

E-Mail, Internet and Computer Resources Policy

1.0 Purpose This policy covers the use of all Bladen County technology resources. It includes, but is not limited to, pagers, radios, all computer systems of any size and function and their attached peripherals, phones, cellular phones, faxes, voice-mail systems, e-mail systems, network resources and Internet resources.

2.0 Applicability To all employees of Bladen County.

3.0 Policy Computers and peripherals, e-mail, Internet access and voice-mail are provided to employees of Bladen County to assist them in performing their jobs. The Internet can be a valuable source of information and research. In addition, e-mail can provide an excellent means of communicating with other employees, professional peers, citizens and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment.

The Bladen County computers and peripherals, e-mail, and voice-mail are the property of Bladen County. These resources have been provided for use in conducting County business. All communications and information transmitted by, received from, or stored in these systems are county records and property of Bladen County. Employees have no right of personal privacy or any expectation of privacy in any matter stored in, created, received, or sent over these systems.

Employees should be aware that deletion of messages or files does not truly eliminate the messages from the system. All messages are stored on a central backup system in the normal course of data management and are accessible by Bladen County at any time. Although Bladen County does not make a practice of continuously monitoring these systems, Bladen County may conduct random and requested audits and reserves the right to retrieve the contents for legitimate reasons, such as to find lost messages, to comply with investigations of wrongful acts, discovery proceedings in legal actions, to comply with requests as required under public records law or to recover from system failure. Use of Bladen County computers and peripherals, e-mail, Internet access, voice-mail and networks constitutes consent to such monitoring and access.

3.1.a Electronic mail or "E-Mail" is simply a method of communicating information and does not constitute a public record in and of itself. However, the information transmitted through the use of E-Mail may become a public record if it meets the definition of N.C.G.S. § 132-1, i.e., if it is information made or received in the transaction of public business by a state agency. If information transmitted by E-Mail meets the definition of "public record," then it may not be deleted or otherwise disposed of except in accordance with

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a records retention schedule approved by the State Division of Archives and History. The content of the E-Mail message determines the retention requirement.

- 3.1.b The individual to whom the message is addressed becomes the legal "custodian" once the message is received and is the person responsible for ensuring compliance with the Public Records Act. Although Bladen County periodically backs up information residing on system hard drives, this is not done for archival purposes or in order to meet the requirements of the Public Records Act, but as a safety measure in case of system failure or unlawful tampering ("hacking"). The MIS Department is not the legal custodian of messages that may be included in such back up files.
- 3.1.c E-Mail messages generally fall into two categories.
1. Some E-Mail is of limited or transitory value. For example, a message seeking dates for a proposed meeting has little or no value after the meeting date has been set. Retention of such messages in the computer system serves no purpose and takes up space. Such messages may be deleted as soon as they no longer serve an administrative purpose.
 2. E-Mail is sometimes used to transmit records having lasting value. For example, Email about interpretations of an agency's policies or regulations may be the only record of that subject matter. Such records should not be maintained in E-Mail format, but should be transferred to another medium and appropriately filed, thus permitting E-Mail records to be purged at regular intervals.
- 3.1.d While the methods for reviewing, storing or deleting E-mail vary, compliance with the retention requirements of the Public Records Act may be accomplished by doing one of the following:
1. Print the E-Mail and store the hard copy in the relevant subject matter file as would be done with any other hard-copy communication. Printing the E-Mail permits maintenance of all the information on a particular subject matter in one central location, enhancing its historical and archival value.
 2. Electronically store the E-Mail in a file, a disk, or a server, so that it may be maintained and stored according to its content definition under the unit's records retention policy.

Personal use of computers and peripherals, e-mail, Internet access and voice-mail by employees should not interfere with or conflict with business use.

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Personal use of County resources by an employee neither expresses nor implies sponsorship or endorsement by Bladen County. Employees should exercise good judgment regarding the reasonableness of personal use.

Employees are responsible for maintaining the security of their accounts and their passwords. Passwords should be changed when prompted by the system or, when it is suspected that the password has been compromised.

Employees are responsible for purging E-mail messages stored on the system according to public records requirements and imposed storage limits. Voice-mail messages that have been read will expire after 30 days. There is a limitation of the disk storage capacity of the voice-mail system.

Bladen County's policies against sexual or other harassment apply fully to the e-mail system and voicemail system. Any violation of these policies is grounds for discipline up to and including termination. Therefore, no e-mail or voice-mail messages should be created, sent, or forwarded that contains intimidating, hostile, or offensive material concerning race, color, religion, gender, age, national origin, disability or any other classification protected by law. Anyone receiving inappropriate information should contact the MIS department immediately.

Employees are required to sign a Computer Use and Internet Access Policy Acknowledgement Form. The form is to be signed upon acceptance of an employment offer by Bladen County.

Misuse of the systems can result in disciplinary action up to and including termination. Examples of misuse include the following: obscene, profane, or offensive material transmitted over any of these communication systems. This includes, for example, messages, (including religious or political materials), jokes, or emails that violate the Bladen County harassment policy or create an intimidating or hostile work environment. Use of these systems to set up personal businesses or send chain letters is prohibited. Accessing copyrighted information in a way that violates the copyright is prohibited. Breaking into the system or unauthorized use of a password is prohibited. Broadcasting unsolicited personal views on social, political, or other non-business related matters is prohibited. Solicitation to buy or sell goods or service prohibited except on Public Folders or sections of the Bladen County Intranet that may be created expressly for that purpose.

The Sheriff of Bladen County and the Bladen County Register of Deeds respectively consent to the employees of the Sheriff of Bladen County and the Bladen County Register of Deeds signing and being subject to and abiding by the terms and conditions of the Bladen County E-Mail, Internet and Computer Resources Policy as a condition of initial and continued employment with the

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Sheriff of Bladen County and Bladen County Register of Deeds; however, notwithstanding, the Sheriff of Bladen County and the Bladen County Register of Deeds shall retain the exclusive rights to hire, discharge and supervise the respective employees of their offices, as described in N.C.G.S. § 153A-103.

4.0 Applicable Policies

The following are laws and policies relating to use of computer systems and peripherals, e-mail, Internet access and voice-mail. This list may not be exhaustive:

Federal:

United States Code, Title 18, Section 1030. "Fraud and related activity in connection with computers"

North Carolina:

N.C.G.S. § 14-196. "Using profane, indecent or threatening language to any person over the telephone; annoying or harassing by repeated telephoning or making false statements over telephone." The statute includes the making of any false electronic mail concerning death, injury, illness, disfigurement, indecent conduct or criminal conduct of the person receiving the e-mail or any close family member.

N.C.G.S. § 14-454. "Accessing computers"

N.C.G.S. § 14-455. "Damaging computers, computer systems, computer networks, and resources"

N.C.G.S. § 14-458. "Computer trespass; penalty"

N.C.G.S. § 114-15.1. "Misuse of state property"

N.C.G.S. 121-5 "Public Records and Archives"

N.C.G.S. § 132-1, et seq. "North Carolina Public Records Law"

N.C.G.S. § 153A-103 "Number of employees in Offices of Sheriff and Register of Deeds"

North Carolina Department of Information Resource Management (IRMC):

"Use of the North Carolina Integrated Information Network and the Internet"

"Identification and Authentication using IDs and Passwords"

"Network Security"

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Acknowledgement Form

I understand that access to computers and peripherals, e-mail, Internet access and voice-mail provided by Bladen County is to be used for county business. I understand that it is a violation of county policy, as well as select state and federal laws, to use such equipment for unlawful or inappropriate purposes. Violations of local, state, and federal laws may carry additional penalties.

I understand that there is no privacy with respect to these Bladen County systems or information stored or contained therein and that I should not expect any privacy therein. If I receive inappropriate information by any of these systems, I should contact the supervisor, who will discuss with the Department Head immediately. The Department Head is responsible for notifying computer operations when deemed appropriate. This policy does not supersede any local, state or federal laws or policies regarding records that are confidential including, but not limited to, certain information contained in personnel files or client files such as Social Services records.

- Bladen County employees are not authorized to install their own copies of software onto Bladen County computers. Bladen County employees are not permitted to copy or take software intended for Bladen County computers and install it on home or any other computers.
- Downloading and installing unauthorized software can be dangerous to your computer and to the Bladen County computer network. Only software registered to, or approved by, Bladen County may be installed on your system.
- File-sharing programs, instant messaging software, software which automatically downloads information from the internet or makes changes to your system are a continual security risk and can bring in viruses, hackers or even transfer confidential information from your computer across the internet. These programs should never be used and will be removed from your computer if found.
- Valuable resources such as available memory, processing power and space on your hard drive can be depleted by unauthorized software and can thereby impact the performance of your computer. Quite often, unauthorized software may cause serious conflicts with programs already installed on your system.
- Do not jeopardize your network account by sharing your passwords. Never share your password with anyone. Do not attempt to gain access to systems or accounts that you have not been authorized to use. Computers and peripherals, e-mail, Internet access and voice-mail are provided as a tool for Bladen County business. Compromising these tools can impact not only your use of these resources, but also that of the County as a whole.

I understand that misuse may subject me to disciplinary action, up to and including termination.

Signature

Date