

Acceptable Use of Electronic Communications and Internet

Policy Number: 605

Purpose and Source of Authority

The purpose of this policy is to provide guidance regarding the acceptable use of the County's computers, network systems, and electronic information systems, including acceptable Internet use and access to and disclosure of electronic information such as electronic mail ("e-mail") and other computer files which are sent, received, stored, or processed by means of any County computer, network system, or electronic information system. The County Board has passed a resolution authorizing this Policy.

Like any tool, information technology can be used or misused. By adopting this Policy, the County seeks to maximize the benefits of modern technology by striking an appropriate balance between the efficient use of electronic communications and the protection of County assets and interests.

Definitions

Computer System: For purposes of this Policy, the term "computer system" means any and all (1) computer hardware or machinery owned or leased by the County including, but not limited to, desktop computers, laptops, mobile and central computers, modems, printers, computerized facsimile systems, connectors, switches, computer wires, routers, and servers; (2) internal and external network systems owned, leased, operated, or utilized by the County or its employees including, but not limited to, e-mail, other electronic information systems, and any system which allows Internet access; and (3) any software or operating system that is owned, leased, or utilized by the County.

Computer System Data: For purposes of this Policy, the term "computer system data" means any and all information or data that are received, sent, stored, processed, transferred, or communicated in any way by or through any County computer system including, but not limited to, computer files, e-mail, and Internet access information.

User: For purposes of this Policy, the term "user" means any person, including an employee, who directly uses any County computer system in any manner, accesses any information sent, received, stored, or processed by any of those systems, or directs another to use a County computer system or to access data on such a system.

Employee: For purposes of this Policy only, the term "employee" shall mean all person, including officers and officials, who receive pay or compensation, in whole or in part, from County funds; all persons who are working under the direction or control of any official, division, or department of the County; all persons who perform work for Cottonwood County on a voluntary basis without pay or other form of compensation; all persons serving with or without compensation as a member of a board, task force, or commission established by Cottonwood County.

Person: For purposes of this Policy, the term "person" means any user or employee as defined herein, and does, in the appropriate circumstance, include natural persons or individuals, corporations, partnership, associations, government agencies and other governmental entities, and/or any other form of legal entity. It also includes any representative or agency of a person.

Government Data: For purposes of this Policy, the term "government data" shall have the definition set forth in Minnesota Statutes section 13.02, subdivision 7. Thus, government data includes, but is not limited to, all data collected, created, received, maintained, or disseminated by any agent or employee of Cottonwood County.

Internet: For purposes of this Policy, the term "Internet" means the network of systems including, but not limited to, the World Wide Web, Gopher, FTP, external e-mail, Internet Relay Chat, and Telnet, which connect computers in various locations around the world and provide users with the ability to access information and online services.

Singular/Plural: For purposes of this Policy, the singular form of any word shall include the plural, and the plural form shall include the singular.

Scope

The County owns and provides access to a variety of computers, network systems, electronic information systems, and software. These tools are collectively referred to as computer systems. The County's computer systems and computer system data are the exclusive property of the County. Users have no expectation of privacy in using these systems. No communication or data used or maintained through these systems should be considered private or personal.

This Policy governs all access to and use of the County's computer systems and computer systems data. This Policy also applies to equipment that is the property of another entity, but is used by County employees in the course of their employment with the County.

Although elected officials and department heads may adopt policies that are more restrictive than this Policy, this Policy establishes the minimum standards for use of any County computer system and any information sent, received, stored, or processed by a County computer system. In the event of a conflict between this Policy and another policy, this Policy controls.

Individuals who are subject to this policy

This policy applies to any user of the County's computer systems or computer system data for any purpose. Such individuals may include, but are not limited to, County Board Members, officials, department heads, supervisors, employees, agents of the County, independent contractors doing work for the County, volunteers, and members of the public. By using any of the County's computer systems, users agree to be bound by the terms and conditions of this Policy. Each individual user is responsible for complying with this Policy.

Each individual department head and elected official shall make a copy of this Policy available to every employee in his or her department. In addition, each department head or supervisor is required to conspicuously post a copy of this Policy in at least one location within the department. Additionally, upon request, a copy of this Policy shall be made available within a reasonable period of time to any employee or member of the public.

Every employee who uses any County computer system must sign a "Code of Ethics" and "Electronic Communication Usage Policy" statement each year. The signed statements will be kept in the personnel files.

County's right to inspect and monitor its computer systems and computer systems data

The County is the sole and exclusive owner of the computer systems it provides and all computer system data. Use of the County's computer systems is a privilege, not a right. Accordingly, without further notice, the County and its individual department heads or supervisors reserve the right to use any means available to access, inspect, review, and monitor its computer systems and computer systems data including, but not limited to, computer files, e-mail, and Internet access information. In exercising this right, the County, its individual department heads and supervisors reserve the right to override any passwords and access codes that are on any of its computer systems. The County and its individual department heads or supervisors, and their designees, may also use software that assists in monitoring its computer systems and data on those systems.

Employees and other users do not have a reasonable expectation of privacy in any computer systems data including, but not limited to, e-mail and Internet access data. By using any of the County's computer systems, employees and other users consent to and understand that the County may access, monitor, and inspect any data that are received, sent, processed, stored, transferred, or communicated by means of any County computer system.

Users should consider e-mail and all other computer systems data to be a shared filing system, which may be accessed and reviewed by the applicable department head at any time and without further notice. The County reserves the right to track and recover any computer systems data despite any attempt by a user to delete such data. Users are advised that nearly all data can be tracked and recovered. For example, the County can generally track which websites a user has visited, the time of day when the visits occurred, and how long each visit lasted. This information can generally be recovered even when the user has attempted to delete the information.

The County may use any computer system data for any purpose directly or indirectly related to County business, including ensuring compliance with this Policy and other professional and job related duties. Such data may also be used in deciding whether to impose discipline, and in disciplinary proceedings and civil and criminal litigation.

System Integrity

Password Security. All employees are required to take reasonable precautions to protect the security of their passwords. Employees must not share passwords or user names, or use another person's password or user name when using a County computer system or accessing computer system data. Absent prior permission from a department head or supervisor, no employee may knowingly permit another individual to use the employee's password to log onto or use any County computer system.

If an individual department head or designee directs an employee to provide his or her passwords or access codes, the employee must immediately provide the current passwords and access codes. The department head or designee will take reasonable precautions to keep the passwords and access codes in a secure place.

Modification of Passwords and Default Settings. Users may not modify any default settings on any County computer system (including hardware and software) without prior consent from the Information Systems Department.

Installation of Software. Employees may not install any software on a County computer system without prior written consent from the Information System Department. Before any software is installed, it must be scanned for the presence of viruses. The County reserves the right to remove unauthorized software at any time and without prior notice.

Scanning for Viruses. Without exception, every employee must scan every computer file he or she receives from an outside source including, but not limited to, diskettes and CDs from outside organizations, files downloaded from bulletin boards, and attachments to e-mail messages, to determine whether any computer viruses are present.

Approved Commercial Access Providers. Particular use of an outside commercial access provider must be approved by the individual department head and the Information Systems Department.

If an employee has been granted permission to use an outside commercial access provider, the employee must:

- disconnect his/her computer from all AS/400 sessions throughout the duration of the commercial connection,
- disconnect his/her computer from any network session throughout the duration of the commercial connection,
- scan his/her computer hard drive for computer viruses prior to re-connecting to a network or AS/400 connection.

Electronic Mail (“E-mail”)

Application of Government Data Practices Act. All e-mail messages and attachments that are sent, received, or accessed by means of any County computer system, including any e-mail system, are County property and are subject to federal and state laws, such as the Minnesota Government Data Practices Act, which govern the collection, creation, storage, maintenance, dissemination, and access to data created or maintained by the County. All employees must exercise care in addressing messages to ensure that they are sent to the proper addressee.

Use of E-Mail by Non-Employees. Certain parts of the County’s e-mail system are open to state agencies, political subdivisions, and the public to provide a means by which members of state agencies, political subdivisions, and the public may communicate with the County. Individuals who subscribe to the County’s e-mail system must agree to comply with this Policy. Message sent between the County and individuals who are not County employees may be used by the County for any purpose related to County business.

Internet Access

Access to and use of the Internet through any County computer system is subject to the terms and conditions of this Policy. Access to and use of the Internet through any County computer system is limited to work related activities, unless otherwise specifically authorized by the employee’s individual department head or supervisor. Department heads will decide which employees in their department will be granted access to the Internet. The County blocks access to non-business sites such as but not limited to Adult and Gaming oriented. If a site is blocked and is required for County business a request must be submitted to the individual department head or supervisor and the Information Systems Department for approval. The request must include the site URL address, name and reason the access is being requested.

Personal use of county computer systems by employees

Limited Personal Use Permitted. The County’s computer systems are provided to support County business and, accordingly, are intended to be used primarily for business related purposes. Unless prohibited by the applicable department head, employees may engage in incidental and occasional personal use of the County’s computer systems. Individual department heads may determine when an employee’s personal use becomes excessive or otherwise violates this Policy. All personal use must be limited such that it:

- is done on the employee’s personal time, and not on County time.,
- does not interfere with County business or the use of its computer systems,
- does not interfere with the employee’s job performance or activities,
- does not interfere with the job performance or activities of any other employee,
- is not for personal financial gain or other promotional activities,

- is not for political or religious purposes that could suggest endorsement by the County,
- does not damage any of the County's computer systems,
- does not result in the consumption of County resources,
- does not result in any expense, financial loss, or obligation for the County,
- does not violate any rule set forth in this policy,
- does not violate any federal, state, or local law.

No Expectation of Privacy. Employees who use any County computer system for personal use have no expectation of privacy in any information that is stored, processed, or transferred by any of the County's computer systems, including but not limited to e-mail and information on Internet access. Like any other data stored on the County's computer systems, data created from an employee's personal use is subject to periodic inspection and monitoring. By engaging in personal use of any County computer system, employees and other users consent to such inspection and monitoring.

Unacceptable uses of the county's computer systems

Threatening or Fraudulent Messages. No person may use any County computer system to intentionally threaten or offend another person or to send a fraudulent message.

Harassment and Discrimination. No person may use any County computer system to harass or discriminate against another person on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or age. County computer systems may not be used to transmit, display, or distribute information on hate groups. All County policies on harassment and discrimination apply to conduct performed using any County computer system.

Pornographic, Obscene, Vulgar, Lewd, and Sexually Explicit Material. No person may use any County computer system to seek out, access, upload, download, store, transmit, display, or distribute pornographic, obscene, vulgar, lewd, or sexually explicit language or material.

Harm to Reputation. No person may use any County system to defame another or in a manner that harms the reputation of the County.

Disruption. No person may use any County computer system in a manner that damages, disrupts, or interferes with any County operation, service, equipment, or the job performance of an employee. Such disruption or interference includes, but is not limited to, distribution of unsolicited or personal advertising and excessive downloading or transmission of programs or data.

Vandalism. No person may use any County computer system to directly or indirectly vandalize, damage, or disable the personal, real, or intellectual property of another person or organization, or to make unauthorized modifications to the property of another (including information owned by the County). By way of example, this rule prohibits "hacking" into a County computer system or a private party's system, as well as the propagation of computer worms and viruses.

Unauthorized Interception or Access. No user may override another person's passwords or codes or take any other action to intercept or access another person's materials, electronic information, or files (including e-mail) without the prior permission of that person. The exception to this rule is that a department head or supervisor, or a person acting at the request of a

department head or supervisor, may request the Information Systems Department to override passwords and may access, inspect, and monitor any computer systems data including, but not limited to, e-mail and information on Internet access.

Copyright Infringement. No person may use any County computer system to violate any copyright law or otherwise use the intellectual property of another person or entity without proper authorization. The unauthorized duplication of computer software constitutes copyright infringement and is strictly prohibited by this Policy. Many software companies will allow a single copy of the software to be made for backup or archival purposes. Before making such a copy, employees must verify that such action is permitted under the terms and conditions of the software license.

Commercial Use and Private Causes. No person may use any County computer system for private commercial use, for personal financial gain, to promote any private cause (including but not limited to political or religious causes), or to enter into any contractual relationship without obtaining prior written permission from the department head or supervisor. Similarly, no person may use any County computer in a manner that could reasonably result in any expense, financial loss, or obligation for the County. The County hereby disclaims any liability for any unauthorized financial obligation incurred by unacceptable use of its computer system in violation of this rule.

Gambling. No person may use any County computer system to gamble or engage in a game of chance for money or other valuable consideration.

Disguising Identity. No person may disguise or attempt to disguise their identity while using any County computer system. For example, individuals may not disguise their identity while using a County computer system to send or receive information via e-mail or the Internet.

Conducting Job Searches. Employees may not use any County computer system to conduct job searches for employment with an entity other than Cottonwood County.

Violating the Law. No person may use any County computer system in a manner that violates any local, state, or federal law.

Conduct Unbecoming. No person may use any County computer system to engage in conduct unbecoming a County employee.

Consequences for violation of this policy

The County Board and the individual department head or supervisor (or a designee of the department head or supervisor) will review alleged violations of this Policy on a case-by-case basis. Any employee's failure to comply with any part of this Policy may result in disciplinary action up to and including termination of employment with the County, subject to County Personnel Rules and Regulations and any applicable collective bargaining agreement. In addition to any penalty or discipline imposed, any user's failure to comply with this Policy may result in loss of the privilege to continue using the County's computer systems and, if the violation is criminal in nature, referral to law enforcement.

Retention schedules apply to electronic information

The County's retention schedules apply to any and all data, which are stored on the County's computer systems. The County's retention schedules apply to electronic data in the same manner as other recorded data.

Questions regarding this policy

Employees who have questions about this Policy or the acceptable use of the County's computer systems are required to present their questions to their department head or supervisor. If the supervisor is uncertain about the answer to the employee's questions, the department head or supervisor will submit the question in writing to the County Board.

In consultation with the involved department head or supervisor, the County Board will answer any questions about this Policy and the acceptable use of the County's computer systems. Until the County Board provides an answer, questionable use should be considered inappropriate and unacceptable. The County Board of Commissioners has final authority regarding the implementation and interpretation of this Policy.