

# COUNCIL DECISION REQUEST

SUBJECT: Town of Payson Computer and Peripheral Usage Policy

MEETING DATE: December 14, 2006

CSP ITEM: Yes  No  KRA#

ITEM NO.:

TENTATIVE SCHEDULE:

SUBMITTED BY: Glenn W. Smith, CFO 

AMOUNT BUDGETED: N/A

SUBMITTAL TO AGENDA

EXPENDITURE REQUIRED: N/A

APPROVED BY TOWN MANAGER

CONT. FUNDING REQUIRED: N/A

EXHIBITS: Proposed Town of Payson Computer and Peripheral Usage Policy, and a copy of State Records and Retention Schedule

## RECOMMENDED MOTION

I move to adopt the Town of Payson Computer and Peripheral Usage Policy

**SUMMARY OF THE BASIS FOR RECOMMENDED MOTION:** We currently have two internal verbal "policies" relating to e-mail and computer usage. I firmly believe that we need to combine them into one written and adopted policy. Pursuant to ARS 41-1351, all State agencies and political subdivisions must follow Records Retention and Disposition Schedule for records received via e-mail (see attached copy of current Schedule). State law also defines what is and is not a "Public Record" – electronic mail (e-mail) is addressed as a possible public record. See Section II.E and F – E-mail and Internet Usage address the proper use of e-mail and Public Records (page 6-7). The objective for providing access to computer systems (Desktops and Notebooks) and networks owned or operated by the Town of Payson is to enable Town Officials and Town Staff to better serve their internal and external customers. This can be achieved by enabling them to communicate via electronic mail with customers (citizens), vendors, council members, and peers. Besides e-mail capabilities, users are able to utilize the wealth of research information that is available on the Internet. This proposed guideline Policy establishes the parameters of computer, Internet and e-mail usage for all Town owned or operated computers and peripheral devices. I asked Steve DeHaan, IS Manager, to prepare the first draft for me. He worked with Silvia on the e-mail portion. The Attorney's office, Town Manager, Silvia, staff and myself then reviewed his draft. After several revisions, we are submitting this final draft to you for adoption and implementation.

**PROS:** The adoption of a comprehensive Policy will provide a process to effectively monitor the use of Town owned computer systems, e-mail protocol and retention, and most importantly the proper and improper use of the Internet using Town owned systems.

**CONS:** None

**PUBLIC INPUT (if any):** None

**BOARD/COMMITTEE/COMMISSION ACTIONS/RECOMMENDATIONS (if any) (give dates and attach minutes):** None

DEC 14 2006 I.2

# Town of Payson Computer and Peripheral Usage Policy

**Subject: Computer, Email and Internet Use Policy**

Origination date: 06/05/06

Department Head Review initials and date:

Revision date: 08/02/06

Legal review: 10/17/06

## Purpose

The objective for providing access to computer systems (Desktops and Notebooks) and networks owned or operated by the Town of Payson is to enable Town Officials and Town Staff to better serve their internal and external customers. This can be achieved by enabling them to communicate via electronic mail with customers (citizens), vendors, council members, and peers. Besides e-mail capabilities, users are able to utilize the wealth of research information that is available on the Internet. This guideline establishes the parameters of computer, Internet and e-mail usage for all Town owned or operated computers and peripheral devices.

## Guidelines

The IS Department reserves the right to inspect e-mail, computer files, downloaded files/programs, Internet history, and other electronic files at any time on Town owned equipment.

Access to computer systems and networks owned or operated by the Town imposes certain responsibilities and obligations that are granted subject to Town policies as well as any applicable Local, State, or Federal laws.

As the users of Town computer equipment become more and more dependent on the Network, policies and practices must be implemented to ensure availability, reliability, security, and quick response to customer needs. This Policy applies to any use of a Town computer network.

## **I. General Computer Use.**

Any and all functions a user performs while utilizing Town equipment and resources is considered public in nature and can in no way be considered personal or private. Users are accountable for any actions, which cause them to violate this guideline. Any violations of this Policy by a Town employee may result in progressive discipline pursuant to the Town of Payson Personnel Rules and Procedure Manual.

The IS Department reserves the right to utilize "Remote Control" software or other such facility, at any time, to view, modify, and control the screens, programs, and processor of any computer device attached either locally or remotely to the Town network.

### **A. Appropriate Uses of Computer and Network Resources.**

1. Use of the supplied software and hardware to perform functions in user's normal course of business.
2. Users may utilize the supplied software and hardware for non-business purposes, providing that they have written consent of their immediate supervisor and it does not affect normal work hours. The consent should specifically address the additional uses in which the employee is authorized. The supplied software includes software loaded by the Information Services Department on a desktop computer, file server, or other networked computer system in which the employee is authorized to use.

### **B. Inappropriate Uses of Computer and Network Resources.**

Activities that violate Local, State, or Federal laws are also prohibited. Actions that violate the public trust or hamper the ability of Information Services staff to provide network support are not allowed.

Some examples of inappropriate use include, but are not limited to, the following:

1. Loading any new software onto a Town owned computer without the knowledge and consent of the Information Services Department. This includes wallpaper, screensavers, sound effects, and other software components. This does not include automatic upgrades to authorized software.
2. Altering system hardware settings of a Town owned computer through any system setup or Windows utility.
3. Addition of peripheral devices (modems, printers, palm pilots) to a Town owned computer without the knowledge and consent of the Information Services Department.

4. Revealing any system passwords to another employee or using the password of another. Mechanisms are in place that would allow personnel access to a coworker's files or e-mail should that co-worker be unexpectedly unavailable. This request should be made in writing to the Information Services Department with the approval of the immediate supervisor, if possible.
5. Knowingly and falsely taking the identity of another employee while accessing any Town owned computer.  
Example: Finding a computer in which somebody else has signed on and sending e-mail using the other person's identity.
6. Changing the software or hardware settings on another user's computer.
7. Attempting to gain access to information, computer accounts, or other computing resources in which you are not authorized.
8. Damaging, altering, or tampering with others' data contained within the Town of Payson network, without the owner's approval and/or consent of your supervisor.
9. The use of profane, abusive, or threatening language in any electronic files or correspondence as defined in the Town of Payson Personnel Rules and Procedure Manual.
10. Using a Town of Payson computer to conduct activities related to personal/commercial business or secondary employment, except as defined in Section II A.2.
11. Any action in which an employee knowingly affects the efficient operations of the network. Examples include downloading or running large video/audio clips without the prior approval of the Information Services Department.
12. Violating any copyright protection or license agreements for computer software.
13. Allowing any non-town employee (spouse, family member, etc) to use any network attached device including desktops, notebooks or any other peripheral device.
14. Using an issued Town owned laptop for personal use away from Town network. An example of this would be connecting to a public internet access point.

### **C. Computers Shut down and Security.**

1. Each user should log off, lock or shutdown their PC workstation at the end of their shift. Departmental exceptions to this policy are acceptable as required. An example of this would be computer aided dispatch and 9-1-1 computers.

## **II. Email and Internet Usage**

Any and all functions a user performs while utilizing Town equipment and resources is considered public in nature and can in no way be considered personal or private. Employees are accountable for any actions that cause them to violate this guideline. Any violations of this guideline may result in progressive discipline pursuant to the Town of Payson Personnel Rules and Procedure Manual.

**The IS Department reserves the right to inspect e-mail, computer files, downloaded files/programs, Internet history, and other electronic files at any time on Town owned equipment.**

### **A. Acceptable Uses of E-Mail**

1. Any use of the electronic e-mail systems to conduct Town of Payson business.
2. Occasional, personal (but not private or confidential) use of e-mail as authorized by the immediate supervisor, providing that it does not violate any other Town of Payson guidelines.
3. Using personal e-mail to conduct Town of Payson business is discouraged but not prohibited.

### **B. Prohibited Uses of E-Mail**

Some examples of inappropriate use include, but are not limited to, the following:

1. Solicitations that are not part of an official Town of Payson sanctioned event are not permitted.
2. Unsolicited (i.e. mass mailing to groups of employees) advertising of available services or personal items "for sale" or "for free".
3. Unsolicited (i.e. mass mailing to groups of employees) announcements of parties, group outings, private events, or other activities without prior approval of the employee's director. Mass e-mails not directly related to Town of Payson business are discouraged.
4. Sending or forwarding chain mail or other mass mailings that are not of a business nature.
5. Sending messages that are of a commercial, religious or political nature.
6. Using Town e-mail services to transmit messages or attachments related to secondary employment activities.
7. Sending messages that promote a personal view or opinion of a societal issue or cause.

8. Sending messages or images that are sexually explicit or discriminatory based on race, national origin, gender, sexual orientation, age, disability, religion, or political beliefs.
9. Sending messages or images that are harassing or offensive to others as defined by the Town of Payson Personnel Rules and Procedure Manual.
10. Use by other than employees, official volunteers, or agency contracted employees.
11. Attempting to breach security or falsely take the identity of another.
12. Knowingly transmit viruses, "Spam" mail, or any other unsolicited mail.
13. Infringing on copyrights or violating any other local, state, or federal laws.
14. Sending e-mail without clearly identifying your name, organization and job title somewhere in the body of the original e-mail.
15. Sending confidential information without authorization.

### **C. E-Mail Privacy**

1. By it's nature, electronic mail is not private and has the potential to be purposely or accidentally read by others.
2. The Information Services Department backs up information on a regular basis, including the e-mail databases. The e-mail within these databases can be retrieved and viewed even though they have been deleted from your active file.
3. Others can inspect electronic mail when allowed by law.
4. The purchase or use of encryption software is not allowed without the knowledge of the Information Services Department.

### **D. E-Mail Ethics**

1. Write a meaningful subject line. Don't expect your e-mail to be read and replied to promptly if the recipient can't understand the subject of the e-mail without first reading all or parts of the e-mail.
2. Be thoughtful in your use of e-mail attachments. Only use attachments if it's necessary to convey your message. If only a small part of the attachment is relevant to your message, consider copying and pasting the relevant text instead of sending the entire attachment.
3. Keep your e-mail as concise and succinct as possible. A good rule of thumb is that your e-mail is probably too long if it exceeds one display screen (i.e. you have to use the scroll button in order to display the end of the message). Consider using the phone, talking in person, or sending a memo instead of sending a "long" e-mail.

4. Always use the spell check function before sending your e-mail.
5. Check your inbox frequently and reply promptly. If you are out of the office for more than a day, you should utilize the MS "Outlook" "Out of Office" feature to notify people of your absence.
6. Do not send e-mail that you would not wish to be read by other than the recipient. Privacy cannot be assumed nor assured.
7. Be polite and professional in your e-mail communications. Refrain from personal attacks, abusive or threatening language, and never hit the "send" button when you are angry or upset. If you are angry or upset, create the e-mail as a draft and revisit it later to make sure that you really do want to send the message. Remember, once you press the send button the message is gone and you can never take it back.
8. Do not use e-mail to spread professional or personal rumors or comment on the speculation of others.
9. Be cautious with your use of humor and sarcasm as it can easily be misunderstood in e-mail communications.
10. Use the "Reply to All" function only if there is a good reason why all of the recipients of the original message need to see your reply and should never be used by a Council member if other Council members are included in the reply addresses.
11. Target your e-mail to the people who need to read it. Only send e-mail to the "everyone" group if there is a good reason why every employee needs to read your message.
12. Use the "Return Receipt" feature with caution. Some recipients view the use of this feature as a sign of distrust.
13. Use good judgment when subscribing to mailing lists. Learn how to "unsubscribe" to these lists and do not subscribe anyone else to a list. Remember that you represent the Town of Payson.

#### **E. E-mail as a Public Record**

The contents of almost all electronic mail messages are "public records" under Arizona law and are subject to the retention rules and public disclosure requirements of State statutes.

Following are some examples of the types of communications that are generally considered to be "public records". In some cases, the contents of a message are prohibited from becoming part of the public record such as certain police records and the specifics of an Executive Session. When in doubt as to whether a particular communication is or should be part of the "public record" contact the Town of Payson Clerk and Town of Payson Attorney for guidance.

## 1. Staff Responsibilities.

- a. Employees who transmit e-mail shall determine whether to preserve or delete the e-mail communication as follows:
  - i. If the content of the e-mail and/or attachment is a public record (and almost all e-mails are), the e-mail and associated attachments shall be printed or preserved in the appropriate file, in permanent paper format or preserved, unedited, in the e-mail system without printing. To determine if a particular e-mail is a public record which is confidential, assistance should be sought from the Legal Department on an individual case basis.
  - ii. If the employee has chosen to retain a public record e-mail, within the e-mail system WITHOUT printing a copy, the backup procedures conducted by the INFORMATION SERVICES DEPARTMENT must be considered. Specifically, e-mail backed up to tape and subsequently deleted will be retained on backup media for no more than 28 days after deletion. It is the responsibility of the staff member to ensure that these records are retained in hardcopy format for more than 28 days if required by the State statutes.
  - iii. If the content of the e-mail or attachment is NOT a public record (see A.R.S. 41-1350 attached at the end of this policy), staff may delete the e-mail and/or attachment from the e-mail system whether or not it has been saved on another storage medium. Remember, however, that very few, if any, e-mails are not public records and, therefore, it is preferable that all e-mail is preserved.
  - iv. If in doubt as to what is or is not considered a public record, or whether it is appropriate to retain a non-public record e-mail in any event (e.g., because of pending litigation), confer with the Legal Department.

## F. Elected Officials E-Mail Communications

In addition to sections A through E of this guideline, the elected officials have additional responsibilities associated with the use of e-mail, the "Open Meeting Law", and the "Public Records Law". Therefore, these additional guidelines were established to aid the Mayor and Council in their electronic communications.

1. Elected officials are encouraged to use the Town e-mail system and their external Town e-mail accounts when conducting their official duties. Only the Town e-mail addresses of Mayor and Council will appear on the Town's web site.
2. Each elected official will be provided with a Town owned notebook computer and printer for their home in order access the Town e-mail and perform job related duties. They may also utilize these notebook computers to access the Town external e-mail system for conducting official Town business while traveling.

3. E-mail communications between Council members and between Council members and the public concerning Town business or Town related issues are normally considered public records. As such:
  - a. In order to preserve the communication, copies of messages sent and received by Council members will be forwarded to a mail box accessible by the Town Clerk. The Town Clerk will preserve the communication per record retention rules and make it available for public inspection.
4. Mayor and Council are encouraged not to communicate with a quorum of Council members about Council business through e-mail. More specifically:
  - a. E-mail cannot be used as a means of discussion, deliberation, or taking legal action by a quorum of members of the Town Council on matters that may foreseeably come before the Council for action. The exchanging of facts or opinions between a quorum of the Council on matters that may foreseeably require Council action may constitute "deliberation".
  - b. Examples of other potential violations include:
    - i. A Council member sending communications regarding a potential action item to less than a quorum of members, but also including the opinions of other Council members that would constitute a quorum.
    - ii. E-mail discussions related to a potential action item between less than quorum that are forwarded to a quorum.
    - iii. Splintering the quorum by intentionally having separate and serial e-mail discussions between a quorum of Council members on a potential action item.
    - iv. A one-way communication by any one Council member which proposes an action and is made to three or more other Council members.
  - c. Examples of permissible communications would include:
    - i. Staff member or the public sending e-mail to a quorum of Council members and there are no further e-mails on the topic amongst a quorum of Council members.
    - ii. A staff member sending e-mail to a quorum of Council members indicating that a specific item will or should be placed on a future agenda for action.
    - iii. Council member copying a quorum of Council members on a request to staff for specific information, providing that no Council members reply to a quorum of Council members.

- iv. Council member e-mailing an article, report, or other factual information to a quorum of Council members with a request to include the information in the Council's agenda packet. However, a quorum of Council members may not discuss this factual information prior to the public meeting.

## **G. Internet (World Wide Web) Access – Overview**

The following guidelines will be used when using the Internet access provided by the Town of Payson:

1. Generally, the Internet is an unsecured network. All information sent over the Internet should be considered public information and should be treated as such.
2. Use of the Internet service should be driven by the desire to enable the Town of Payson's employees and elected officials to better serve their internal and external customers.
3. Employees may only use the Internet by using the Microsoft network ID(s) and password(s) provided to them by the Information Services Department. Employees should not give their security information to other employees and should not use the ID(s) or password(s) that have been granted to another employee. Employees may authorize another employee to read and handle e-mail and calendar scheduling on their behalf via the MS Outlook Meeting configuration settings.

## **H. Acceptable Internet (Web) Browsing Uses**

1. Use for Town of Payson business such as research, training, educational, communications, or other activities related to an employee's job responsibilities.
2. Personal use as authorized by supervisor, department head, or equivalent. This personal use includes browsing to appropriate web sites, accessing personal e-mail accounts or services, and accessing personal financial accounts.
3. Use of a personal credit card to make personal purchases as authorized by the supervisor, department head, or equivalent.
4. Use of a Town of Payson procurement card (ProCard) to purchase goods over the Internet is subject to all previously established procurement rules and guidelines. Employees may only use a ProCard to purchase goods by use of a Secure Socket Layer transaction (SSL). SSL transactions are indicated in a window displayed on the screen and a picture of a key or padlock at the bottom of the browser window.
5. All users of the Internet shall practice the proper etiquette when communicating electronically with others. Employees are representing the Town of Payson, much like they would be when attending meetings, seminars, or speaking on the phone when conducting Town of Payson business.

## **I. Unacceptable Internet (Web) Browsing Uses**

Some examples of inappropriate use include, but are not limited to, the following:

1. Participation in chat rooms not specifically related to Town of Payson business.
2. Knowingly accessing web sites or purchasing goods electronically that are pornographic and/or sexually explicit in nature.
3. Using a personal credit card to purchase items without prior approval of supervisor, department head, or equivalent.
4. Employees should not sign on and let other employees, family members, consultants, or anybody else use their Internet capabilities.
5. Conducting any illegal activities.
6. Personal use that interferes with another employee's ability to use that same PC for Town of Payson business.
7. Conducting activities related to secondary employment.
8. Downloading of any software (including application programs, drivers, patches, image files etc.) from the Internet is not permitted without the knowledge and consent of the Information Services Department.

## **J. Monitoring of Internet (Web) Browsing**

1. Web browsing activities are logged and available for inspection. Logging includes web sites visited, key words used while utilizing search engines, and images/pictures that were downloaded to the PC (either intentionally by the employee or by visiting a web page that copies images temporarily to the PC hard drive behind the scenes). Since logging is captured by user ID, computer location, and computer name, it is critical that you don't leave your PC unattended for extended periods of time and that you don't reveal your network password to another employee.
2. The Town of Payson Firewall is configured to block employee access to web sites that are deemed unacceptable by policy. Occasionally, however certain inappropriate web sites can be accessed either accidentally or intentionally. Although access is not blocked in these cases, it is logged. If you accidentally access a site that you think might be unacceptable, notify your supervisor who can then contact the Information Services Department Director to inform them of the incident so that it can be logged.
3. Detailed Internet use reports can be made available to directors via a written request to the IS Department.
4. Internet use reports may be released to the public through the Town of Payson Clerk's office as part of a public records request.

### **III. Hardware and Software Services**

The purchase of computers, accessories, hardware add-ons, computer software, and related Information Technology consulting services needs to be centralized in order to ensure their compatibility and proper integration with current and future hardware and software systems. It is the responsibility of the IS Department to ensure the integration and compatibility of all software and hardware throughout the organization. This guideline will establish the parameters of the purchase of computer equipment, software, and related IT consulting services for and by employees.

Technology that is intended to meet the specialized needs of a specific department or division and/or will not be physically connected to the "Town" network may be exempt from this guideline. It is the requesting department's responsibility to contact the Information Services Department to determine the applicability of this guideline to those "specialized" systems.

#### **A. Procurement Rules**

1. Computer devices, software, and technology consulting/contractual services cannot be purchased without the prior knowledge and approval of the Information Services Department. This ensures compatibility with current and future systems as well as add-on equipment.
2. Computer devices and desktop software will be purchased administratively through the Information Services Department. If purchases are made without prior approval or the subsequently purchased item does not meet the standard, the Information Services Department reserves the right to return the merchandise or assign the equipment to another department at their discretion.
3. Consulting or contractual services related to Information Technology must not be acquired or conducted without the prior knowledge and consent of the Information Services Department. The requesting departments will jointly evaluate the need for outside consulting services and will work together in selecting the consultant should these services be deemed necessary.

## Participating Employee Acknowledgment of Responsibilities

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The Town of Payson Computer and Peripheral Usage Policy (Policy) outlines the responsibilities I have as a user of Town of Payson computers and peripherals. My signature indicates I have read and understand these responsibilities, and further, I acknowledge receipt of a copy of the Town of Payson Computer and Peripheral Usage Policy.

I understand and agree to surrender any and all Town owned computers and software upon termination of employment, whether for retirement, voluntary separation, resignation, or dismissal for any reason. In addition, I will surrender any computer and any peripherals assigned to me in case of transfer or relocation. I also acknowledge that the Town may cancel my computer and peripheral usage privileges for misuse or non-compliance of the Policy. All such equipment and software remains the property of the Town of Payson at all times.

I shall maintain any computer and peripherals in my possession with appropriate security whenever and wherever I use them. If such equipment is lost or stolen, I agree to immediately notify the Town of Payson and the Informational Systems Department verbally and in writing explaining the circumstances.

I understand computers are not provided to all employees. Assignment of a computer is based on the understanding that my job may require me to use it for the conduct of Town business. My use of any computer may be restricted, suspended or revoked for my violation of the Policy, or if computers are found not to be necessary in the performance of my job by the Town.

By signing below, I acknowledge that I have read and agree to the terms and conditions of this document and the Town of Payson Computer and Peripheral Usage Policy as adopted by the Payson Town Council. I certify that as a user of the Town's computers and peripherals, I understand and assume the responsibilities listed above and in the Policy.

Users Signature: \_\_\_\_\_

Users Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

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Approving Department Manager Signature: \_\_\_\_\_

Approving Department Manager Printed Name:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# RECORDS RETENTION AND DISPOSITION SCHEDULE

**ALL STATE AGENCIES & POLITICAL SUBDIVISIONS**

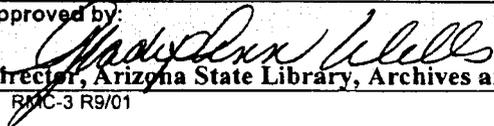
Function

**Records received via E-mail**

Pursuant to ARS §41-1351, the following retention periods represent the maximum time records may be kept. Unless records relate to pending or current litigation, or are necessary for an audit, keeping records beyond their retention period is illegal. If you believe that special circumstances warrant the extension of any of these retention periods that records should be kept longer than the period listed below or that any of these record series may be appropriate for transfer to the Archives, please contact the Records Management Division to inquire about a change to the retention period. Only the Records Management Division has the authority to extend records retention periods.

No.	RECORD SERIES	R.S. RETENTION (YR.)			REMARKS (Include start point of retention.)
		Code	Off.	Total	
1.	<p><b>Electronic Mail Communications</b></p> <p>a. Records* (including sender and receiver identification**, time and date sent, and complete message)</p> <p>b. Records* attached to electronic mail messages</p> <p>c. Routine non-record communications</p> <p>*Meeting requirements of the definition of records per ARS 41-1350.</p> <p>**Sender and receiver identification must be explicit enough to identify the individual senders and recipients. If the message only indicates initials or other abbreviated identifiers (e.g., distribution lists, grouped addresses, etc.) as senders and/or recipients, then the actual senders and/or recipients of the message must be documented. This metadata must be accessible with the official record.</p>	-	-	-	<p>The electronic version may be deleted after the record is transferred to a proper recordkeeping system. The version maintained in the proper recordkeeping system is designated as the official copy and must be retained for the same period as required for other forms of the same records series.</p> <p>The electronic version may be deleted after the record is transferred to a proper recordkeeping system. The version maintained in the proper recordkeeping system is designated as the official copy and must be retained for the same period as required for other forms of the same records series.</p> <p>Retain until informational value has been served but not longer than official copy of record is kept.</p> <p>Supersedes E-mail retention schedules found in the following Records Management Manuals: Records Retention and Disposition for:</p> <ul style="list-style-type: none"> <li>• Arizona State Agencies;</li> <li>• Arizona Counties;</li> <li>• Arizona Municipalities;</li> <li>• Arizona School Districts; and</li> <li>• Arizona Community Colleges and Districts</li> </ul>

Approved by:



Director, Arizona State Library, Archives and Public Records

BMC-3 R9/01

Approval Date:

MAR 15 2006