teacher to make entries or obtain records to submit to the Bureau of Certification.
- The Bureau of Certification now allows school districts to submit records referenced by the last four digits of a teacher's social security number, and no longer requires the full, nine digit number. Prior to March 2006 Ms. Ciccone had commenced the process of setting up a new database that would allow THSS to record and report continuing education information using only the last four digits of teachers' social security numbers. The Capitol Region Education Council ("CREC") was assisting Ms. Ciccone in this effort. This new system would require the entry of a teacher's full social security number one time when the teacher's name was first entered into the system. Thereafter, THSS would be able to search the database to enter or verify that a teacher had completed a continuing education unit, and to generate a transcript for the Bureau of Certification by

entering a secure password. This new system would not require THSS to enter any part of a teacher's social security number to make entries or produce transcripts.

- Unrelated to her work on this new database system, in March 2006 Ms. Ciccone needed the list of THSS teachers for use in coordinating an upcoming professional development teacher training for THSS. Ms. Ciccone requested from THSS' Payroll Unit a list of THSS teachers and their current teaching assignments so that she could notify administrators in the System schools regarding professional development training that was relevant to specific teachers in the administrators' schools.
- The Payroll Unit asked Ms. Ciccone if she wanted teachers' social security numbers included in the information on this list. Ms. Ciccone explained that this was not necessary. Upon further reflection, however, Ms. Ciccone determined that having an up-to-date list of THSS teachers with their current teaching assignments could also be useful to her in checking the old database to ensure the accuracy of entries as she continued to work with CREC to develop the new database that would be used to make reports to the Bureau of Certification. Because the old database required entry of a full, nine digit social security number to access a teacher's records, to make this up-to-date list useful to Ms. Ciccone and CREC, Ms. Ciccone requested the Payroll Unit to send her the requested list including the teachers' social security numbers. The Payroll Unit e-mailed this list to Ms. Ciccone.
- After she received this list from the Payroll Unit, Ms. Ciccone made a copy of the list and deleted the social security numbers from this copy, which she intended to send to individual school administrators for purposes of coordinating the upcoming professional development programs.

- On March 27, 2006, Ms. Ciccone prepared and sent an e-mail concerning professional development training to be held on April 7<sup>th</sup>. Ms. Ciccone intended to include the list of teacher names from which she had removed social security numbers as an attachment to her e-mail. Instead, she accidentally attached the list she had received from the Payroll Unit that included 1258 teachers' social security numbers. Ms. Ciccone did not realize her mistake at the time she sent this e-mail.
- Ms. Ciccone sent the e-mail to approximately 79 THSS central office staff, principals and State Vocational Federation of Teachers union representatives.
- Records obtained from the State of Connecticut's Department of Information Technology show that several of the original recipients of the e-mail forwarded it to other employees within the Technical High School System. For example, the Principal's office of the Vinal Technical High School in Middletown forwarded the e-mail to teachers and administrators at that school. These records indicate that as many as 192 Technical High School System employees received the e-mail containing teachers' social security numbers.

**2. The Department of Education promptly responded to the release of the social security numbers.**

- After she sent the e-mail, Ms. Ciccone left her normal work area to attend training for the remainder of the day.
- The next day, March 28<sup>th</sup>, when she arrived at work Ms. Ciccone received a handwritten note from Ed Pearce, an employee in the Human Resources Department, notifying her that her e-mail attachment had included teachers' social security numbers.

- Ms. Ciccone also received an e-mail from Sheila Fredson, Principal of the Vinal Technical High School in Middletown, alerting her to the same.
- In response, Ms. Ciccone sent a new e-mail to the recipients of her original message. She explained that she had mistakenly attached the wrong file to her previous e-mail and alerted the recipients that this attachment included teachers' social security numbers. She requested that the recipients delete the attachment containing the social security numbers and replace it with another list she attached to this e-mail that did not include the teacher's social security numbers.
- In addition, Ms. Ciccone attempted to use a feature on the e-mail system to retrieve ("recall") her original e-mail. The success of an attempt to recall an e-mail depends on several variables including the settings of the recipients' e-mail accounts. As a result, Ms. Ciccone's recall attempt yielded just 12 copies of the e-mail containing the social security numbers.
- Abigail Hughes, Superintendent of the Technical High School System, learned of the mistaken disclosure of teachers' social security numbers during the morning of March 28<sup>th</sup>. Ms. Hughes sent an e-mail to the recipients of Ms. Ciccone's original e-mail directing them to redact all the social security numbers from the list, to recall the e-mail attachment if they had already forwarded it to others, and to ensure confidentiality of the attachment.
- Ms. Hughes further directed each person to whom Ms. Ciccone sent the e-mail to complete, sign, and return a questionnaire to Ms. Hughes. Ms. Hughes sent one questionnaire to the THSS central office staff, assistant superintendents, principals, and assistant principals with instructions to represent whether they had: received the e-mail;

opened the attachment; disseminated the e-mail (and to whom and by what means of transmission); deleted the e-mail; made hard copies; shared copies with others; and had destroyed all electronic and hard copies of the attachment containing teachers' social security numbers.

- Sheila Fredson, principal of Vinal Technical High School, sent a slightly different questionnaire to employees at her school with instructions to complete, sign and return the forms. Employees were required to represent that they had received a copy of the file attachment to Ms. Ciccone's e-mail, and had deleted the file and did not possess copies of the file.
- THSS received a signed questionnaire or form from 186 employees. This suggests that the majority of the 192 e-mail recipients returned signed questionnaires or forms. However, this investigation showed that some forms were distributed based upon a staff list instead of an e-mail list. In other words, forms may have been distributed to and collected from employees that never received the e-mail. In addition, records obtained from the Department of Information Technology showed that at least 2 teachers received the e-mail, but did not submit forms. Apparently, THSS did not know these 2 teachers received the e-mail and, accordingly, did not request a form from them.
- On March 29<sup>th</sup>, at the direction of Ms. Hughes, Thomas Murphy, Director of Communications for the Technical High School System, contacted Gregory Vassar and David Skoczylas, employees of the Department of Education's Information Technology Unit, to determine whether the e-mail containing the social security numbers could be systematically removed from all of the e-mail accounts that received it.

- The next day, March 30<sup>th</sup>, at the request of Department of Education’s Information Technology Unit, the State Department of Information Technology (“DOIT”) undertook the process of removing all copies of the e-mail from the State of Connecticut’s e-mail system. The Department of Information Technology created a record of this removal, including the identities of the employees from whose e-mail accounts DOIT removed Ms. Ciccone’s e-mail.
- Abigail Hughes, the Superintendent of the Technical High School System, stated that the System sent all teachers whose social security numbers were disclosed an e-mail with information on identity theft prevention three days after it disseminated the list of social security numbers. However, the Superintendent was unable to produce a copy of this e-mail or other documentation confirming this occurred. The teacher’s union reported to the Attorney General that as of December 2006, teachers had not received advice on identity theft from the System. We were unable to confirm that the System provided the teachers with information informing them of identity theft protection at any time after it disseminated their social security numbers.
- The Superintendent further explained that the System provided all teachers information on identity theft prevention in a January 2007 newsletter. A review of this newsletter shows that a story consisting of four paragraphs headlined “Social Security numbers problem appears resolved” was included in a newsletter among other stories appearing on the same page concerning reports on the work of an automobile technical student, scholarship opportunities, students learning how to operate a saw mill and school year enrollment statistics. This story informed the reader that “there appears to be no breach

of security...no evidence of identity theft has emerged.” The story concluded by referring the reader to a FTC web site.

- While perhaps well intentioned, this story was misleading to teachers whose social security numbers were disseminated by the Technical High School System. The conclusion that “there appears to be no breach of security” is especially troublesome because teachers’ social security numbers were sent unencrypted into cyberspace. As noted earlier in this report, it cannot be determined with certainty that none of the recipients of the e-mail made copies or disseminated it to others. While to date we have received no complaints that teachers have been the victims of identity theft, that is no guarantee that teachers’ social security numbers will not find their way into the hands of identity thieves in the future.
- By downplaying the threat of identity theft to which the System has exposed teachers, this newsletter story incorrectly implied the teachers have no cause for concern, possibly incorrectly convincing them not to properly monitor and protect themselves from identity theft.

**3. Notwithstanding the efforts of the Technical High School System, it is impossible to guarantee that all copies of the social security numbers were retrieved and not further disseminated.**

- Despite its efforts to systematically remove the e-mail from all recipients’ accounts, the Department of Information Technology cautioned THSS that if a recipient of the e-mail had copied or saved the list on his or her computer it would not be possible to identify and retrieve that copy.

- Consequently, the Department of Information Technology can not guarantee that copies of the list were not made or forwarded elsewhere.
- In addition, the Department of Information Technology records showed that the e-mail containing the list of social security numbers remained in 5 employees' e-mail accounts after Ms. Ciccone and Ms. Hughes sent directions to delete or redact the list. These copies were, however, removed by the process the Department of Information Technology undertook on March 30<sup>th</sup>.
- The Department of Information Technology records also contradicted some employees' signed statements. For example, a principal stated in his questionnaire that he did not disseminate the e-mail. However, the Department of Information Technology records show that the principal did forward the e-mail to a teacher in the Technical High School System. That teacher in turn forwarded the e-mail to a second teacher in the Technical High School System.
- It appears that the Superintendent's office did not know these 2 teachers received the e-mail and, accordingly, did not request or receive questionnaires from them.
- When the Payroll Unit sent the e-mail to Ms. Ciccone it was not encrypted. The State of Connecticut's Email Acceptable Use Policy states that electronic mail should not be considered confidential and information transmitted electronically can be reviewed at any time by persons other than the intended party. Absent encryption, an e-mail sent within the State of Connecticut's system is vulnerable to interception. As such, even before the dissemination by Ms. Ciccone, the teachers' personal data was vulnerable because the Payroll Unit did not encrypt the e-mail prior to transmission. Although it is not readily available to everyone utilizing the State of Connecticut's e-mail system, the Department

of Information Technology does provide e-mail encryption to state agencies with an evident need.

- This investigation did not receive any evidence that this e-mail was intercepted.

However, it is not possible for our investigation to conclusively determine that the e-mail and attachment including teachers' social security numbers was not intercepted.

**4. The Department of Education failed to protect personal information contrary to Connecticut law and policy.**

- Connecticut's Personal Data Act, which is codified by Connecticut General Statutes Sections 4-190 through 4-197, requires state agencies to adopt regulations describing the maintenance and use of all personal data kept by the agency.
- Teachers' social security numbers maintained for employment purposes constitute "personal data" because they are employment information that could be readily associated with the teachers to whom they belong.
- In its general audit report on the Department of Education, for the fiscal years ending June 30, 2003 and 2004, the Auditors of Public Accounts recommended that the Department formalize and implement a personal data protection policy that complies with the Personal Data Act.
- Although the Department has drafted a personal data protection policy, it has not finally approved or implemented this policy, and has not disseminated it to employees.
- By failing to adopt adequate policies, the Department of Education has not complied with the Personal Data Act.
- The Department and THSS did not make or retain accurate records of who received the e-mail sent by Ms. Ciccone. Neither the Department nor THSS kept records of personal

data THSS disclosed, as required by the Personal Data Act, Connecticut General Statute Section 4-193(c).

- The Department of Education’s continuing practice of using the last four digits of teachers’ social security numbers to track their continuing education credits is inconsistent with Connecticut General Statute Section 4-193(e) of the Personal Data Act, which requires state agencies to “[m]aintain only that information about a person which is relevant and necessary to accomplish the lawful purpose of the agency.” The Department could and should use other methods or merely a different number to identify teachers for purposes of tracking continuing education credits. The use of social security numbers is not necessary or relevant for this purpose.

## RECOMMENDATIONS

1. **The Department of Education’s Technical High School System should provide System teachers a written notice clearly and conspicuously advising them of steps they may take to monitor whether they have become victims of identity theft and to protect themselves from identity theft in the future.**

The Department of Education’s Technical High School System should provide System teachers a written notice clearly and conspicuously advising them of steps they may take to monitor whether they have become victims of identity theft and to protect themselves from identity theft in the future. This notice should be specifically provided to teachers whose social security numbers the System released informing them that they may be at increased risk for identity theft, and discussing specific steps these teachers may take to protect themselves from identity theft in the future.

These steps include obtaining a free annual credit report from one of the national consumer reporting companies and contacting the fraud departments of any one of the three

consumer reporting companies to place a fraud alert on their credit report. A fraud alert tells creditors to follow certain procedures before opening any new accounts. Other steps include closing any accounts the teachers know or believe have been tampered with or opened fraudulently, and filing complaints with the Federal Trade Commission. Anyone who believes that identity theft has occurred can make a report to the local police where the victim lives or the police in the community where the identity theft took place. In Connecticut, identity theft is a Class D Felony, under Connecticut General Statutes Section 53a-129, punishable by one to five years in prison, plus fines. Additional guidance on identity theft prevention is available on the website of Connecticut Attorney General's Office ([www.ct.gov/ag/site/default.asp](http://www.ct.gov/ag/site/default.asp)), as well as on the website of the Federal Trade Commission ([www.ftc.gov/bcp/edu/microsites/idtheft](http://www.ftc.gov/bcp/edu/microsites/idtheft)).

- 2. The Department of Education should immediately implement a comprehensive personal data protection policy that complies with state law and change the manner in which it handles confidential personal information. This policy should include the Department's ceasing to use all or part of teachers' social security numbers for recording their compliance with continuing education requirements.**

This incident makes clear that good intentions and prompt corrective measures are not enough to prevent or remedy an inadvertent disclosure of sensitive personal information. Simply put, you cannot "unring a bell." The Department of Education should change its practices concerning the use of personal information to prevent future accidents.

The Department of Education should implement a policy to prevent the release or disclosure of social security numbers or other confidential information about its teachers and other employees. It should formalize and implement a personal data protection policy that complies with the Personal Data Act, Connecticut General Statutes Sections 4-190 through 4-197.

Although the Department has drafted a personal data protection policy, the Department has not finally approved or implemented this policy, and has not disseminated it to employees. The Department of Education should make completion and full implementation of this policy a priority.

In finalizing its personal data protection policy, the Department should be mindful of the State of Connecticut's Email Acceptable Use Policy, which states that electronic mail should not be considered confidential and information transmitted electronically can be reviewed at any time by persons other than the intended party. As such, the Department should avoid using e-mail to transmit sensitive personal information. If and when sensitive personal information must be transmitted by e-mail, the Department should consider using encryption.

According to the Superintendent of the Technical High School System, as of October 2006, all schools within the Technical High School System have implemented a new computer program, as well as new paper forms that use only the last four digits of the social security number to track teachers' continuing education credits. This change is consistent with the Bureau of Certification's change of its policy in April 2005 to allow all school districts to produce certificates and transcripts using only the last four digits of a teacher's social security number.

While this is an important step to protect teachers from possible identity theft, the Bureau of Certification should strive to end the practice altogether of using any part of social security numbers to track teachers' continuing education credits. As the agency that dictates the format by which all school districts in Connecticut must produce records of staff compliance with continuing education requirements, the Department of Education's Bureau of Certification should consider generating a license number or certification number for these and similar records

of teachers. According to the Bureau of Certification, it is working on plans to do this. Because even good-faith mistakes can expose teachers to identity theft, the Bureau should accelerate these plans to the greatest extent possible.