

**Medina County
Network Use Policy
Including Network, Internet, & Email Access**

A copy of this document is available at: http://intraweb.medinaco.net/listings/email/internet_email_policy.pdf

Medina County strongly recommends to all department heads, supervisors, and elected officials that their departments and offices use a County email address for all County business. As outlined in the document below, Medina County has implemented a retention policy which adheres to the Public Records Act in effect as of September 29, 2007.

Medina County provides computer equipment, software, and internet access to its employees for governmental purposes only. Users of equipment must adhere to strict guidelines, outlined in the following document. Medina County may modify these regulations at any time, providing proper notification to all users.

On-Line Conduct / Use of the System

- The user agrees not to publish on or over the system any information which violates or infringes upon the rights of any other person, or any information which would be abusive, profane, or sexually offensive to the reasonable person.
- The user agrees not to publish any advertising or solicitation of other members to use goods or services.
- The user agrees not to use the facilities and capabilities of the system to conduct any business or solicit the performance of any activity which is prohibited by law or which is contrary to this or any other County policy.
- Internet access shall not be used for the solicitation of money for religious or political purposes.
- The user will not seek to benefit personally or permit others to benefit personally by any confidential information which has come to said user by virtue of his/her position in the County.
- Internet access is for County business only. The user is granted permission to utilize the County's internet/Intranet access account only on County-owned equipment, for County purposes.
- Internet access shall not be used for recreational purposes, including computer games.
- Medina County does not condone the use of objectionable materials. The user therefore specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal materials.
- The user will not encourage the use, sale, or distribution of controlled substances.
- Transmission of material, information, or software in violation of any local, state, or federal law is also prohibited.
- The user agrees to indemnify Medina County for any losses, costs, or damages, including attorney fees incurred relating to, or arising out of, any breach of this agreement by said user.
- System administrators, office holders, and department heads reserve the right to monitor all activity on County-owned computers.
- All requests to monitor web usage must be submitted via the form located at: <http://intraweb.medinaco.net/backbone/request.html> .
- System administrators, office holders, and department heads reserve the right to immediately terminate the account of a user who misuses the system.
- All requests to terminate/block any account must be submitted via the form located at: <http://intraweb.medinaco.net/backbone/request.html> .

Electronic Discovery and E-mail Retention

- Please refer all questions pertaining to Records Retention to your Office's appointed Public Records Officer.
- All employees handling County records, including electronic records, must be mindful of legal standards imposed upon their office in matters of records retention and electronic discovery.
- Any County public official or County employee who reasonably anticipates the office, or any of its officials or employees becoming a party or who is a party to a lawsuit "must suspend [the office's] routine document retention/destruction policy [in as far as it pertains to the employee and/or official] and put in place a 'litigation hold' to ensure the preservation of **relevant documents**," even where such documents may be of benefit to an adversary in the pending or threatened litigation. Zubulake IV. The appropriate County official should contact the email administrator immediately to facilitate the 'litigation hold' on email, at mailadmin@medinaco.org.
- Accessible archives to relevant electronic evidence (i.e., actively used for information retrieval) should be subject to the litigation hold. Zubulake IV.
- Any archives containing the documents of a key player to existing or threatened litigation must be preserved and accessible. Zubulake IV.
- Since the penalties for the wrongful destruction of relevant evidence in pending or threatened litigation, including electronic evidence, can be sizable, any employee who violates this policy by wrongfully destroying electronic evidence which may be subject to pending or anticipated litigation may be subject to disciplinary action in addition to any penalties imposed by a court of law for the wrongful spoliation (destruction) of evidence.

- Medina County will automatically archive a copy of every incoming and outgoing email transmitted on/via the County email system for a minimum period of two years. At yearly intervals the email archives will be purged after consulting both the County Commissioner’s and County Prosecutor’s Offices in order to preserve any archives under ‘litigation hold’.
- All County Departments and/or individuals not utilizing the County email system must make similar arrangements with their email service provider to provide access to all sent and received email for a minimum period of two years, and beyond according to the applicable statute of limitations. To obtain verification of whether a particular email address utilizes the County email system please visit: http://intraweb.medinaco.net/listings/email/new_email.htm or email mailadmin@medinaco.org .
- All email not falling under the categories of “Unsolicited - Unrelated to office functions” or “Personal - Unrelated to office functions” must be retained for a minimum of two years.

Licensed Software / Copyrighted Materials

- The user shall not install, upload, or download any software on County equipment without prior approval of the elected official or department head.
- Copyrighted materials, not owned or licensed by the County must not be placed on any computer or system without authorization from the elected official or department head. All copyright laws must be observed. Any violation of applicable copyright law is an express violation of this policy.

Additional Allowances for Email and Messaging Services

- County computers and their software are owned or licensed by the County, including the words written with them and time spent using them.
- Email transmissions can and will be monitored by the elected official, department head, or other appropriate government official.
- Any request for the monitoring of email must be submitted via the form located at: <http://intraweb.medinaco.net/backbone/request.html> .
- Any request for the retrieval of email archives must be submitted via the form located at: <http://intraweb.medinaco.net/backbone/request.html> . All retrieved archives, excluding those for monitoring purposes, will be forwarded to the County employee who was the originator or intended recipient of the original email for review against this policy. It is the responsibility of the employee to forward any pertinent correspondence to other parties.
- The Email system will be administered according to the policies developed by the Computer Department, County Engineer’s Office in cooperation with the Medina County Commissioner’s Office and Medina County Data Processing Board.

Additional Allowances for Mobile Systems Including Laptop Computers

- Any access to the Medina County Network is restricted to County owned equipment only, including any and all remote access to County network services.
- All County supplied laptop computers must also be configured as such to comply with the stipulations of the Medina County Telecommuting Policy, available at http://intraweb.medinaco.net/listings/remote_access/R-A_Policy.pdf , as such devices are easily removed and used beyond the reach of the implemented County network security and protection.
- Any computer system capable of connecting to a wireless network must also have the “Cisco Secure Services” client installed and properly configured to prevent communication on both wired and wireless networks concurrently <http://www.cisco.com/en/US/products/ps7034/index.html> . While it is not the intent of Medina County to provide wireless access, the existence of wireless networks external to the County mandates this step. The installation and configuration of the software will be performed by the current network support contractor for a per-incident charge.

VIOLATIONS OF THE POLICY MAY RESULT IN DISCIPLINARY ACTION!

I have read and I understand Medina County’s Internet and Email Policy, and agree to assume the responsibilities as outlined.

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| _____ | _____ | _____ |
| Employee Printed Name | Employee Signature | Date |
| _____ | _____ | _____ |
| Elected Official / Dept Supervisor | Supervisor Signature | Date |
| _____ | | |
| Department | | |