

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON**

**In the Matter of an Order Adopting the)
Curry County Technology Use Policy)
)**

ORDER NO. 23260

WHEREAS, to ensure the integrity and security of the County's resources and data, it is appropriate to adopt a policy governing the use of technology devices, communications and storage media; and

WHEREAS, a Technology Use Policy, governing the acceptable use of technology devices, communications, and storage media has been developed for use by the County.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT the adoption of the County Technology Use Policy filed concurrently herewith and incorporated herein by reference shall be effective as of the date of this Order, and shall be observed by all County staff.

DATED this 30th day of May, 2023.

BOARD OF CURRY COUNTY COMMISSIONERS

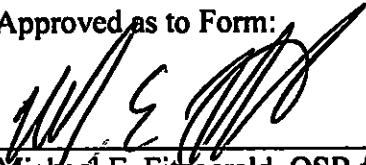


John Herzog, Chair



Brad Alcorn, Vice Chair

Approved as to Form:



Michael E. Fitzgerald, OSB #950738
Curry County Legal Counsel



Jay Trost, Commissioner

CT2023-144

Curry County Clerk, Shelley Denney

Filed Date 6 / 6 / 23

Time 11:25am

Deputy 

S. Lindsey Harris 11 pgs



CURRY COUNTY TECHNOLOGY USE POLICY

ACCEPTABLE USE OF TECHNOLOGY DEVICES, COMMUNICATIONS & STORAGE MEDIA

1. PURPOSE

The purpose of this Policy is to ensure that access to County technology devices, communication systems, storage media and other technology resources within Curry County are used appropriately and that their use is consistent with Oregon Public Records and Government Standards and Practices law, Federal, State and Local Regulatory Compliance Requirements; further, this Policy establishes rules governing such use of County resources. The primary objectives are to meet the County's performance goals; to maintain credibility with the public, and to protect the integrity of the County's technology resources. Curry County reserves the right to review any data, files, or communications created, sent, accessed, stored, or received on County devices as well as communication and data storage resources.

2. SCOPE

This procedure is applicable to all County departments and is administered in accordance with the authority delegated to the Director of County Operations by the Curry County Board of County Commissioners. Exceptions will take effect upon written approval of the DCO. Individual Department Heads may establish more strict procedures for their respective departments.

Where any section, subsection, sentence, clause or phrase of this procedure is found to conflict with both properly negotiated and ratified collective bargaining unit contracts or with any state or federal law or administrative rule, the terms of such contracts, laws, or rules prevail.

3. AMENDMENT

This Policy may be amended by the Director of County Operations ("DCO") or by the Curry County Board of Commissioners.

4. DEFINITIONS

The following definitions apply throughout this Policy whether or not the terms are capitalized:

"County Technology Device, Communications & Storage Media" or "Technology Resources" means all forms of information technology that are acquired, purchased, leased, or licensed by Curry County; accessed on or from Curry County's premises; accessed using County devices, communication equipment, storage media or County-paid access methods; or used in a manner that identifies the individual with Curry County. This includes, but is not limited to: email, internet, intranet, County computer hardware and software, County wired and wireless personal mobile devices such as tablets computers, cellular telephones, and other wireless voice or data devices.

This definition does not include personal use of a personal computer or other communication device when connected to the public wireless network or when used as a stand-alone device.

“County Equipment” means all computers, laptops, desk phones, cellular phones, tablets, iPads, radios, etc. owned by Curry County and used by employees in the course of County business.

“Data” means information in a form suitable for processing by a computer, such as the digital representation of text, numbers, graphic images, or sounds.

“Download” means to copy data (usually an entire file) from one location to another. The term is often used to describe the process of copying a file from the Internet to a computer or other device.

“Email” means the transmission of text messages, memos, and reports from one email address to another.

“Internet” means the global system of interconnected computer networks that use the standard Internet Protocol. It is a network that consists of millions of private, public, academic, business, and government networks, of local to global scope.

“Intranet” means a computer network that uses Internet Protocol technology to share information, operational systems, or computing services within an organization. The term is used in contrast to internet, a network between organizations, and instead refers to a network within an organization.

“Jailbreaking” means gaining access to or modifying the operating system of a smartphone, tablet, etc., (especially an Apple device), usually in order to run modified or unauthorized software.

“User Account” means a network access account established for general access purposes, such as file permissions, timecards and email.

“Wired Telephones” means Curry County’s telephone system.

“Wireless Telephones” means cellular telephones.

“Wi-Fi Enabled Device” means a device capable of exchanging data wirelessly (using radio waves) over a computer network, including high-speed Internet connections.

5. OWNERSHIP AND PUBLIC RECORDS

Communication Resources are provided and may be used only in the furtherance and conduct of County business.

5.1 Public Records. Except as specifically exempted by the Oregon Public Records Law, and unless otherwise specified, all software programs, documents, and data generated by or residing on the Communication Resources or generated by County employees or others at the direction of the County, and all Communication Resources are County property and public records.

Employees should not expect personal privacy with respect to any of their activities using communication resources. Under Oregon's Public Records law, there is no absolute right to privacy for any public record, which includes email and other data. All County records are public records subject to limited confidentiality and disclosure exceptions.

Subject to certain state or federal confidentiality laws, the County reserves the right to access and disclose without prior notice any data stored on County communication resources, including but not limited to removable flash or external storage devices, or created storage media.

Within limited exceptions under certain state or federal confidentiality laws, any data or telephone records may be accessed and reviewed at any time without prior notice by a Department Head, the DCO, or County Counsel. Data or records may also be accessed and reviewed by Information Technology Services or other assigned support staff in their role of providing support services.

5.2 Data Retention. Since County data stored digitally is public record, it is subject to the same retention requirements as hard copy documents. Data must be retained even if it is confidential, privileged, or otherwise exempt from disclosure under the Public Records Law unless state or federal law specifies otherwise. The retention and disposition of public records is authorized by retention schedules issued by the Secretary of State Archives Division. (Oregon Administrative Rules - Chapter 166)

Records may be retained either in hard copy or electronic format. If a hard copy of the electronic data is printed, then the electronic version may be deleted. One version must be kept according to the applicable retention schedule. Questions about retention of electronic data (or other public records) should be directed first to the Department Head, then, if necessary, to County Counsel.

5.3 Exceptions to Public Records Requests. The County may exercise any applicable privileges and objections to a public records or discovery request made for any County data contained in communication resources or otherwise created or utilized in the furtherance of County business. An employee who wants the County to assert a privilege or objection under the Public Records law with respect to County data must notify the Department Head who will consult with County Counsel about the request.

6. GUIDELINES

The following guidelines are designed to assist employees in their use of County communication and technology resources.

6.1 Purpose of Communication and Technology Resources. Communication and technology resources should be used as a tool for the purpose of conducting County business. They are not to be used for personal pursuits while at work, unless permitted by Section 7 of this Policy.

6.2 Privacy. Users should not expect privacy; they should observe courtesy and good security practices. There are a variety of ways data can be disclosed to people other than the

intended recipient, including as a result of unauthorized access. The intended recipient of data or voice communication can forward information to a third party without the creator's knowledge; data communications sometimes are misdirected or disclosed to third parties due to human or system error. Data can be disclosed in the course of maintaining the communication and technology resources.

6.3 *Email.* E-mail may only be used in the conduct of county business except as allowed for personal use as defined in Section 7 below. If an employee receives an inappropriate email, they should consult with their supervisor regarding appropriate steps to inform the sender not to send such email, delete the message (subject to Oregon Public Record Act limitations) and not forward it. The employee can contact Information Technology ("IT") Services if assistance is needed.

6.4 *Prudence.* Employees should represent Curry County's best interests, with a prudent exercise of judgment in the use of Communication Resources. This includes avoiding visiting improper Internet sites or taking part in non-business-related discussion sites, such as chat rooms, blogs, newsgroups, and instant messaging. When logged in to a site that is identifiable with Curry County, employees should avoid any communications or activities that could be construed as improper or that otherwise could harm Curry County's reputation.

6.5 *Legal Rights.* Employees should respect the rights of others. Employees must comply with all copyright laws when copying or distributing any copyrighted material. It is always wise to treat all material as copyright protected, unless the author has given his or her permission for the material to be redistributed.

7. ACCEPTABLE USE

7.1 *County Business.* County communication and technology resources are provided for and may be used only in the furtherance and conduct of County business except as specified by this Policy. Acceptable uses of Communications Resources include communication, data creation, and Internet activity that are in support of County-budgeted programs and activities. Examples of acceptable use in support of County activities include:

- A. Communication for County purposes with private sector, federal, state, or local government agencies and their committees, boards or commissions.
- B. The use of Internet search engines to research work-related topics.
- C. Any other administrative communications or activities that are in support of normal and accepted County programs.
- D. Communication for professional development related to an employee's current position, or other professional development approved by the Department Head to increase knowledge of issues in a field or subfield of knowledge.

7.2 Wireless Devices. The use of County-provided Wireless Telephones and Wi-Fi Enabled Devices is limited to work-related duties. Employees may not use any such device for personal use, except when a personal call is related to official duties such as a meeting which runs later than expected, or a last-minute change of schedule. Incoming calls regarding family emergencies are also permitted. The Oregon Government Standards and Practices Commission Advisory Opinion No. 98A-1003 prohibits all other personal usage of County-provided cellular telephones; the same logic applies to Wi-Fi Enabled Devices that utilize network communications. Only County owned devices or those explicitly authorized by the DCO will have access to County systems, and these devices will have Mobile Device Management (MDM) installed on them by Curry County. This does not apply to the use of personal devices for Multi-factor Authentication (MFA), which is allowed.

7.2.1 The County may require that certain employees carry a Wireless Telephone or Wi-Fi Enabled Device. If so required, the County may assign a County-owned device and calling plan for the employee's work related use.

7.2.2 The DCO may grant an exception for access to use non-County devices as required, however these devices will require MDM.

7.3 Personal Use of County Equipment and Technology. Uses or resources that otherwise comply with this policy and that do not interfere with County business are permitted subject to the conditions stated below. Department Heads may authorize individual exceptions to the personal use privilege under Section 7 of this Policy. The DCO or the Department Head may cancel this personal use privilege.

Personal use may not involve any prohibited activity under Section 8 of this Policy. Examples of acceptable personal use of County equipment and technology resources are as follows:

- A. For the limited purpose of compliance with the state ethics rules (Government Standards and Practices Law and Oregon Administrative Rules), this personal use is considered part of an employee's compensation package.
- B. Personal use of the Internet during non-paid time (lunch break during regular work shift) is limited to a maximum of one (1) hour per week. Personal use of other Technology Resources is not time limited but must comply with all other aspects of this Policy.
- C. Communication with family.
- D. Review of County sponsored benefit account information, such as life insurance, retirement accounts, and health insurance.
- E. Use of communication resources, including County fax systems, for submitting benefit forms or information.

- F. Access of educational resources for career development.
- G. Tracking personal appointments and contacts is permitted during paid time and is not subject to the hour limitation or lunch hour restriction. However, employees should be aware that contacts and appointments could be subject to disclosure under a public records request.

8. UNACCEPTABLE USE

8.1 *Prohibited Activities on County Equipment.* While limited personal use is permitted by Section 7, it does not include or permit any of the following strictly prohibited activities.

- A. Using Technology Resources to conduct personal business for private financial gain or avoidance of private financial loss at any time.*
- B. Except for the purchase or sale of goods or services for County use when authorized by the Department Head, using Technology Resources to engage in any commerce, including the purchase or sale of any goods or services.*
- C. Accessing personal Internet accounts, financial, trading, and personal travel accounts, or to perform a financial transaction.*
- D. Accessing other personal Internet accounts, such as social media, unless this access is needed to manage or participate in approved Curry County social media sites for business purposes.
- E. Attempting to, or circumventing, reducing, or defeating security and/or auditing systems of Communication Resources or those of any other organization without prior written authorization from the DCO.
- F. Taking any action that attempts to or renders the user's device or equipment unusable or that interferes with another's use of such device or equipment.
- G. Obtaining unauthorized access of any kind to any system, including using another individual's password to access their computer or user account without explicit documented authorization by the user, the DCO, Department Head, or County Counsel. (Use of Outlook's capability for granting and assigning delegates is allowed and provides necessary documentation.)
- H. Providing non-Curry County employees or other users not authorized by the Department Head and DCO access to Technology Resources.
- I. Monitoring or intercepting the files or electronic communications of employees or third

parties, unless this is approved by the DCO and one of the following: Department Head or County Counsel. This prohibition does not apply to an authorized use of a particular software program (for instance, calendar management).

- J. Engaging in illegal, fraudulent, or malicious conduct, or conduct that causes someone else to suffer loss or harm.
- K. Downloading and installing software off the Internet without previous authorization from the DCO, with particular emphasis on software having the potential for bypassing or damaging the Communication Resources or the County systems' security.
- L. Except as allowed under any software license any commercial software residing on the Technology Resources must have been purchased through an authorized vendor or otherwise lawfully obtained. Except as otherwise allowed under the software license, and except for backup/archival purposes, software owned by Curry County or installed on the Technology Resources is covered under the copyright laws and may not be copied, duplicated, or installed on any other computer resource.
- M. Soliciting, supporting, opposing, or promoting political or religious causes or beliefs.*
- N. Use in a manner that would constitute or might be construed by a reasonable person to constitute an endorsement of a specific commercial entity by Curry County.
- O. Working on behalf of organizations or businesses without any professional or business affiliation with Curry County, or working on behalf of organizations or businesses with such affiliation but outside of the specific County business with them.
- P. Except as expressly authorized by the Department Head or the DCO as a matter of County concern, using County technology resources on behalf of non- profit or charitable activity.
- Q. Sending, receiving, or storing offensive, obscene, or defamatory data.
- R. Sending uninvited e-mail of a personal nature.
- S. Visiting or viewing pornographic Internet sites, downloading pornographic data from the Internet, sending or retrieving sexually explicit or offensive messages, cartoons or jokes, ethnic slurs, racial epithets or any other statement or image that might be construed as harassment, disparagement, libel, or discriminatory based on sex, race, sexual orientation, national origin, disability, or religious or political beliefs.
- T. Annoying or harassing other individuals in any manner, including the distribution or storage of chain letters, jokes, solicitations, junk mail, spam, offers to buy or sell goods, or other non-business material of a trivial or frivolous nature.

- U. Use of any large bandwidth Technology Resource for personal use (i.e. streaming video) unless authorized by the Department Head.
- V. Use in a manner that interferes with the productivity of the employee-user, another employee, or co-workers, including playing games.
- W. Connection of personally-owned devices to the County computer and Technology Resources, other than e-mail and calendaring through the cellular network or wireless devices through the public wireless connection, without authorization from the DCO. Personally owned devices are not allowed to be directly connected to the Curry County business network.

* Denotes that the prohibited use may constitute a violation of the Oregon Code of Ethics and may result in civil liability for the employee. (Oregon Revised Statutes Chapter 244)

NOTE: this list is illustrative of prohibited activities; however, if a prohibition exists in any applicable law, administrative rule, other administrative procedure or directive established within the employee's department, it is likewise applicable.

8.2 Department Head Authority to Override. A Department Head may authorize a specific prohibited activity for a specific individual for legitimate County business purposes, except for activities that require the DCO's approval. Such authorization must be in writing.

8.3 Violation. Employees violating Curry County policy are subject to discipline, up to and including termination of employment. Furthermore, employees using Technology Resources for defamatory, illegal, or fraudulent purposes also may be subject to civil liability and criminal prosecution.

9. PASSWORD PROCEDURE

9.1 Overview. Passwords are an important facet of computer security. They are the first line of defense for all Curry County user accounts. Curry County employees are responsible for taking the correct steps, as outlined in this section, to select and secure their passwords.

9.2 Purpose. The purpose of this procedure is to establish a County-wide password policy for employees accessing the Curry County Technology Resources that require passwords.

9.3 Password Requirements and Limitations.

9.3.1 Employees must not use the same password for Curry County accounts as for other personal or other non-Curry County access (e.g., personal ISP account, option trading, benefits, etc.).

9.3.2 Employees must not write down passwords, or store passwords on-line without

County approved encryption software.

9.3.3 Employees must not share passwords with anyone, including administrative assistants or co-workers. All passwords are to be treated as sensitive, confidential Curry County information. The following general rules apply:

- Do not reveal a password over the phone to anyone.
- Do not reveal a password in an email message.
- Do not reveal a password to your supervisor.
- Do not talk about a password in front of others.
- Do not hint at the form of a password (e.g., my dogs name, street address, etc.).
- Do not reveal a password on security forms or polls.
- Do not share a password with family members.
- Do not reveal a password to a co-worker.
- If someone demands a password, refer them to this document.
- Do not use the “Remember Password” feature of applications (e.g., Outlook, Edge, Chrome).

9.4 ***Password Characteristics.***

9.4.1 Passwords should not have any of the following characteristics:

- The words “Curry County” or any derivation.
- Birthdays and other personal information such as addresses, and phone numbers.
- Word or number patterns like aaaccc, qwerty, zyxwvuts, 123321, etc.
- Contain spaces in the password.

9.4.2 With the exception of Wi-Fi-enabled devices, passwords must have the following characteristics:

- Be a minimum of 15 characters.

- Be required to be changed at least every 90 days.
- Not be similar to or the same as any of the past ten (10) passwords.
- Not be changed more frequently than every 24 hours.

9.6 Security Incident Reporting. If an account or password is suspected to have been compromised, report the incident to the Department Head. All suspected compromises reported to Department Heads must be brought to the attention of the DCO in written form.

10. INTERPRETATION AND IMPLEMENTATION

Any questions relative to the intent or application of this procedure should be directed to the DCO, who is delegated the responsibility to interpret and implement this procedure.

11. ACKNOWLEDGEMENT OF RECEIPT BY DEPARTMENT HEADS

Upon receipt of this Policy, each Department Head shall sign below where indicated, and a copy of the signed acknowledgement shall be placed in the Department Head's personnel file.

Signature

Date

Name and Title