

TOWN OF HULL INTERNET AND OTHER TECHNOLOGY RESOURCES

ACCEPTABLE USE POLICY AND ACKNOWLEDGEMENT

I. INTRODUCTION:

In order for staff to use the Town of Hull's Internet Connection and any other technology of the Town or for others to use same while on Town property or using Town equipment, the party must read these guidelines and sign the Acceptable Use Acknowledgement indicating receipt and acceptance of same. In addition, any vendors, consultants, contractors or the like using the Town of Hull's Internet Connection and any other technology of the Town, or equipment and technology owned by other private parties while on Town Property or using Town equipment or technology (commonly referred to as technology resources), must read these guidelines and sign indicating receipt and acceptance of same. In the case of vendors, consultants, contractors or the like, they are to be given a copy of this policy and are responsible for ensuring that they, their agents, employees, sub-contractors or sub-consultants have been given a copy and agree to be bound by same. A failure to have signed said agreement shall not preclude the Town from taking appropriate administrative action for non-compliance. This document does not constitute or create an employment agreement or any other agreement between the Town and another party.

2. PREAMBLE:

2.1 The purpose of this policy is to establish guidelines and minimum requirements governing the acceptable usage of technology resources (particularly voice mail, electronic mail (e-mail) and Internet access) on Town-owned and Town-leased equipment as well as the installation, de-installation and maintenance of hardware and software or use or technology resource devices (communication devices, computers and the like) while on Town property. By establishing and maintaining compliance with this policy, risks and costs can be mitigated while the valuable potential of these communication and information resource tools are realized. The objectives of this policy are to assure that:

- The use of phone service, voice mail, e-mail and the Internet is primarily related to, or for the benefit of, Town government business;
- Users understand that e-mail messages and documents are subject to the same laws, regulations, policies and other requirements as information communicated in other written forms and formats and thus are likely subject to the Public Records Law;
- Disruptions to Town government activities from inappropriate use of technology resources are avoided;
- Users are provided guidelines describing their personal responsibilities regarding confidentiality, privacy, and acceptable use of technology resources as defined by this policy; and
- Users understand that unauthorized access to other users' computer or voice mail is unacceptable behavior.

2.2 This policy applies to all Town employees and contractor personnel, any vendors, consultants, contractors or the like using the Town of Hull's Internet Connection and

any other technology of the Town while on Town Property or using Town equipment, or equipment and technology owned by other private parties while on Town Property or using Town equipment or technology, (hereinafter referred to as "users").

3. POLICY STATEMENT:

- 3.1 The Internet is a vast global network, linking computers at universities, schools, research facilities, and commercial sites. By way of the Internet, one can communicate with people from all over the world through various means including discussion forums and electronic mail (e-mail). In addition, files, many of which have job related value, are available for downloading. Because of its enormous size, the Internet's potential is boundless. It is possible to speak electronically with people from all walks of life. However, with such great potential for education comes the potential for abuse, as well. It is the purpose of these guidelines, as well as the contract for use, to make sure that all who use the Internet and other technology resources, use these valuable resources in an appropriate manner.
- 3.2 Use of the Town of Hull network and technology resources is a privilege, not a right, which may be revoked at any time for abusive or other inappropriate conduct. Such conduct would include, but is not limited to, placing unlawful and/or inappropriate information on a computer system, the use of abusive or otherwise objectionable language in either public or private messages, the sending of messages or files that are likely to result in the loss of a recipient's work or systems, the sending of "chain letters", or unauthorized "broadcast" messages to lists or individuals, any other types of use which would cause congestion of the networks or otherwise interfere with the work of others, as well as the use of technology resources in a manner which would violate the copyright and/or trademark laws of the United States. In addition, the Town of Hull's System takes no responsibility for any information or materials that are transferred through the Internet.
- 3.3 Because of the size of the Internet, many kinds of materials eventually find their way onto the system. Should a user happen to find material, which may be deemed inappropriate while using his or her Town of Hull's Internet account, he or she shall refrain from downloading or viewing this material. Your supervisor and the Information Technology Administrator must be promptly notified. Be aware that the transfer of certain kinds of material is illegal, and punishable by fine or jail sentence.
- 3.4 The primary purpose of the Internet connection and other technology resources is educational and job related. It is essential that everyone who uses same understand that purpose. Therefore, anyone using the Internet or other technology resource connections for non-educational or non-job related purposes shall immediately log off should any significant system slow-down occur. Failure to abide by these regulations may result in suspension of your Internet account and other use of technology resources, and other administrative action, pending administrative review.
- 3.5 The Town of Hull makes no guarantees, implied or otherwise, regarding the reliability of the data connection offered. Neither the Town of Hull nor the sponsor organizations shall be liable for any loss or corruption of data resulting from using the town Internet connection or technology resources.
- 3.6 The Town of Hull reserves the right to examine all equipment, including data stored in any equipment to make sure that all users are in compliance with these regulations. No user should have an expectation of privacy in terms of the use of any such

- equipment or technology resources. The Town may at any time take custody and possession of any equipment and may access same, review same, delete or copy same or refer same to other appropriate agencies. By engaging in activities covered by these guidelines, you knowingly, voluntarily and specifically consent to the authority of the Town to act as described herein.
- 3.7 Network and system administrators may view files and communications stored on the file servers or any other equipment to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on town servers or any other equipment would always be private.
- 3.8 No user while on Town property or making use of Town technology resources equipment shall perform any act that may be construed as illegal or unethical, or contrary to these policies and the intent thereof, including the use of a link to gain unauthorized access to other systems on this or any other network or system.
- 3.9 The Town of Hull condemns the illegal distribution of software, otherwise known as pirating. Any person caught transferring such files through the Internet, and any whose accounts are found to contain such illegal files, may immediately have their accounts suspended pending further review and administrative action. In addition, all users should be aware that software piracy is a federal offense and is punishable by fine or imprisonment.
- 3.10 All users should keep in mind that when they are using the Internet, they are entering a global community, and any actions taken by them will reflect upon the Town of Hull as a whole. As such, all users must behave in an ethical and legal manner.
- 3.11 In summary, all staff of the Town of Hull are prohibited, unless otherwise authorized by management or this policy, from: using the town's Internet access or technology resources for any personal use without permission (i.e., to send an e-mail and/or access an Internet site); using any profane, vulgar, threatening, libelous, or criminal language when using the Internet or technology resources; accessing any prohibited sites on the Internet; overriding or encouraging staff to override any firewalls established on the Internet access network; permitting another individual to use their password, dissemination of any passwords, codes, access telephone numbers, or account numbers; and/or any other action whatsoever which would in any way subject the user and/or the Town of Hull to a possible criminal or civil action. The foregoing list is not all-inclusive. The Town of Hull also reserves the right to notify a user of any other impermissible action regarding the use of the Internet or technology resources.
- 3.12 The Town of Hull reserves the right to change these rules and conditions at any time without notice. The use of headings and the division of topics in this policy is for convenience only.

4. PROCEDURES AND GUIDELINES:

- 4.1.1 It is the policy of the Town that all users comply with the policies and procedures contained in this document.
- 4.1.2 Primary Use. The computers, technology resources and other equipment provided by the Town or if privately owned are on Town property are to be used primarily for legitimate business purposes. Limited, occasional or incidental use of

technology resources for personal, non-business purposes is understandable and acceptable – for example, personal telephone calls – provided user complies with the requirements of this policy.

4.1.3 Internet. No user may access pornographic material, sexually explicit material, material of a sexual nature or any material that is illegal unless such access is within the scope of his or her employment (ex. Police Department investigations).

4.1.4 E-mail.

4.1.4.1 Public Record. E-mail that is created in the normal course of official business is typically a public record unless an exemption applies. Public records, unless otherwise provided by law, are open to public inspection pursuant to Massachusetts General Law.

4.1.4.2 Chain Letters. It is unacceptable to use e-mail to send chain letters. Chain letters are illegal or otherwise prohibited and shall not be transmitted. Chain letters include any e-mail message which purports to give a sender anything of value upon securing the addition of new members and thereby advancing themselves to a position where such person receive things of value from other members in the chain.

4.1.4.3 Virus Notifications. Any information related to potential computer viruses should be submitted to the Information Technology Administrator and/or your supervisor immediately. It should not be e-mailed to all users since the notification itself may contain a virus.

4.1.4.4 Passwords. Users must take all reasonable precautions, including safeguarding and changing passwords, to prevent the use of their e-mail account by unauthorized individuals. Obvious passwords should be avoided. When users are away from their desks, precautions should be taken to protect their accounts. Users are not allowed to establish or use passwords that have not been filed with management. By using the technology resources you agree and acknowledge that the Town may use your passwords. All passwords are the property of the Town unless otherwise exempt by approval of the Town.

4.1.4.5 Computers, Generally. The computers are a Town-provided resource and the use of the computers is subject to the following:

4.1.4.6 Personal Use. The computers are provided for business use purposes. However, personal use of the computers is permitted in a limited fashion and should be the exception and not the norm and should be conducted during off-duty hours, lunch hour or break times if at all possible. Any and all personal use of the computers must still comply with this policy. Users understand that personal use of Town equipment is not private or confidential.

4.1.4.7 Installation/Downloading. No user shall install, remove, upgrade or modify any software or hardware. If a user needs to install, remove, upgrade or modify any software or hardware, the user shall make that request to the Information Technology Director. Only personnel authorized by Information

Technology Director may install, remove, upgrade or modify any software or hardware.

- 4.1.4.8 Unauthorized Access. A user's supervisors, the Town Manager, others authorized by the Town Manager, as well as Information Technology personnel, have the right to access the computers and technology resources of employees for legitimate business purposes (e.g., the need to access information when a user is absent). No other user shall gain access to another user's computer or technology resources, including e-mail, without that person's explicit authorization, including obtaining copies of or modifying contents of files, other data, or passwords belonging to other users unless such access is within their official duties.
- 4.1.4.9 Anti-virus and other Software. All computers shall contain anti-virus software installed by IT. Such software shall be regularly updated by IT. It is the responsibility of the user to inform IT if his or her computer does not contain such software. No programs shall be installed on any Town owned or controlled computers unless by IT or with IT's approval.
- 4.1.4.10 Unacceptable Activities. Acceptable use must be legal, ethical, reflect honesty, and show restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and the individual's freedom from intimidation and harassment.
- a. Unacceptable use can be defined generally as activities that do not conform to the purpose, goals, and mission of the Town and to each user's job duties and responsibilities. Any usage in which acceptable use is questionable should be avoided. In other words, when in doubt, seek policy clarification prior to pursuing the activity.
 - b. Personal Commercial Use. It is unacceptable to use the computers for private or personal for-profit activities such as marketing or business transactions, private advertising of products or services, and any activity meant to foster personal gain. Additionally, it is unacceptable to use the computers for not-for-profit business activities such as any non-governmental-related fund raising or public relations activities such as solicitation for religious and political causes.
 - c. Unlawful or Unacceptable Activity. No user may utilize the computers for any unlawful or prohibited activities as defined by federal, state, and local laws or regulations. Unlawful activities relating to e-mail and network access include, but are not limited to:
 - Transmission of threatening, offensive or harassing information (messages or images) which contains defamatory, abusive, obscene, pornographic, profane, sexually oriented, threatening,

- racially offensive, or otherwise biased, discriminatory, or illegal material;
 - Violation of federal and state laws dealing with copyrighted materials (including articles and software) or materials protected by a trade secret;
 - Transmission of any information which encourages the use of controlled substances or uses the system for the purpose of criminal intent; and
 - Sexual or other harassment.
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- The Internet also contains information that is not suitable for children nor appropriate for a non-private personal setting. Such material should not be displayed or accessed at a government setting. Searching and displaying such information are strictly prohibited on Town premises regardless of whose equipment is being used. Violation of this policy may lead to the termination of the employment of the offender and or suspension/termination of the contract with the vendor. The following is a list of sample (i.e. not all inclusive and illustrative only) web sites and Internet/computer activities that are deemed inappropriate for undertaking, accessing or displaying on Town premises:
 - Online auctions unrelated to the Contractor's business
 - Online chat
 - Online gambling
 - Online games
 - Computer use, including email or Web sites that promote hatred opinions, threatening, offensive or harassing information (messages or images) which contains defamatory, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material or material demeaning any person or group of persons on the basis of race, ethnicity, gender, disability, beliefs concerning religion, or sexual orientation or
 - Online Personal & dating services
 - Pornography, pornographic material, sexually explicit material, material of a sexual nature or any material that is illegal unless such access is within the scope of his or her employment (ex. Police Department investigations)
 - File sharing web, e.g., Kazza, etc.
 - Web sites that promote criminal activities, e.g., bomb building, teaching theft method, etc.

4.1.4.11 Security. A user may not attempt to subvert network security, to impair functionality of the network, or to bypass restrictions set by the network

administrators. Assisting others in violating these rules is also unacceptable behavior.

4.2 Voice Mail. Voice mail is a Town-provided technology resource and the use of voice mail is subject to the following:

4.2.1 Voice Mail Messages. No user shall record an inappropriate voice mail message on another user's voice mail.

4.2.2 Unlawful Activity. No user may utilize voice mail for any unlawful or prohibited activities as defined by federal, state, and local laws or regulations. Unlawful activities relating to voice mail include, but are not limited to:

- Transmission of threatening, offensive or harassing messages which contains defamatory, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material; and
- Sexual or other harassment.

4.2.3 Unauthorized Access. No user other than a user's supervisors, the Town Manager and others authorized by the Town Manager as well as Information Technology personnel shall gain access to another user's voice mail without that person's explicit authorization. However, the Town shall have the right to access a user's voice mail during the performance of an official duty (ex. investigation of sexual harassment claim).

4.2.4 Monitoring Use. The Town is able and reserves the right to monitor and/or log all technology resources and all network activity without notice, including all e-mail and Internet communications for any legitimate business purpose, including but not limited to, random samples, diagnosis of technical problems, and investigation of possible misuse of Town equipment and technology resources. Users have no reasonable expectation of privacy in the use of these resources for either business or personal use.

5. RESPONSIBILITY:

5.1.1 The heads of departments shall be responsible for enforcing this policy within their departments. All users shall sign an acknowledgment of receipt of this policy. If the user refuses to sign the acknowledgement, their immediate supervisor will sign an acknowledgement stating that the user received a copy of the policy. All new hires shall be informed of this policy at the time of hiring by the hiring authority. All acknowledgements will be maintained in the user's personnel file. Any employee that violates this policy will be subject to disciplinary action as defined by Town policy or otherwise provided by law or management rights.

6. APPROPRIATE CONDUCT:

- 6.1.1 Employee, and any Contractor agrees that he or she or its employees and agents or subcontractors shall conduct themselves while in the performance of the services to the Town in a professional and appropriate manner. All members of the public, employees of the Town and other vendors and their employees shall be treated with courtesy and respect. No activities shall be undertaken on the premises of the Town which would generally be viewed as inappropriate in a governmental and/or business setting. Included as examples and not as a limitation of such activities would be any illegal activities, harassment, use or possession of drugs or intoxicating beverages, obscene or pornographic material or material which would generally be considered offensive. All persons are expected to use good common sense in their conduct and not to engage in any activities which would reasonably be viewed as conduct unbecoming or cause the public to lose confidence and respect for the Town, its departments, boards, commissions, employees, officers and Violations or contrary actions to this policy may result in disciplinary action and contract suspension or termination or the need for the Contractor to replace the offending employee or agent or officials. In specific reference to computer and internet usage on the premises of the Town, the following general guidelines are to be adhered to:

Attachment – Acknowledgement Form

Issued by the Board of Selectmen, Town Manager, and School Committee

First Reading: February 15, 2006

Second Reading: February 15, 2006

Adoption: February 15, 2006

Proposed Reconsideration: February, 2011

Hull Public Schools