

## **Policy Statement**

**TITLE**

**Information Technology Acceptable Use Policy**

**CODE**

**703**

**REFERENCE**

NA

**PERSONNEL RESPONSIBLE**

County Employees, Elected Officials

**EFFECTIVE**

November 13, 2008

**703.100 – PURPOSE**

- To clarify Yellow Medicine County's policy regarding use of the Internet and electronic mail
- To shield Yellow Medicine County against potential liability
- To avoid security threats by promoting awareness and good practice
- To safeguard and maintain strict confidentiality of private and confidential data including Individuals Identifiable Health Information (IIHI) and conform to Health Insurance Portability and Accountability Act (HIPAA)
- To ensure the integrity of data
- To encourage effective and positive use of our network, computer and electronic communication resources

**703.200 – SCOPE**

Networked computers, Internet, public and private telephone systems have become a standard for communication between governmental organizations, commercial businesses and private citizens. In the process of communication traffic may cross multiple and different networks prior to reaching client destination. The public has a high reliance on the data shared from Yellow Medicine County; therefore it is our responsibility to insure the integrity of the data.

The variety of computing and electronic communication access tools that the County provides its employees include, but is not limited to, personal computers, laptops, networked servers, internal and external networks including wireless networks, electronic mail, voice mail, telephones, cellular/smart phones, modems and facsimile systems. These tools are

County owned and publicly funded. The computer systems and software, peripherals, and the information conveyed through them are the property of the County. This Acceptable Use Policy restricts access to and use of these systems. In addition, this policy applies to equipment that is the property of another entity or individual, but is in use by County employees in the course of their employment with Yellow Medicine County. (e.g. telecommuters using their own personal equipment, county employees working for the county at another facility).

### **703.300 – GENERAL PRINCIPLES**

Use of the Internet by County employees is permitted and encouraged where such use is suitable for business purposes and supports the goals and objectives of Yellow Medicine County and its departments. The Internet is to be used in a manner that is consistent with Yellow Medicine County's standards of business conduct and as part of the normal execution of an employee's job responsibilities.

### **703.400 – INDIVIDUALS WHO ARE SUBJECT TO THIS POLICY**

This policy applies to all users of the County's electronic communications systems. Such individuals may include, but are not limited to, Yellow Medicine County Board members, elected officials, department heads, supervisors, employees, agents for the County, independent contractors doing work for the County, volunteers, and members of the public. By using any of the County's computer systems, telephones, voice-mail, e-mail and Internet access users agree to be bound by the terms and conditions of this policy. Each individual user is responsible for complying with this policy.

Every employee who uses any County computer system will receive a copy of this policy and must sign the Employee Agreement, which is found in Appendix A of this Policy. The original copy of the signed agreement will be kept on file in each employee's personnel file.

### **703.500 – 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, voice 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 shall have no expectation of privacy related to such use. This includes, but is 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, or transferred by means of any County computer or telephone 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 or supervisor 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 all data can be tracked and recovered. For example, the County can track which websites a user has visited, the time of day when the visits occurred, and how long each visit lasted. This information can 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.

## **703.600 – SYSTEM INTEGRITY**

### **703.601 - Password Security:**

All employees are required to take reasonable precautions to protect the security of their passwords. Employees may 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, unless prior permission has been received from the individual department head or supervisor. 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.

Password policies are implemented using the following criteria: Minimum of 8 characters, Contain both upper and lower case characters (e.g., a-z, A-Z), Have digits and punctuation characters as well as letters e.g., 0-9, !@#\$\$%^&\*()\_+|~-=\`{}[]:~<>?,./), Password changed every 90 days. The same password may be used every 365 days.

### **703.602 - Modification of Default Settings:**

Employees may not modify assigned user names. Users may not modify any default settings on any County computer system (including hardware and software) without prior consent from the IT Coordinator.

### **703.603 - Installation of Software:**

Employees may not install any software i.e. patches, upgrades, downloads, etc. on a County computer system without prior consent from the IT Coordinator. The County reserves the right to remove unauthorized software at any time and without prior notice.

Under no circumstance should screen saver programs or games (other than the games installed with the Windows OS) be installed on County owned computers. Bi-directional software, such as the 'Weather Bug' should not be installed on computer

systems unless use of the product directly affects the workers employment at Yellow Medicine County. (e.g. Road Construction Crew) In all cases, consent must be written, approved and on file.

Executable files should not be downloaded and installed on County owned computers. Exception: Adobe Reader and WinZip are allowed with approval from the IT Coordinator.

Appropriate personal pictures may be emailed to County email addresses and used as desktop backgrounds and computer screensavers.

#### **703.604 - 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, work related files that are downloaded from bulletin boards, and attachments to e-mail messages, to determine whether any computer viruses are present. Contact the IT Coordinator with any questions regarding scanning for viruses.

Employees are responsible to report to the IT Department immediately any viruses that are discovered on their PCs or removable storage media. Systems are setup with scheduled antivirus scans to run daily at approximately 12:00 Noon. Users must not abort the scans or adjust the schedule.

#### **703.605 - Commercial Access Providers:**

Users shall not use any Internet access or service provider other than the access or service provider that is supplied and made available to the user by the County. Exception: Telecommuters will use their personal Internet service provider at their home location.

#### **703.606 - Use of Portable Devices on the County Network or Computer Systems:**

Yellow Medicine County will not allow any personal portable devices to be plugged or wirelessly connected to the county network. Personal portable devices including, but not limited to, USB thumb drives, portable hard drives, Personal Digital Assistants (PDAs), cell phones, electronic calendars, MP3 players, i-pods, cameras, and memory cards will not be allowed. These devices can contain malicious software that could propagate to the county network and cause damage. Portable devices also put the county at risk to have large amounts of private data stolen.

Yellow Medicine County will allow and support portable devices that are purchased with county funds and approved by the IT department. Personal portable devices used for work purposes where an employee gets a reimbursement for use of that device will be allowed to be connected into the county system only after prior approval from the IT Coordinator. This policy will allow the county to manage the security risks that are now associated with portable devices.

**703.607 - Storage of Data on Hard Drives:**

In order to protect data and assure its proper retention, employees may not store data exclusively on personal computer hard drives, USB thumb/flash drives, Smart/Cell phones or PDA's.

**703.700 – ELECTRONIC MAIL (“E-mail”)**

**703.701 - 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.

**703.702 - Warning:** All e-mail users are reminded that e-mails sent through the County's electronic communications systems are documents with government data just as though sent and signed on County letterhead. Deleted e-mail is not necessarily deleted and could be used as damaging evidence against the County and/or the e-mail user.

**703.703 - Temporary Storage Medium:**

The County's e-mail system is meant to be a temporary medium for the transmission of data. All government data that is required to be maintained pursuant to law shall be maintained separate from the County's e-mail system. All employees must transfer all such data to a different medium.

**703.704 - 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. Messages sent between the County and individuals that are not County employees may be used by the County for any purpose related to County business.

**703.705 - 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.

**703.706 - Confidentiality Notice:**

All employees and elected officials must incorporate a Confidentiality Notice into all email messages.

**703.800 – UNACCEPTABLE USE OF THE COUNTY'S COMPUTER SYSTEMS, NETWORK OR COMMUNICATION SYSTEMS**

**Unacceptable use is defined as, but not limited to, the following:**

## **1. Threatening or Fraudulent Messages**

No person may use any County computer system, network or communication system to intentionally or unintentionally threaten or offend another person or to send a fraudulent message.

## **2. Harassment and Discrimination**

No person may use any County computer system, network or communication system to harass or discriminate against another person on the basis of race, color, creed, religion, national origin, sex, and marital status, status with regard to public assistance, disability, sexual orientation, or age. County computer systems, network, or communication 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, network or communication system.

## **3. 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.

The sole exception to this rule is when such materials are directly related to the job duties of an employee as related to a specific case (e.g. law enforcement, child support and nursing services) and the employee has received **written permission** from the employee's supervisor to access or send such materials.

Employees must not send obscene, vulgar, lewd, and sexually explicit material through the County's e-mail system. Employees receiving such mail must direct the sender, if known, that it is against County policies to receive this type of mail and to remove the recipient from its address database.

## **4. Harm to Reputation**

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

## **5. 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.

## **6. 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.

## **7. 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, or 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, IT Department, or a person acting at the County management’s request 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.

## **8. 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, downloading or exchanging of pirated or otherwise unlawful software constitutes copyright infringement and is strictly prohibited by this Policy. Only software licensed by the County is to be installed on County owned computer systems.

## **9. 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 authorization from the Yellow Medicine County Board of Commissioners. 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 systems in violation of this rule. The exception to this rule is use of the electronic communication systems for benefits or fundraisers that directly benefit the health and well being of the Yellow Medicine County community (e.g. Relay for Life, wellness benefits for life threatening illnesses and catastrophic losses). All exceptions must be approved by the County Administrator.

## **10. Gambling**

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

## **11. 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.

## **12. Violating the Law**

No person may use any County computer system in a manner that violates any local, state, or federal law or engage in any type of illegal activities.

No person may review or access any materials related to obtaining or using any controlled substances, **without the express written permission of their Department Head on file in the official personnel file of the employee.** For the Department Heads, permission must be received by the County Administrator.

## **13. Conduct Unbecoming**

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

## **14. Chain Letter and Pyramid-Type Letters**

No person may use any County computer system to transmit or forward chain letters or pyramid-type letters. Any person receiving a chain letter or pyramid-type letter shall immediately direct the sender of the chain letter or pyramid-type letter to remove the recipient from its address database.

## **15. HotMail, Yahoo, Private E-Mail Accounts, Instant Messaging Prohibited**

Employee must not access personal e-mail accounts, such as HotMail, Yahoo Mial, MVTWireless Mail, Bennett etc. through the County's computer systems. Accessing these systems bypass the County's antivirus and security applications.

Instant Messenger, MSN Messenger, AOL Instant Messenger, etc is prohibited. Chat Lines are NOT acceptable and must not be used on your computer.

## **16. Graphical, Streaming Audio or Video Not Business Related Unacceptable**

Streaming audio or video applications (e.g. listing to radio stations, music, movies, etc.) must not be installed or run on the County computer systems. In addition to wasting employee time, files of graphical nature are large and use unnecessary bandwidth slowing network traffic.

Sending or receiving personal photos and/or graphical files through e-mail system is prohibited.

Receiving personal photos for the use of desktop backgrounds or screensavers is permitted.

Graphical files that are business related are allowed. Streaming Video or audio is allowed if it is business related.

## **703.900 – PERSONAL USE OF COUNTY COMPUTER SYSTEMS BY EMPLOYEES**

### **703.901 - 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;
- 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;
- does not violate any other policy of the County.

**Note: Minimal personal use of the County computer systems, network or communication systems, including Internet and e-mail, is a privilege for the employee only. No other family members or children of the employee are to use the County computer systems, network applications, e-mail or Internet for personal use.**

### **703.902 - 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 accessed on the Internet. 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.**

## **703.1000 – CONSEQUENCES FOR VIOLATION OF THIS POLICY**

County management 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 the County Personnel Policy 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.

### **703.1100 – QUESTIONS REGARDING THIS POLICY**

Employees who have questions about this Policy 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 Administrator and Information Technology Coordinator.

In consultation with the involved department head or supervisor, the County Administrator and Information Technology Coordinator will answer any questions about this Policy and the acceptable use of the County's computer systems. Until an answer is provided, questionable use should be considered inappropriate and unacceptable. Implementation and interpretation of this Policy will be the responsibility of the County Administrator in consultation with the Information Technology Coordinator.

### **703.1200 – NO EXPECTATION OF PRIVACY IN USE OF COUNTY PROPERTY AND EQUIPMENT**

The work areas, offices, desks, file cabinets, buildings, lockers, vehicles, equipment, telephone, voice mail, books, papers, computer systems, e-mail and all other property and systems of the County may be entered and searched and or reviewed by County personnel at any time without notice.

Employees, agents, independent contractors and all other individuals or entities using County property or equipment shall have no expectation of privacy in their use or possession of any property belonging to the County, including work areas, desks, e-mail accounts, computers, portable computer storage media, voice mail, papers books, etc., except as specifically provided by the Minnesota Government Data Practices Act. The County shall not be responsible for any alleged violations of employees' data privacy rights for data kept by the employee outside of secure, supervisory files.

Employees may be disciplined for any misuse of County property, including any unauthorized personal use. Such discipline may include, but is not limited to, reprimands, suspensions or discharge from employment, depending upon the nature and severity of the conduct. Employees may also be referred to law enforcement for criminal prosecution in the event that their use or misuse of County property constitutes or may constitute a crime.

Other individuals or entities misusing County property may be denied further access to such property, and may also be referred to law enforcement for criminal prosecution in the event that their use or misuse off County property constitutes or may constitute a crime.

### **703.1300 – PREVIOUS POLICIES REPLACED**

This policy replaces all computer and technology related acceptable use policies previously adopted by the County.

**APPENDIX A**

**YELLOW MEDICINE COUNTY  
INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY**

**EMPLOYEE AGREEMENT SIGNATURE**

**EMPLOYEE SIGNATURE:**

I have received a copy of Yellow Medicine County's "Information Technology Acceptable Use Policy" and agree to abide by the terms and conditions of this policy, and I understand the consequences for failing to do so. I further understand that my computer and e-mail use may be monitored at any time by my employer without further notice and consent to such monitoring and the release of the records of my computer, Internet and e-mail transactions to all appropriate authorities, including County officials and agents, civil and law enforcement authorities. I further agree to abide by all copyright laws and will not unlawfully copy software or other copyrighted materials owned or licensed by my employer or others and that if I do so, I will be subjected to disciplinary action, including possible termination of my employment, civil and criminal penalties. I consent to the release of any information related to possible copyright infringement to all appropriate authorities, including civil authorities, the attorney general's office and law enforcement authorities.

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**

**Printed Name of Employee:** \_\_\_\_\_