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CITY OF RAPID CITY - INTERNET Acceptable Use Policy

Purpose

This policy document delineates acceptable use of the Internet and e-mail by City employees and volunteers while using City equipment, facilities, Internet addresses, or domain names registered to the City of Rapid City.

The Internet provides a source of information that can benefit every professional discipline represented in the City of Rapid City. It is the policy of the City that employees whose job performance can be enhanced through use of the Internet be provided access and become proficient in its capabilities. E-mail has been installed by the City to facilitate business communications. However, all e-mail messages are City records. The contents of e-mail, properly obtained for legitimate business purposes, may be disclosed within the City without the employee's permission. Therefore, the employee should not assume that messages are confidential.

Scope of the Policy

This policy applies to Internet and e-mail access. The following City Internet users are covered by this policy:

- ◆ Full or part-time employees of the City of Rapid City.
- ◆ Volunteers who are authorized to use City resources to access the Internet.

Supervisory Responsibility

Supervisors of City employees and volunteers will have the final authority in determining whether an employee requires Internet skills to accomplish their assigned duties. Supervisors have the responsibility for:

- ◆ Acquiring Internet access for their employees who need it to conduct the official business of the City.
- ◆ Advising their employees regarding the restriction against personal use of City Internet access resources from other than City facilities.
- ◆ Making the final determination as to the appropriateness of their employee's use of the Internet, when questions arise. If the City discovers misuse of Internet or e-mail, the employee will be subject to disciplinary action under the City of Rapid City's Schedule of Disciplinary Offenses.

The following uses of the Internet and E-mail are not allowed:

- ◆ Personnel must safeguard their logon ID and password. Users may not access a computer account that belongs to another employee or department except as authorized. Personnel must use their own logon ID and password only, are responsible for all activity on their logon ID, and must report any known or suspected compromise of their ID to their supervisor.
- ◆ Unauthorized attempts to circumvent data security schemes; identify or exploit security vulnerabilities; or decrypt secure data are prohibited.
- ◆ Attempting to monitor, read, copy, change, delete or tamper with another employee's electronic communications, files or software without the express authorization of the user (except for authorized staff of the City Computer Center).
- ◆ Knowingly or recklessly running or installing (or causing another to run or install) a program (such as a "worm" or "virus") intended to damage or place an excessive load on a computer system or network is prohibited.
- ◆ Any use that violates federal, state, or local law or regulation is expressly prohibited. The use of city internet-related systems to access, transmit, store, display, or request obscene, pornographic, erotic, profane, racist, sexist or other offensive material (including messages, images, video, or sound) that violates the city's harassment policy or creates intimidating or hostile work environment is prohibited.

Revised City Personnel Committee, June 6, 2000
Adopted City Personnel Committee, July 20, 1999

Technology Use Policy

All employees shall use City technology (telephones, computers, internet, email, etc.) at their disposal in an appropriate manner. As it applies to the City's e-mail and telephone systems, emergency communications are allowed. Reasonable and appropriate personal communications are allowed. Under no circumstances are employees allowed to use the City's technology to engage in outside business or employment interests, inappropriate, offensive, or illegal activities. Abuse of the system is not acceptable. The systems and all equipment are the property of the City of Rapid City and the City reserves the right to inspect and monitor at anytime, with or without notice. Use common sense. If in doubt, do not use City resources.

Violations of this policy can result in discipline, up to and including termination of employment.

TECHNOLOGY USE POLICY

All City employees and members of the Common Council shall use City issued computers, cell phones, personal digital assistant's and any other technological device in a manner that is appropriate for public officials. Reasonable and appropriate personal communications are permitted on City issued technological devices. However, City employees and members of the Common Council shall not use City issued technology to engage in any outside business or employment interests, any illegal activities or for any other purpose inconsistent with the obligation to maintain the equipment for use as a public resource. All systems and equipment are property of the City of Rapid City and the City reserves the right to inspect and monitor them at any time, with or without notice. Violations of this policy can result in discipline up to and including termination of employment.

**CITY OF RAPID CITY
POLICY AND PROCEDURES**

Policy: **Internet (On-Line Services) and Electronic Mail (E-Mail) Usage**

Policy No: **????**

Effective Date: **????**

Approved:

Purpose/Scope

This policy sets the standard for appropriate behavior of all employees of the City of Rapid City who are granted the privilege of using the Internet or e-mail systems in the course of doing their work. This includes all Permanent Full Time, Permanent Part Time, Seasonal, and Temporary employees, and all Contractors and volunteers. Because of the unique nature of the Internet & e-mail, and because the City of Rapid City is required to protect it's interest with regard to it's electronic records, rules have been established to address usage by all employees. In addition, disciplinary procedures have been identified for those who violate this policy.

Definitions

- a. E-mail - is the ability to compose and distribute messages, documents, files, software or images by electronic means over a phone line, network, or internet connection. This includes internal and external e-mail.
- b. Internet - a world wide computer network through which data and information is researched, shared, transmitted, and downloaded.
- c. Text Messaging - Sending short messages to a smart phone, pager, PDA, or other handheld device. Text messaging implies sending short messages generally no more than a couple of hundred characters in length.
- d. Internet Service Provider (ISP) -an entity that charges fees to users and provides them with the a host connection to the Internet.
- e. Network Resources - resources include the hardware and software necessary to connect computers and resources into a communication system that includes City of Rapid City network and the Internet.
- f. Ad-ware / Spyware - Software that is used to send information about you, and / or your Web surfing habits, or data contained on the city's computer to its

Web site or host. This software is often built into free downloads from the Web or sent through e-mails. It typically transmits information in the background as you continue to work or surf the web. The license agreement that you often accept without reading may say that the information is anonymous. Anonymous profiling means that your habits are being recorded, but not you individually. It is used to create marketing profiles

- g. Mal-ware - short for 'malicious software' and refers to any software which causes damage to a single computer, server, or computer network.
- h. Download – means to receive a file transmitted over a network.
- i. Upload – means to transmit/send a file over a network.
- j. Intellectual Property – rights and products of the mind or intellect, arising under any law, including, but not limited to Trade Secrets, Trademarks, Trade Dress, Copyrights and Unfair Competition.
- k. Public Record – a record that is made by a public official in the pursuance of a duty to disseminate information to the public or to serve as a memorial of official transactions for public reference
- l. User - as used in this policy refers to all employees, elected and appointed officials, independent contractors and other persons or entities accessing or using any of The City of Rapid City's electronic technology resources.

The city reserves the right to modify, change or discontinue any portion of this policy at any time at its sole discretion.

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Policy

Employees are expected to use the City network, Internet & e-mail primarily to communicate with citizens, coworkers, and suppliers, and to research relevant business information in accordance with city policies and procedures. All technology resources and all information transmitted by, received from and stored on The City of Rapid City systems are the property of The City of Rapid City and as such, are subject to inspection by City officials. City records, Internet and e-mail records are subject to disclosure to law enforcement or government officials, or to third parties through subpoena or other process. Consequently, employees should always ensure that information, either business or personal, contained in Internet/e-mail messages are accurate, appropriate and lawful.

Use and Prohibitions:

Network / Computer Resources

City employees, vendors/business partners and other governmental agencies may be authorized to use computer resources to access the city's network and the internet to perform business functions with or on behalf of The City of Rapid City. Users must be acting within the scope of their employment or contractual relationship with the City and must agree to abide by the terms of this agreement as evidenced by his/her signature.

Any device that is attached to the City Network must meet and demonstrate adherence to current Tech Services requirements for security including (but not limited to) virus scanning, spoofing, and mal-ware protection. Each of these must also have current "dat" files. These devices must be connected using approved methods. This requirement includes workstations, laptops, PDAs, and external storage devices such as "jump drives".

Prohibitions

1. Sending or sharing with unauthorized persons any information that is confidential by law, rule or regulation.
2. Installing software that has not been authorized by the Technology Services Division and approved by The City of Rapid City.
3. Attaching processing devices that have not been authorized by the Department of Information Technology and approved by The City of Rapid City.
4. Leaving workstation unattended without engaging password protection for the keyboard or workstation.

5. Unauthorized connection of multiple computers for the purpose of sharing resources.
6. Using network resources in support of unlawful activities as defined by federal, state, and local law.
7. Utilizing network resources for activities that violate conduct policies established by the Department of Personnel or the Agency where the user is employed or under contract.
8. Accessing or attempting to obtain access to another entity's electronic communications without appropriate authorization. Absolutely no infiltration of the City's network or other parts of the City's electronic communications systems is allowed (i.e. hacking, cracking, rogue wireless access points).
Note: person's conducting such activity are subject to prosecution by law.
9. Using City resources to distribute Spam or unsolicited e-mails as well as to conduct peer-to-peer file sharing.

Personal Use

Use of city computers for informal or personal purposes, or *authorized personal use*, is permissible within reasonable limits. Supervisors may permit employees personal limited use of computers, the Internet, and e-mail if the supervisor determines that the personal use:

1. Does not adversely affect other work duties or responsibilities
2. Is of reasonable duration and frequency, and whenever practicable, made during the employee's personal time
3. Could be job related, e.g., the use educates the employee, enhances job related skills, etc.
4. Does not create significant additional cost to the City
5. Does not overburden the communications system
6. Adheres to all other policies and procedures as outlined in this policy

Supervisors may revoke the authorized personal use of any employee for any perceived and substantiated misuse of the system. Following are the standards for employees in the personal use of city computers:

1. Whenever practicable, employees should use the system before or after work hours or during lunch or other authorized breaks
2. If used during normal work hours, the use should be infrequent and short
3. The city must not incur significant additional cost
4. This permission does not extend to personal communications to solicit business, advertising or selling activities in support of a private business enterprise, or any other uses that would reflect adversely on the city or which are incompatible with public service.

Following are some examples of authorized personal use:

1. Briefly checking in with family members or business associates
2. Scheduling medical appointments, arranging home or auto repairs, making personal travel arrangements, or making other appointments

3. Brief internet searches
4. E-mailing short messages to relatives, friends and business associate's
5. Receipt of e-mail that is comparable to acceptable telephone messages
6. Making a bank transaction

Any personal material stored on the city's computers is no longer considered personal or private. This includes e-mail, pictures, and documents. Due to storage constraints on equipment none of this information should ever be stored on the City Network.

What constitutes "reasonable limits" for personal use will be the decision of, and in the sole judgment of, city management.

Internet/E-Mail Protocol

1. Internet / e-mail is not secure by default. Never send anything unencrypted that you want to keep private and confidential. E-mail is typically sent unencrypted and is easily readable. Some websites **do** require encrypted connections to proceed. Verify that this is the case for confidential information
2. Any mail that is ***sent or received*** regarding city business is required to be saved. Do not delete this e-mail. E-mail is categorized into three categories
 - a) City business -- Long term retention (must be retained for 7 years)
 - b) City business -- short term retention (must be retained for 3 years)
 - c) Non - City business -- may be deleted immediately
3. Always identify yourself including your name, City affiliation and function. Include your signature on all messages; do not send anonymous messages. Include your e-mail address by which others can contact you. Legal disclaimers can also be added to each e-mail to ensure appropriate dissemination.
4. Actively disclaim speaking for the City, unless you have the authority to do so. If you use a city system to post an article, the City name is carried along with what you post in the headers. The "standard" disclaimers attached to many articles are meaningless if the reader finds the article offensive.
5. E-mail messages should not involve solicitation, inappropriate language, jokes, chain letters, or any message that could embarrass the City of Rapid City

6. Do not send messages containing gossip or personal information about yourself or others
7. Do not send proprietary or confidential information of any kind, either business or personal
8. Do not advertise City services, programs or products without obtaining proper written approval

Disciplinary Action

Abuse of the Internet, computer resources, or e-mail through excessive personal use, or use in violation of law, or in violation of City policies, will result in disciplinary action. The disciplinary action taken may consist of any of the following steps:

- Verbal warnings
- Written counseling notices
- Suspension without pay
- Termination

The severity of the misbehavior governs the severity of the disciplinary action. Depending on the nature, the severity, and the frequency of the violation, any one or more of the above steps may be taken, as determined by, and in the sole judgment of, city management.

If an employee accidentally accesses an inappropriate site, (e.g., sexually explicit, hate, or other offensive sites) they must *disconnect from that site immediately*. The employee should note the date and time of the incident so they can explain the incident if it is reported as inappropriate usage by the monitoring system and notify Tech Services immediately.

Only those employees or officials who are duly authorized to speak for the City may speak/write in the name of the city on the Internet. Internet and e-mail messages by employees may not necessarily reflect the views of the City of Rapid City mayor, City Council members, City Manager, City executives, directors or management.

Log-on and other passwords may not be shared with a third party, nor may they be shared with another employee unless such sharing is authorized by City management in writing.

The Technology Services Division must approve all software brought into City facilities. In order to minimize the risk from viruses or bugs, all software, including trial versions, *must be cleared thorough Technology Services Division* before it is loaded. When accessing e-mail or downloading any information via the Internet, all warnings of potential viruses must be taken seriously and preventive measures adhered to.

The City retains the copyright to any materials posted to any forum, newsgroup, or Web page by any employee in the course of his or her duties.

Inappropriate behaviors

The following behaviors are examples of actions or activities that can result in disciplinary action, up to and including termination. Because all possible actions cannot be listed, the following list is not all-inclusive and the city reserves the right to take disciplinary action whenever management determines the circumstances warrants.

- Unauthorized attempts to access other employee's information or break into any computer, whether of the City of Rapid City or another organization.
- Using the City of Rapid City's time and resources for personal gain.
- Sending threatening messages.
- Accessing or downloading pornographic and other sexually oriented web sites and/or sending e-mail with sexual or inappropriate content
- Jokes that are sexual, racial, or biased against any legally protected category
- Personal attacks on others that could be construed as harassment or defamation of character
- Inappropriate personal messages, messages of affection, and office gossip
- Sending e-mail or using the Internet to access any sites that are in violation of, or disparage, or humiliate, (e.g., sexually oriented sites, hate sites, etc.) any legally protected categories
- Knowingly using the Internet or e-mail for any illegal purposes, or violating any law or regulation of the United States or any other nation, or the laws and regulations of state or local jurisdictions
- Theft or copying of electronic files without written permission.
- Sending or posting City of Rapid City confidential or proprietary materials outside of the city, or posting City confidential materials inside the company to unauthorized personnel.
- Refusing to cooperate with a security investigation.
- Sending chain letters through e-mail
- Using Internet or e-mail for political reasons
- Sending or receiving messages that could damage the image or reputation of the City of Rapid City.
- Disobeying copyright laws; downloading software from the Internet that is protected by copyright infringement
- Loading onto the system counterfeit, unauthorized, or copied software that is not licensed to the City

- Deleting or erasing, or attempting to delete or erase, the Internet history on a personnel computer without express, written permission of City management.
- Using the Internet facilities to disable or attempt to circumvent any system intended to protect the privacy or security of the City's systems

Disclosure/Privacy

The City of Rapid City reserves the right to inspect any and all files stored in any computer. The City may use software and systems that can monitor and record every Web site visited, each chat room, newsgroup or e-mail message, and the City reserves the right to do so at any time.

The City of Rapid City has the right, but not the duty, to monitor any and all aspects of the City's electronic technology resources. The City of Rapid City reserves the right for business purposes to audit and monitor the information on all systems, electronic mail and information stored on computer systems or media, without advance notice. This might include investigation of theft, unauthorized disclosure of confidential business or proprietary information, personal abuse of the system or monitoring workflow and productivity. The City may also engage a third party to investigate usage and/or install a filter system that will block objectionable web sites and /or continually scan histories of computers and report usage (including chat room's and newsgroups) to Human Resources.

City supervisors will review Internet activity and patterns in their departments and they may choose to publicize the data. Any irregularities or evidence of inappropriate use must be reported to department management and Human Resources immediately. Employees are strictly prohibited from deleting the Internet histories on their computers without the written permission of their management.

Employees have no right or expectation of privacy in Internet or e-mail usage. The City of Rapid City owns the computer and the software making the Internet and e-mail available and permits selected employees to use them in performance of their duties for the City. E-mail messages and Internet records are to be treated like shared paper files, with the expectation that anything in them is available for review by City management and it's authorized representatives.

The City of Rapid City reserves the right to disclose employee e-mail messages or Internet records to law enforcement or government officials or to other third parties, without notification to, or permission from, the employee sending or receiving messages or information. As a condition of initial and continued employment, all employees consent to the City of Rapid City's Internet and e-mail policies.