

BUREAU OF EARLY CHILDHOOD SERVICES

POLICY STATEMENT

ID NUMBER: 96-5 (Updated May, 2005)

TOPIC: Social Security Numbers and Federal Identification Numbers

MODALITIES IMPACTED: FDC, GFDC, SAC, DCC

APPLICABLE REGULATIONS: None

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EFFECTIVE: Immediately (May, 2005)

THIS POLICY STATEMENT IS EFFECTIVE IMMEDIATELY AND CANCELS ALL
PREVIOUS MEMOS OR STATEMENTS ON THIS TOPIC.

The purposes for which state and local governments may collect social security numbers are established by Federal Law Title 42, The Public Health and Welfare Chapter 7, Social Security Act [42 USCS § 405 (2005)]. This statute allows social security numbers to be collected for identification purposes in the administration of any tax, general public assistance, driver's license, motor vehicle registration or blood donation program. State and local governments also may collect social security numbers from their employees but may not collect social security numbers for other purposes. Social security numbers are confidential, and must only be accessible by necessary parties for official State business.

A federal identification number is also referred to as a federal tax identification number and/or an employer's identification number (EIN). A federal tax identification number is issued to a corporation for tax purposes much like a social security number is given to an individual. As such, a corporation that is applying for a license or registration may submit a federal tax identification number or EIN in place of an applicant's social security number. A federal identification number is also confidential, and must only be accessible by necessary parties for official State business.

Section 5 of the State Tax Law requires every State agency, as part of the procedure for granting, renewing, amending, supplementing or restating the license or registration of any person, partnership, corporation or other organization, to obtain an applicant's social security number or,

if applicable, a federal employer identification number. This information is collected as part of the administration of the taxation system and is one of the permissible reasons for collection of social security numbers established by federal law. The law further requires that when an applicant does not have a social security number the applicant must provide the reason(s) that they do not have one.

In accordance with the laws cited above the Office of Children and Family Services must collect the social security numbers and, where applicable, the federal employer identification numbers, from individuals who are applying to become licensed or registered day care center providers. Providers include: school age childcare providers, family day care providers, group family day care providers, and day care center providers. Such numbers also must be collected at application renewal time. If an applicant is not able to provide a social security number or, where applicable, a federal identification number, the reason the applicant does not have this information must be collected.

Social security numbers and federal tax identification numbers should be collected as follows:

Family Day Care: A space for the prospective provider's social security number and/or a federal identification number (if incorporated) is provided on page A-2 of the Family Day Care application package, NYS FDC Booklet (Rev. 08/01). If an applicant does not provide a social security number or a federal identification number (if incorporated), the reason for this omission must be determined before a registration may be issued. The provider may attach an explanation for the missing social security number/federal identification number to the application package. If for any reason the social security number/federal identification number of a currently registered provider was not collected during the application process, the social security number/federal identification number, or the reason why the provider does not have one, must be obtained at the time of next renewal. A space for the social security number and federal identification number (if incorporated) is provided on page A-3 of the Family Day Care Renewal Application package, NYS FDC Renewal (Rev. 08/01).

Group Family Day Care: A space for the social security number of the applicant and/or a federal identification number (if incorporated) is provided on page A-2 of the Group Family Day Care booklet, NYS GFDC Booklet (Rev. 08/01). The application packet also includes a space for the social security number of the assistant on page B-15, and page B-29 for the substitute; however, the only social security number/federal identification number that is required is that of the provider. If an applicant/provider does not provide a social security number/federal identification number if incorporated, either the number or the reason for its omission must be determined before a license may be issued. Assistants and substitutes do not have to provide an

explanation for not including their social security number because the information is not required.

If for any reason the social security number/federal identification number of a currently licensed provider, was not collected during the application process, the social security number/federal identification number, or the reason why the provider does not have one, must be obtained at the time of next renewal. A space for the social security number of the applicant and the federal identification number of the incorporation is provided on page A-3 of the NYS GFDC Renewal package (Rev. 08/01). A space for the social security number of the assistant is provided on page B-9, and on page B-17 for the substitute, however the only social security number that is required (or explanation for its absence) for renewal purposes is that of the provider.

School-Age Child Care: A space for the social security number of the applicant and/or a federal identification number, if incorporated, is provided on page A-2 of the School-Age Child Care booklet, NYS SACC Booklet (Rev. 08/01). If an applicant to be a provider does not provide a social security number or a federal identification number, either the number or the reason for its omission must be evaluated before a license may be issued.

If for any reason the social security number of a currently registered provider or a federal identification number, if applicable, was not collected during the application process, the social security number/federal identification number, or the reason why the provider does not have one, must be obtained at the time of next renewal. A space for the social security number of the director is provided on page A-3 of the NYS SACC Renewal package (Rev. 08/01; this is not necessarily a required field. The director's social security number is only required if they are the owner of the program and the program is not incorporated. Otherwise, the incorporated school-age program must submit the federal identification number in the appropriate field.

Day Care Center: A space for the social security number of the applicant or federal identification number, if incorporated, is provided on page A-2 of the Day Care Center booklet, NYS DCC Booklet (Rev. 08/01). If an applicant to be a provider does not provide a social security number or a federal identification number, if applicable, either the number or the reason for its omission must be determined before a license may be issued. If for any reason the social security number of a currently licensed provider or a federal identification number, if applicable, was not collected during the application process, the social security number/federal identification number, or the reason why the provider does not have one, must be obtained at the time of next renewal. A space for the social security number of the director is provided on page A-3 of the NYS DCC Renewal package (Rev. 08/01); this is not necessarily a required field. The director's social security number is only required if they are the owner of the program and the program is not incorporated. Otherwise, the incorporated school-age program must submit the federal identification number in the appropriate field.

