

OTAY WATER DISTRICT
BOARD OF DIRECTORS POLICY

Subject	Policy Number	Date Adopted	Date Revised
DISCLOSURE OF INFORMATION AND USE OF COMPUTER, ELECTRONIC & VOICE MAIL, AND INTERNET POLICY	39	11/07/01	

Purpose

The purpose of this policy is to define rules and guidelines governing access, use and disclosure of confidential records or information as well as on the use of computer and other electronic systems.

Policy

UNAUTHORIZED USE OR DISCLOSURE OF CONFIDENTIAL RECORDS

Employees are provided access to confidential records and systems in order to conduct District business and efficiently perform their assigned duties and responsibilities. These records (physical and/or electronic) include but are not limited to personnel, payroll, medical, family, legal, financial and customer information. Unauthorized access, use, sale and/or disclosure of confidential information, including disclosure or providing access to non-authorized persons or employees are strictly prohibited.

DISTRICT COMPUTER AND TELECOMMUNICATIONS EQUIPMENT: DEFINED

District computer and telecommunications equipment consists of all electronic devices, software, and means of electronic communication including, but not limited to, the following Firm equipment: personal computers and work stations; lap-top computers; mini and mainframe computers; computer hardware such as disk drives and tape drives; peripheral equipment such as printers, modems, fax machines, and copiers; computer software applications and associated files and data, including software that enables access to external services, such as the Internet; email; telephones; cellular phones; pagers; and voicemail systems.

PERSONAL USE OF COMPUTERIZED AND ELECTRONIC SYSTEMS

Because all computer, word processing, electronic and voice mail and Internet systems remain the property of the District and are for official use only, records, files, transmissions, passwords and other products or contents of these systems are not private in that they may be reviewed by District Management or its

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designee(s) without prior notice to the employee; therefore, employees can have no expectation of privacy in any documents or other materials they write, receive, store, or send in the use of these systems.

The District reserves the right to access and disclose all products and contents of these systems for any purpose. The District reserves the right to monitor use of these systems to prevent abuse, enforce other policies, and access information. Access may occur, but is not limited to, situations indicating impropriety, violation of District policy, legal requirements, suspected criminal activities, breach of system security, or to locate substantive information or monitor employee performance and conduct.

District Management may disclose the contents of these systems within or outside of the District without employee permission.

The information contained in the Otay information systems is for the sole use of the District and its customers. Employees may not release information, use this information for non-work related tasks, or disclose this information without the permission of his or her supervisor.

The District has unlimited access to protect the security of these systems or the District's property rights.

PERSONAL USE

Incidental and occasional personal use of the electronic systems covered by this Policy is permitted within the District, but such use will be treated no differently from official use. There is no expectation of privacy with respect to such personal use as such use is subject to the same access and review rights of any other use of these systems.

GUIDELINES FOR THE USE OF THE DISTRICT'S E-MAIL

1. Once implemented, the District's electronic mail system is for official District business and shall not be used for unrelated purposes, including, but not limited to, the following:

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- a. To send "chain" or similar type "letters."
 - b. To send documents in violation of copyright or other laws.
 - c. To knowingly open mail not directed to you.
 - d. To use for personal or social purposes other than occasional, incidental use.
 - e. To send messages in violation of District safety and security procedures.
 - f. To forward electronic messages without a legitimate business purpose under circumstances likely to lead to embarrassment of the sender or to violate the clearly expressed desire of the sender to restrict additional dissemination.
 - g. To send messages that are false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, offensive, discriminatory or illegal.
2. Avoid "carbon copying" individuals who have NO direct involvement or "need-to-know." Likewise, "e-mail" to all users should only be used on very rare occasions when every person on the system has a direct need to know. E-mail communications should only be disclosed to authorized employees.
 3. Avoid "forwarding" e-mail to a third party unless necessary (see "carbon copying"). When forwarding, explain the reason for the forwarding action and edit out any potentially inappropriate contents. If in doubt about the appropriateness of forwarding a given piece of mail, check with the originator for guidance.
 4. When sending an e-mail requiring "action," be sure to indicate which "TO" addressee(s) is/are to take the action.

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5. Do not "say" anything in an e-mail message that could prove embarrassing or compromising to you or others. Despite what you think, e-mail is not a "private" system.

6. Avoid potentially contentious exchanges through e-mail.

7. Remember that you are solely responsible for the management of your mailbox and its associated folders. E-mail documents will remain in a folder until you "delete" or "trash" them. Even then they still exist in your "wastebasket." E-mail that you wish to maintain should remain in their specified folders and/or be converted to hard copy.

8. Use your common sense in determining when to use e-mail, in what is said, and to whom.

GUIDELINES FOR USE OF INTERNET

The District reserves the right to monitor and/or log all network activity with or without notice, including e-mail and all web site communications, and therefore, users should have no expectation of privacy in the use of these resources.

Uses that are acceptable and encouraged:

- Communications and information exchanges directly relating to the mission, charter and work tasks of the District;

- Announcements of District procedures, meetings, policies, services or activities;

- Use for advisory, standards, research, analysis and professional society or development activities related to the user's District duties; and

- Use in applying for or administering grants or contracts for District research programs.

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Uses that are unacceptable:

It is unacceptable for a user to use, submit, publish, display or transmit on the network or on any computer system any information which:

- Violates or infringes on the rights of any other person, including the right to privacy;
- Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory, or illegal material;
- Violates District regulations prohibiting sexual harassment;
- Restricts or inhibits other users from using the system or the efficiency of the computer systems;
- Encourages the use of controlled substances or uses the system for the purpose of criminal intent; or
- Uses the system for any other illegal purpose.

It is also unacceptable for a user to use the facilities and capabilities of the system to:

- Conduct any non-approved business;
- Solicit the performance of any activity that is prohibited by law;
- Transmit material, information or software in violation of any local, state or federal law;
- Conduct any political activity;

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- Conduct any non-District-related fund raising or public relations activities;
- Engage in any activity for personal gain or personal business transactions; or
- Make any unauthorized District purchases.

COPYRIGHTED MATERIAL

Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law. The federal Copyright Act at 17 U.S.C. 101 et seq. (1988) protects and prohibits misuse of all original works of authorship in any tangible medium of expression. This includes a prohibition on plagiarism (using someone else's ideas or writing and passing it on as one's own).

PUBLIC DOMAIN MATERIAL

Any user may download public domain programs for his/her own business-related use, or may redistribute a public domain program non-commercially but does so with the knowledge that by doing so, he/she also assumes all of the risks regarding the determination of whether or not a program is in the public domain. Users are not permitted to install software that interferes with District supplied programs.

ELECTRONIC MAIL (E-MAIL)

Internet e-mail is considered network activity, thus, it is subject to all policies regarding acceptable/ unacceptable uses of the Internet as well as the District's e-mail policy (Section 4.). Users should not consider Internet e-mail to be either private or secure.

PASSWORDS

Authorized employees are prohibited from giving their password to any other person. The password remains the property of the District.

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SOFTWARE USE ON DISTRICT COMPUTER AND TELECOMMUNICATIONS EQUIPMENT

No software is to be installed, downloaded or used in District computer and telecommunications equipment that has not been paid for and licensed appropriately for the use to which it is to be put. No employee may load any software on the District's computers, by any means, unless authorized in writing in advance by the District's Information Technology Manager, Senior Systems Analyst, or Network Support Analyst. Authorization to load software onto the District's computers will not be given until the software to be loaded has been scanned thoroughly for viruses.

SECURITY

The District has installed programs and devices to ensure the safety and security of the District's computer and telecommunications equipment. Any employee found tampering with or disabling any of the District's security devices will be subject to discipline up to and including termination of employment.

REGULATIONS AND ENFORCEMENT

The District's General Manager is responsible for compliance with provisions of this policy and for investigating suspected non-compliance. These duties include, but are not limited to:

- Investigation of alleged or suspected non-compliance with the provisions of the policy; and
- Suspension of service to users or of user access with or without notice when deemed necessary for the operation and/or integrity of District communications infrastructure or connected networks.

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VIOLATIONS

Violation of this Policy will lead to discipline, up to and including, termination of employment. The District reserves the right to advise appropriate legal authorities of any violation of law by any employee.

CONSENT FORM

All District employees must consent that all computer and electronic systems, including but not limited to, word processing, electronic and voice mail and Internet network activity are the property of the District, and therefore, they should not consider any activity to be private. By signing the consent form, employees acknowledge their understanding of the Disclosure of Information and Use of Computer, Electronic & Voice Mail, and Internet Policy and their understanding of the potential penalties for non-compliance.

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**OTAY WATER DISTRICT
CONSENT FORM**

I _____ have read the District's Disclosure Of Information And Use Of Computer, Electronic & Voice Mail, and Internet Policy and agree to comply with all of its terms and conditions. I agree that all computer and electronic activity, including but not limited to, word processing, electronic and voice mail and Internet network activity, conducted while doing District business and being conducted with resources is the property of the District.

The District reserves the right to monitor and log all such activity, with or without notice, and therefore, users should have no expectations of privacy in the use of these resources.

Finally, I understand that violation of this Policy may subject me to discipline, up to and including, termination of employment.

Employee Signature

Date