

TRUMBULL COUNTY BOARD DEVELOPMENTAL DISABILITIES

Policy

Section 10.9

INTERNET, INTRANET, AND E-MAIL ACCEPTABLE USE POLICY

Introduction

The Trumbull County Board Developmental Disabilities (TCBDD or "Board") grants employees access to one or more forms of electronic media and services, including computers, e-mail, telephones, voicemail, fax machines, external electronic bulletin boards, wire/wireless services, online services, intranet, Internet and the World Wide Web. In order to continue to utilize these resources provided, each employee ("user") must take responsibility for the appropriate and lawful use of these privileges.

This shall constitute the Board's "Internet, Intranet, and E-Mail Acceptable Use Policy" for employees including but not limited to permanent full-time and part-time employment, contract workers, temporary agency workers, business partners, and vendors.

Employees are expected to be familiar with and are to comply with this policy.

1. Privilege and Retained Right of Unlimited Inspection and Use:

Access to the above mentioned services is a privilege, not a right, and as such it may be revoked by the Board at any time and for any reason without explanation. All Employees should be aware that an audit log is created reflecting request for computer services, both in-bound and out-bound and is periodically reviewed. The Board reserves the right to monitor, inspect, copy, review and/or store at any time and without prior notice any and all usage of the above mentioned services and any and all materials, files, information, software, communications and other content transmitted, received or stored in connection with this usage. Employees who choose to store or transmit personal information such as private keys, credit card numbers, certificates and/or make use of Internet "wallets" do so at their own risk. The Board is not responsible for any loss of personal information, such as information stored in the wallet, or any consequential loss of personal property. By accepting the "Internet, Intranet, and E-mail Acceptable Use Policy", Employees waive any and all rights of privacy in connection with their communications thru the provided services of Board equipment or software, including but not limited to protections provided by the Federal Wiretap Act of 1968 and the Electronic Communications Privacy Act of 1986, 18 U.S.C. §§2510-2520. All such information, content and files shall be and remain the property of the Board and employees should not have any expectation of privacy regarding those materials. Network administrators, Senior Leadership or their designees may review files and intercept communications for any reason without explanation, and may recover any and

all material by any and all means which resides on the Board's computer, Network, or storage media/equipment.

2. Purpose and Usage:

The Board network services shall be used primarily to support legitimate The Board business as defined by the Board and/or senior leadership. Other brief incidental uses may be permitted from time to time without waiving any rights retained by the Board. A use that interferes with normal business or violates Board policy is strictly prohibited.

3. Employee Access:

Network resources are intended for use by authorized employees only. Anonymous use of network resources is not permitted. Access granted to one user may not be shared or transferred, even with another authorized employee. Employees may not share their passwords or otherwise allow anyone to gain unauthorized or anonymous access to their computer. A user may be subject to disciplinary action for any violations of this policy committed by someone else who, with the user's express or implied permission or by the user's negligence, accesses the Network or other Board resources with the user's password.

4. Network Etiquette:

All employees must abide by the rule and spirit of the Network Etiquette. Among the uses and activities that violate Network Etiquette and constitute a violation of this policy are the following:

- a. Using inappropriate language, including swearing, vulgarities or other language that is suggestive, obscene, profane, abusive, belligerent, harassing, defamatory or threatening.
- b. Using the Network to make, distribute or redistribute jokes, stories or other materials that would violate the Board's harassment or discrimination policies, including material that is based upon slurs or stereotypes relating to race, color, gender (including identity expression), creed, culture, sexual orientation, spiritual beliefs, disability, age, national or ethnic origin, language, socioeconomic, marital, or veteran status, the inability to pay, or any other characteristic protected by law.
- c. Using the Network in a manner inconsistent with the professional expectations of a TCBDD employee. When using the Network, employees should remember that they are representing the Board each time the account is used and that they are often creating documents that may be seen by the public. Communications on the Network need not be formal, but must be professional in appearance and tone for they are public documents.

5. Unacceptable Usage:

The Board will make a good faith judgment as to which materials, files, information, software, communications and other content and activities are permitted and prohibited under given circumstances based on the following guidelines. As the owner of the facilities and systems involved, the judgment of the Board leadership in such matters is

final. Among the uses and activities that are considered unacceptable on Board provided resources and facilities that constitute a violation of this Policy are the following:

- a. Uses or activities that violate the law or that encourage others to violate the law. Among such uses or activities are the following:
 - i) Offering for sale or use any substance the possession or use of which is prohibited by law.
 - ii) Creating, copying, viewing, transmitting, downloading, uploading or seeking sexually explicit, obscene or pornographic materials.
 - iii) Creating, copying, viewing, transmitting, downloading, or uploading any materials that include the design or detailed information for the purposes of creating illegal devices or substances, materials in furtherance of criminal activities or terrorist acts, threatening materials or any other materials that violate or encourage others to violate Federal or State law or other applicable laws and regulations.
 - iv) Unauthorized copying, modifying, intruding, or attempts to copy, modify or intrude into the folders, files, data, work, networks, passwords or computers of others, other persons or entities, or intercepting communications intended for those persons or entities.
 - v) Copying, downloading, uploading or transmitting confidential information, trade secrets, personally identifiable information or any and all other records or data protected by law.
- b. Uses or activities that cause harm to other persons or entities or damage to their property including downtime and/or loss of service. Among such uses or activities are the following:
 - (i) Uploading, downloading, creating or transmitting viruses, worms , Trojan horses, spam, spyware or other harmful content used to corrupt data, or vandalize the property of another. Vandalism includes any malicious attempts to hack, alter, harm or destroy software, hardware, data of employees, or utilize the board resources to vandalize external resources such as websites, customer networks, etc.
 - (ii) Uploading, downloading, copying, redistributing or republishing copyrighted materials without permission from the owner of the copyright which do not fall under the "Fair Use" doctrine. Even if materials on the Network are not marked with the copyright symbol, you should assume that they are protected under copyright laws unless there is explicit permission on the materials to use them. Employees are responsible for knowing and following Copyright Laws and for documenting compliance.
 - (iii) Using another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating or otherwise using the other's access to the Network.
- c. Employees shall not use company resources for any commercial activities, such as buying, advertising or selling goods or services (whether to one recipient or many, such as "junk e-mail"), unless it is for legitimate Board business.

- Employees shall not conduct any work or communication relative to their privately-owned or third-party business using Board resources.
- d. Uses or activities that are unrelated to legitimate Board business purposes and that divert paid employee time from Board business to other matters, other than such brief, incidental uses as may otherwise be permitted. Employees shall not use the Board resources to play games, access chat rooms or bulletin boards, or engage in instant messaging.
 - e. Use of providers of e-mail other than the Board provided (such as Yahoo, Hotmail, Google G-mail, or private business systems) through the board's services shall be limited as stated in this policy. To assure maintenance of complete public records, ALL official Board business **MUST** be conducted using **ONLY THE BOARD'S** e-mail services.
 - f. Uses that degrade or disrupt the operation of the Board resources (bandwidth) or that waste limited computer, paper, or telephone resources, such as spamming, creating or forwarding mass e-mails, or sending chain letters is prohibited.
 - g. Creating, transmitting or downloading any materials that support or oppose the nomination or election of a candidate for public office or the passage of a levy or a bond issue is prohibited. Additionally, Employees shall not solicit political contributions through the use of Board resources for any person or entity without direct approval of the Board.
 - h. Installing software or hardware without the prior consent of the Superintendent/IT Director is prohibited.
 - i. Employees may not move, repair, reconfigure, modify or attach any external devices to the Board provided equipment, and may not download or otherwise install any software, even temporarily, on Board computers.
 - j. Employees may not store any personal information on the Board's shared drives or on the workstation assigned to the employee such as follows; pictures, MP3's, Wave Files, MPEG or Movie Files.

6. Brief Incidental Employee Use of Electronic Mail and Internet:

In keeping with the Board's desire to create a good workplace environment, and one that recognizes work-life balance, the Board permits employees to use their electronic mail for personal matters in a manner comparable to what is allowable personal use of Board telephones. Specifically, limited personal use of email is permitted so long as that use; does not create any cost to the Board; does not interfere with the employee's official duties; is brief and its volume or frequency does not disrupt Board business, and does not compromise the security or integrity of Board information or network stability. It is important to recognize that while limited personal use of email may be allowed, email messages – unlike telephones calls (but similar to voice mail messages) – may be deemed to be public records subject to public inspection and copying as required under state public records laws.

The need for employee internet access for personal reasons during work hours should be limited and all such access will be monitored and evaluated by Board leadership. Regular, repeated and/or lengthy use of the Internet, as determined by leadership, will trigger disciplinary action, as will visiting any sites that violate Board policy.

Furthermore, employees should remember that their web surfing is subject to public inspection just as with electronic mail.

7. Confidentiality:

The confidentiality of any information stored in, or created, received or sent over e-mail or through Internet access cannot be assured. To the extent feasible, employees should therefore avoid transmitting confidential information over e-mail or through Internet access. If personal information about an individual with developmental disabilities or other individual on whose behalf services are sought from or provided through the Board must be so transmitted, employees should avoid using the consumer's full name.

The name of a consumer must never appear in the subject line of an e-mail message, to promote confidentiality. All e-mails created or transmitted by employees must have a "Private and Confidential" disclaimer appended to the e-mail, and all Employees shall verify e-mail addresses to which confidential information is to be sent prior to that transmission.

8. License Violations:

The Board strongly supports strict adherence to software vendors' license agreements. When at work, or when company computing or networking resources are employed, copying of software in a manner not consistent with the vendor's license is strictly forbidden.

Similarly, reproduction of materials available over the Internet must be done only with the written permission of the author or owner of the document unless permission from the copyright owner(s) is first obtained.

9. Web Sites:

Web sites created with, through and/or for TCBDD and/or which are linked with the Board's official web site must relate specifically to legitimate Board business purposes. Web sites created using Board equipment/services are the sole and exclusive property of the Board. The Board reserves the right to require that all material and/or links with other sites found to be objectionable to altered or removed. All external web sites linked with any Board web page must prominently display the following disclaimer:

This is not an official web site of the Trumbull County Board of Developmental Disabilities (TCBDD). TCBDD does not control and cannot guarantee the timeliness or accuracy of the information on this web site. Any views or opinions expressed herein are solely those of the creators of this web site.

10. Inappropriate Use of Resources:

If an employee identifies a misuse of the Board's network or a security problem on the Network, or observes such misuse, or otherwise has knowledge of such misuse, the employee must notify the Superintendent and or senior leadership immediately. All employees must cooperate with the Board in the event of an investigation into any allegation of misuse or security breach of the Network.

11. Warranties and Indemnifications:

The Board makes no warranties of any kind, either express or implied, in connection with its provision of access to or use of its Network, services and/or equipment. It shall not be responsible for any claims, losses, damages or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user arising out of the user's use of, or inability to use, the Network and/or equipment. It is the employee's responsibility to store all work related company information in their "Public Folder". By utilizing the Network, employees are agreeing to indemnify and hold the Board and all of its leaders and staff harmless from any and all loss, costs, claims or damages (including attorney's fees) resulting from access to and use of the Network and/or equipment through the user's account, including but not limited to any fees or charges incurred through purchases of goods or services by the user.

12. Policy Violations:

Violations of this policy may result in disciplinary action, including but not limited to restriction or termination of access to the Network; other discipline in accordance with Board policy up to and including termination of employment; referral to legal authorities; and/or other legal action.


Board President


Superintendent

Effective: 2/23/2009

Revised: 6/24/2013

Reference:

Federal Wiretap Act 1968
Electronic Communications
Privacy Act of 1986
18 USC §§2510-2520

Employee Agreement:

I have been provided with a copy of the "Internet, Intranet, and E-mail acceptable Use Policy" I have read, understand, and agree to comply with the foregoing policies, rules, and conditions governing the use of TCBDD's computer and telecommunications equipment and services. I understand that I have no expectation of privacy when I use any of the telecommunication equipment or services. In return for the Board's allowance of my limited personal use of their services, I agree to keep such usage within the bounds stated in the policy and I take personal responsibility for the proper use of that privilege. I am aware that violations of this guideline on appropriate use of the e-mail and Internet systems may subject me to disciplinary action, including termination from employment, legal action and criminal liability. I further understand that my use of the e-mail and Internet may reflect on the image of TCBDD to our customers and that I have responsibility to maintain a positive representation of TCBDD. Furthermore, I understand that this policy can be amended at any time.

Employee Printed Name

Employee Signature

Date