

Town of Middleborough
Information Technology Network/Systems Responsible Use Policy

*As adopted by Selectmen:
September 14, 2015*

1. Scope of Policy

The Board of Selectmen of the Town of Middleborough hereby adopt the following Information Technology Network/Systems Responsible Use Policy (“Policy”). The Town of Middleborough (“Town”) provides information network/systems in order to allow Town of Middleborough government and its officers and employees to serve the public more efficiently and effectively.

This Policy is intended to provide rules and guidelines concerning appropriate use of the Town’s information technology network (“network”) and information technology systems (“systems”), collectively (“network/systems”). The Town’s network/systems includes but is not limited to, computers, laptops, printers, copiers, scanners, software applications, email, telephones, cellular telephones, facsimile (fax) machines, servers, network infrastructure devices, including switches and routers, the Internet, and any Town related content generated or accessed remotely from outside of the Town’s network/systems.

Any person who uses or otherwise manipulates or operates any component or feature of the Town’s network/systems shall be a user (“user”) of the network/systems for purposes of this Policy. Use of the Town’s network/systems shall constitute acceptance of the terms set forth in this Policy, and as it may be amended from time to time. The Board of Selectmen reserves the right to amend this Policy at any time.

Managers, supervisors and department heads are responsible for ensuring that all of their employees using any component or feature of the network/systems have read this Policy and understand its applicability to their activities.

2. User Responsibilities

This Policy applies to every employee, board member (elected or appointed), volunteer, contractor or remote user who is provided access to the Town’s network/systems. It is the responsibility of any person using the Town’s network/systems to read, understand and follow this Policy. In addition, users are expected to exercise reasonable judgment in interpreting this Policy and in making decisions about the use of information technology resources. Any unauthorized, deliberate action, which damages or disrupts a computing system, alters its normal performance, or causes it to malfunction, is a violation, regardless of the system location or time duration.

3. Unacceptable Uses

The following are examples of unacceptable and therefore prohibited uses of the Town’s network/systems. This list is by no means exhaustive, and questions regarding whether a particular

activity or use is acceptable should be directed to a supervisor, network or systems administrator, or the Information Technology Department.

Unacceptable uses of the Town's network/systems shall include, but are not limited to, use:

- For any political purposes
- For any private, personal, or commercial use or purpose unrelated to the user's Town office or employment.
- To send threatening or harassing messages, whether sexual or otherwise
- To access or share sexually explicit, obscene, or otherwise inappropriate materials
- To infringe any intellectual property rights
- To gain, or attempt to gain, unauthorized access to any computer or network for any use that causes interference with or disruption of network users and resources, including propagation of computer viruses or other harmful programs
- To intercept communications intended for other persons
- To misrepresent either the Town of Middleborough or a person's role at the Town
- To play computer games or gamble
- To participate in Social Networking
- To libel or otherwise defame any person
- To use any unauthorized third party utilities to copy or delete information, format any hard drive, or otherwise delete or damage any data on PC's, laptops, servers, etc.

If any of the above unacceptable uses are required for a legitimate business reason related to a user's employment with the Town, an exception may be granted. Such requests should be made in writing to management. Management will review the request and grant an exception at its discretion.

4. Privacy

Any information stored, accessed, browsed and/or created on the Town's network/systems should not be considered private by the user. This includes, but is not limited to, any and all electronically stored information and electronic files, electronic mail communications, Internet website history, text messages, telephone call history, and voicemail. All aspects of Town network/systems usage by a user is subject to monitoring (see Monitoring – Section 5), the Massachusetts Public Records Law (see Public Records Requirement – Section 7), and legal discovery, as applicable.

Subject to certain exceptions in the law, electronic mail, telephone call history, voice mail messages, text messages, and other electronically stored information and electronic files are considered public records subject to potential disclosure under the Massachusetts Public Records Law and its record retention policies. Employees should NOT expect that electronic mail messages (even those marked "Personal") are private or confidential.

5. Monitoring

The Town may monitor a user's activity on Town provided network/systems at any time and the user consents that such monitoring shall not constitute an invasion of his or her privacy.

6. Public Records Retention

Under the Public Records law, all communications made or received by a government employee or entity is a public record and subject to disclosure depending on the purpose, use, and content of the record. This includes email correspondence and communications made via social media. (See Massachusetts General Laws, Chapter 4, Section 7, and Chapter 66, Section 10, for the definition of a “Public Record”). In almost every instance, communication involving a matter pending before a deliberative body is a public document that must be produced upon request.

In addition, the Massachusetts Public Records law requires that public records be retained and maintained in an accessible format for the duration of the record’s retention period.

Consider very carefully what your obligations are under the above noted statutes. Repeated instances of failing to save email correspondences or other communications on substantive matters places you at risk for violating the Public Records Laws of Massachusetts, and subjecting you to a fine by the Attorney General’s office.

For more information on how to avoid Public Records Law violations as it relates to email communication, please refer to the Commonwealth of Massachusetts Municipal Records Retention Manual www.sec.state.ma.us/arc/.

7. Internet Access and Use

Internet access through the Town-provided network is intended for business use, including finding vendor information, government information, research, and communicating with colleagues and residents for government-related purposes.

Town owned network/systems may be used for personal purposes on a limited basis, providing the following requirements are met:

- No marginal cost to the Town.
- No interference with work responsibilities.
- No disruption to the workplace.

At no time may the Internet be used for any type of commercial use, or to transact non-governmental business. The use of the Internet to solicit or recruit others for commercial ventures, religious or political causes or outside organizations or for personal gain is prohibited. At no time may users access inappropriate websites, such as those hosting pornography, obscene materials or gambling enterprises.

The use of any element of the Town’s network/systems, including Internet access, for the receipt or transmission of information disparaging to others based on race, national origin, sex, sexual orientation, age, disability, or religion is not permitted under any circumstances.

Users are not permitted to download executable files from the Internet unless previously approved by the Information Technology Department.

8. Social Media

The Town of Middleborough prohibits the use of Town network/systems for personal social networking purposes. Users should refrain from using social media while on work time or on equipment provided by the Town, unless it is work-related as authorized by your manager or consistent with the Town's Social Media Policy.

For more information regarding the Town's policy on the use of social media please refer to the Town's Social Media Policy available at www.middleborough.com.

9. Enforcement

Any employee found to have violated this Policy may lose certain privileges related to the use of the Town's network/systems and be subject to disciplinary action, up to and including discharge, in accordance with applicable collective bargaining agreements.

Any employee who retaliates against another for reporting a possible violation of this Policy or for cooperating in an investigation regarding a possible violation of this Policy, will be subject to discipline, up to and including discharge, in accordance with applicable collective bargaining agreements.

10. Acknowledgement

Town employees must sign a written acknowledgement that they have received, read, understand, and agree to comply with the Town of Middleborough's Information Technology Network/Systems Responsible Use Policy.

TOWN OF MIDDLEBOROUGH
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ACKNOWLEDGEMENT FORM

I have received a copy of the Town of Middleborough's Information Technology Network/Systems Responsible Use Policy.

I understand that this Policy replaces any and all prior verbal and written communications regarding Town policies relating to the use and access of the Town's network/systems, and Town monitoring of these activities as defined in the Policy.

I have read and understand the contents of the Policy and agree to abide by its terms.

I understand that if I have questions or concerns at any time about the Information Technology Network/Systems Responsible Use Policy, I will consult my immediate supervisor, my supervisor's manager, or the Information Technology Department for clarification.

I understand that the contents of the Information Technology Network/Systems Responsible Use Policy may change at any time.

Declaration

I have read, understand and acknowledge receipt of the Town of Middleborough Information technology Network/Systems Responsible Use Policy. I acknowledge the rules and guidelines set forth in this Policy and understand that failure to abide by them may result in disciplinary or legal action.

SIGNATURE

DATE

PRINTED NAME

All questions regarding this Policy should be directed to the Information Technology Department.