

Record of Resolutions

Resolution No.: 2009-30

Passed: Sept. 14, 2009

A RESOLUTION FOR A POLICY ON COMPUTER USE INCLUDING INTERNET AND EMAIL USE

WHEREAS, the Village Council has determined that a policy on computer use including Internet and email use is needed.

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WEST LAFAYETTE, COSHOCTON COUNTY, STATE OF OHIO, that the following language be adopted as the Village's Computer/Internet Policy:

COMPUTER / INTERNET / E-MAIL POLICY

1. **General:** Access to the Computers and the Internet has been provided to employees for the benefit of the Village of West Lafayette. It allows employees to connect to information resources around the world. Every employee has a responsibility to maintain and strengthen the Village's public image, and to use the Village computers and the Internet in a productive manner. To ensure that all employees are responsible and productive computer and Internet users, and to ensure they are protecting the Village's public image, the following guidelines have been established for using the computers and Internet.

2. **Acceptable Use of Computers:** Employees are expected to use their computers only for business-related purposes. All of the Village's computer systems are public property. Except as indicated below, all documents, files, and e-mail messages are considered public records and are subject to the Ohio Public Records Law and are considered the property of the Village and may be subject to review without notice by Village officials or their agents. By Ohio law some files are considered confidential and are not covered by this policy; e.g. income tax files and law enforcement databases accessed by the West Lafayette Police Department. Furthermore if any employee uses his/her personal computer for business-related purposes and connects to the Village system, that computer is not subject to this policy.

3. **Acceptable Uses of the Internet:** Employees accessing the Internet are representing the Village of West Lafayette. All communications should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. The Internet is to be used to conduct official Village business, or to gain technical or analytical directions. Databases may be accessed for information as needed. E-mail may be used for business contacts.

4. **Unacceptable Use of the Internet:** Employees may not use the Internet for commercial activity or personal gain. This includes but is not limited to running any sort of private business. Employees may not use the Internet for fund-raising or advertising for commercial or non-commercial organizations, except for Village-related organizations and Village-related events. Employees may not use the Village name through the Internet in any way that implies Village endorsement of other organizations, products or services. Use of the Internet must not disrupt the operation of the Village of West Lafayette network or the networks of other users. It must not interfere with any employee's productivity.

5. **Communications:** Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have the employee's name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language is transmitted through the system. Employees who wish to express personal opinions on the Internet are encouraged to obtain their own usernames on other Internet systems.

6. **Software:** To prevent computer viruses from being transmitted through the system there will be no unauthorized downloading of any software. All software downloads must be done with the prior approval of their supervisor. Authorized software downloads must be saved to the user's own hard drive. Under no circumstances are files to be downloaded to the Village File Server, except that, subject to applicable copyright law, a supervisor may download software necessary to update and improve exiting software and hardware already on the system.

7. **Copyright Issues:** Employees on the Internet may not transmit Copyrighted materials belonging to entities other than the Village. Users are not permitted to copy, transfer, rename, add or delete information or programs belonging to other users unless given express permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action from the Village or legal action by the copyright owner.

8. **Security:** All messages created, sent or retrieved over the Internet are the property of the Village and should be considered public information. The Village reserves the right to access and monitor all messages

and files on the computer system as deemed necessary and appropriate. **Users of the Village's information systems are advised that their communications are subject to Federal, State or local laws, including laws regarding the right to privacy and laws that prohibit defamatory material. All communications including text and images can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.**

9. **Harassment:** Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual or group's race, religion, national origin, physical attributes, or sexual preference will be transmitted.

10. **E-Mail Conduct:** The Village of West Lafayette has established procedures regarding access and disclosure of electronic mail messages created, sent or received by employees using the Village's electronic mail system. This includes private email account messages that are checked on the Village's system.

The electronic mail system is Village property. Additionally, all messages composed, sent, or received on the electronic mail system are and remain the property of the Village. They are not the private property of any employee.

The use of the electronic mail system is reserved for the conducting of business at the Village of West Lafayette.

The electronic mail system may not be used to fund-raise or advertise for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

The electronic mail system is not to be used to create any offensive or disruptive messages. Among those which are considered offensive, are any messages which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, or disability. Employees are encouraged to refrain from publishing jokes, short stories or other items that are not business related.

The electronic mail system shall not be used to send (upload) or receive (download)-copyrighted copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

The Village of West Lafayette reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received or sent over the electronic mail system for any purpose. The contents of electronic mail properly obtained for legitimate business purposes may be disclosed within the Village without the permission of the employee.

The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to the Village or they are invalid and cannot be used.

Notwithstanding the Village's right to retrieve and read any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages that are not sent to them. Any exception to this policy must receive prior approval by their supervisor.

Employees shall not use a code, access a file, or retrieve any stored information, unless authorized to do so.

Employees should not attempt to gain access to another employee's messages without the latter's permission. All computer pass codes must be provided to the Supervisor. No pass code may be used that is unknown to the Village. Any employee who discovers a violation of this policy shall notify their supervisor.

11. **Penalties:** Any employee who violates this policy shall be subject to discipline, up to and including discharge.

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its Committees, in compliance with law.

SECTION 3. This Resolution shall take effect and be in full force immediately upon passage by Council.

Approved this 14th day of September, 2009.

Jack Patterson
Jack Patterson, Mayor

Attest: Lisa M. Derr
Lisa Derr, Fiscal Officer/Clerk of Council

Approved as to form: William M. Owens
William M. Owens, Solicitor
Village of West Lafayette, Ohio

I, Lisa M. Derr, Fiscal officer of the Village of West Lafayette, Ohio, do hereby certify that the foregoing is taken and copied from the Records of Proceedings of said Council meeting; that the same has been compared by me with the Ordinance/Resolution on said record and that it is a true and correct copy there. Witness my signature this 30th day of September, 2009

Lisa M. Derr
Lisa M. Derr - Fiscal Officer