

**TOWN OF NEWTON**  
**COMPUTER, ELECTRONIC MAIL AND INTERNET ACCESS POLICY**  
*(Adopted October 16, 2006)*

*Data systems such as electronic mail, internet access and other electronic media and equipment are business tools that are provided by the Town of Newton to employees to facilitate timely and efficient conduct of business. To help ensure that these tools are used properly, the Board of Selectmen has developed the following policy. This policy addresses access, use and disclosure of electronic mail and internet messages and materials created, stored, sent or received by the Town of Newton employees using the Municipal systems. The Board of Selectmen intends to honor the policies set forth below but reserves the right to change them at any time as may be required.*

Purpose. The Town of Newton provides data systems such as computers, electronic mail and internet access to assist in the conduct of business within the Municipality.

Definition of Systems. For purposes of this policy, systems shall mean all electronic communications systems and data processing and computing systems and resources, whether owned or leased by the Town of Newton, including but not limited to:

- Computers
- Faxes
- Voice mail
- Electronic mail
- Internet access services

Relation to Other Policies. This policy is intended to be consistent with other Town policies, including “Against Sexual Harassment and Other Workplace Harassment and the Equal Opportunity Policy”. Employees are to use the Town of Newton’s electronic mail and internet systems in a manner that is consistent with these other policies.

Acceptable Use.- The use of computer, electronic mail and internet systems is reserved for the conduct of business within the Municipality. Any unauthorized access or use of the Town of Newton’s systems is strictly prohibited.

Town Property. The computer, voice mail, electronic mail and internet systems and hardware are Town property and employees should have no expectation of privacy when using such systems and hardware. Additionally, all materials and information created, transmitted or stored on or through these systems, including but not limited to messages and attachments composed, sent or received on the voice mail, electronic mail or internet systems, are and remain the property of the Town of Newton and may be accessed by authorized personnel at any time. They are not the private property of any employee, and employees should not consider any e-mail or internet messages or materials private or their personal possessions.

Passwords. All Town of Newton systems should be password protected. Employees must not use a code, access a file, or retrieve any stored communication, other than where authorized. All passwords are the property of the Town of Newton.

*Computer, Electronic Mail and Internet Access Policy continued*

Non-Removal. You may not remove from the premises any hardware, software, files or electronic data without prior management authorization. This includes, but is not limited to, confidential/non-public data files and emails.

Downloading. In downloading documents from the internet, the Town of Newton requires that such documents must be job related and constitute a reasonable use of the Town's resources. Executable files may not be downloaded without prior authorization from the Town Administrator.

Prohibited Activities. Certain activities are prohibited when using the Internet or electronic communications without prior management authorization. These include, but are not limited to:

- ❖ accessing, downloading, printing or storing information with sexually explicit content as prohibited by law;
- ❖ downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images;
- ❖ installing or downloading computer software, programs that may potentially launch and install automatically such as executable files;
- ❖ uploading or downloading copyrighted materials or proprietary town information contrary to policy;
- ❖ uploading or downloading access-restricted town information contrary to policy or in violation of town policy;
- ❖ sending e-mails using another's identity, an assumed name, or anonymously;
- ❖ permitting a non-user to use for purposes of communicating the message of some third party individual or organization;
- ❖ any other activities designated as prohibited by the Town of Newton.

Security. The distribution of electronic communications is difficult to control and routing mistakes can easily occur. Copies of electronic communications can be forwarded without the sender's knowledge or permission to unintended recipients. Therefore, electronic communications should be drafted and sent with at least the same level of care, professional judgment and discretion as paper memoranda or documents.

Backups. Data backups shall be performed on a weekly basis as a routine process.

- ❖ **Every computer user is responsible for determining and maintaining adequate data backups of critical, important, irreplaceable, electronic data files.** *For extremely valuable data, multiple copies of data stored in multiple locations are strongly recommended. Data stored on typical media such as disks, diskettes, tape and CD-ROM,*

*can be damaged by heat, magnetic fields, oxidation, and in general, the aging process, so copies cannot be relied upon indefinitely.*

- ❖ The ability to read and write CDs provides a great deal of flexibility to transfer data and to create permanent backups of your work. It is important to backup important data files that are stored on your computer's non-removable hard disk to an alternative media that can be removed from the town premises. Alternative media's include any larger storage devices such as a USB Flash Drive, Zip Drive, CD-R or CD-RW, DVD-R or DVD-RW, USB device or an external hard drive, or other similar devices that will allow you to make frequent backups of your files.

Offensive or Harassing Use Prohibited. The voice mail, electronic mail and internet systems are not to be used to create any offensive or disruptive messages. Among those which are considered offensive are messages or material which contains sexual implications, racial or ethnic slurs, or other comments that offensively address someone's age, sex, sexual orientation, religion, national origin, ancestry, disability or other protected status. The voice mail, electronic mail and internet systems must not be used to commit any crime, including but not limited to sending obscene e-mail over the internet with the intent to annoy, abuse, threaten or harass another person.

No Offensive, Inappropriate or Sexually Explicit Sites. The Town of Newton's internet system must not be used to visit sexually explicit or otherwise offensive or inappropriate Web sites, or to send, display, download or print offensive material, pornographic or sexually explicit pictures or any other materials which would be found offensive or inappropriate by most reasonable people.

Solicitation Prohibited. The electronic mail and internet systems may not be used to solicit for out-side or personal/commercial ventures, religious or political causes, outside organizations, or other solicitations that are not job related.

User Responsibilities. The conduct of computer users who access the internet or send e-mail containing the municipalities domain address (i.e. newtonselectmen@comcast.net) may be perceived as reflecting on the character and professionalism of the municipality. When engaging in such conduct, employees are expected to do so in a responsible and professional manner. All users are responsible for exercising appropriate care to protect the Town's computer systems and network against the introduction of viruses.

Town's Right to Monitor. To ensure that electronic and telephone communication systems and business equipment are being used properly and in compliance with this policy, the Board of Selectmen reserves and intends to exercise the right to review, audit, intercept, access, copy, display, listen to, and/or disclose messages, communications, or material, including attachments, created, received, sent or stored, web sites visited and/or files downloaded, through, in, or over the Town's systems, including its electronic mail or internet systems in accordance with applicable law. Authorized representatives of the Town may monitor the use of its systems in its sole discretion, at any time, with or without notice to any employee and may bypass any password. Such monitoring is capable of tracking and recording e-mail messages sent and received as well as internet web sites visited by employees.

*Computer, Electronic Mail and Internet Access Policy continued*

Confidentiality. The confidentiality of any messages or materials should not be assumed. Even when a message or material is erased, it may still be possible to retrieve and read that message or material. Further, the use of passwords for security does not guarantee confidentiality. Notwithstanding the Board of Selectmen's right to retrieve and read any electronic mail or internet messages or materials, such messages or materials should be treated as confidential by other employees and accessed only by the intended recipient. Employees are responsible for maintaining the confidentiality of material on the systems. Without prior management authorization, employees are not permitted to retrieve or read e-mail messages that are not sent to them.

Disciplinary Actions. A violation of this policy may result in disciplinary action ranging from a verbal warning up to discharge from employment. The action taken will be based upon the severity of the violation as determined in the sole discretion of the Board of Selectmen.

**Amended on October 1, 2007**