

## **Poynette Area Public Library**

### **Electronic Communication & Information Systems Policy**

Adopted by the Library Board: June 11, 2019

#### **I. PURPOSE**

To better serve our patrons and give our workforce the best tools to do their jobs, the Poynette area Public Library (PAPL) continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, the Internet, and the World Wide Web.

The PAPL encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. No expectation of privacy regarding use of the PAPL's electronic communication systems should be expected by the employee in any respect related to accessing, transmitting, sorting or communicating information via the system. Library employees may use any public services and equipment offered to patrons on personal time.

This policy cannot lay down rules to cover every possible situation. The purpose of this policy is to express the PAPL's philosophy and set forth general guidelines governing the use of electronic media and services. By adopting this policy, it is the PAPL's intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the PAPL.

#### **II. ELECTRONIC COMMUNICATION POLICY**

It is the policy of the PAPL to follow this set of procedures for the use of electronic communication media and services.

1. The following procedures apply to all electronic media and services that are:
  - a. Accessed using staff computer equipment or via Village-paid access methods
  - Or
  - b. Used in a manner that identifies the individual as acting for or on behalf of the PAPL/Village; or in any way that identifies the PAPL/Village.
2. Organizations affected – this policy applies to all of the Village of Poynette including its departments, offices, boards, commissions, committees, Village/PAPL employees, elected officials and contracted and consulting resources.

References: Electronic Communications Privacy act of 1986 (18 U.S.C. §§ 2510-2711); Wis. Stats. §947.0125.

### **III. ELECTRONIC COMMUNICATION PROCEDURES**

#### **1. Access and Authority**

- a. Each Department Head shall determine which employees in their department shall have access to the various media and services, based on business practices and necessity and which shall have authority to communicate on behalf of the PAPL/Village.
- b. The provisions of this Policy shall apply to the use of Village-owned/provided equipment and/or services from home or other locations off Village premises. PAPL owned equipment (e.g. lap tops) may be removed from PAPL solely for work related purposes. If PAPL owned equipment is available to the public for check out, staff may check out this equipment for personal use as a patron.

#### **2. Electronic and Information Systems Access for Library Board Members**

Board members will be provided access to a trustee library email account. It is the responsibility of the board member to store all library related electronic documents and emails for records retention. The trustee library email account shall not be used for personal use.

Business-related correspondence (paper and electronic) of elected officials shall be retained for the duration of their term. Correspondence must be retained for 6 months after separation of position or end of term and Wisconsin Historical Society must be notified. Correspondence that relates specifically to a program or project may need to be retained per that particular schedule.

#### **3. Prohibited Communications**

- a. Electronic media cannot be used for knowingly transmitting, retrieving or storing any communication that is:
  - i. Personal business on Village time (e.g. sports pools, games, shopping, correspondence or other non-business-related items/documents), except as otherwise allowed under #4 below;
  - ii. Discriminatory or harassing;
  - iii. Derogatory to any individual or group;
  - iv. Obscene as defined in Wis. Stats. § 844.21;
  - v. Defamatory or threatening; or
  - vi. Engaged in for any purpose that is illegal or contrary to the Village's policy or business interests.
- b. For the protection, integrity and security of the PAPL's System, electronic media shall not be used to download or transfer software, unless authorized by the Library Director/ South Central Library System.

#### 4. Personal Use

- a. Except as otherwise provided, electronic media and services are provided by the PAPL for employees' business use during Village/ Library time. Limited, occasional, or incidental use of electronic media (sending or receiving) for personal non-business purposes is permitted as set forth below:
  - i. Personal use is limited to breaks, lunch or immediately before/ after work;
  - ii. Personal use must not interfere with the productivity of the employee or his or her co-workers or service to residents;
  - iii. Personal use does not involve any prohibited activity;
  - iv. Personal use does not consume system resources or storage capacity on an ongoing basis;
  - v. Personal use does not involve large file transfers or otherwise deplete system resources available for business purposes.
- b. PAPL telephones and cellular phones are to be used for Library business. However, brief, limited personal use is permitted during the work day. Calls that produce an added cost, such as long distance or international, must be reimbursed to the Village, as per policies set forth in the Village Employee Personnel Manual.
- c. Employees should not have any expectation of privacy with respect to personal use of the Library's electronic media or services.

#### 5. Access to Employee Communications

- a. Electronic information created and/or communicated by an employee using email, word processing, spreadsheets voice mail, telephones, Internet and similar electronic media may be accessed and monitored by the Library/Village. The Library/Village respects its employees' desire to work without surveillance. However, the Library/Village reserves and intends to exercise the right, at its discretion, to review, monitor, intercept, access and disclose all messages created, received or sent over the electronic communications systems for any purpose including, but not limited to: cost analysis; resource allocation; optimum technical management of information resources; and detecting use which is in violation of Library/ Village policies or may constitute illegal activity. Disclosure will not be made except when necessary to enforce the policy, as permitted or required under law, or for business purposes.
- b. Any such monitoring, intercepting and accessing shall observe any and all confidentiality regulations under federal and state laws.

#### 6. Security/Appropriate Use

- a. Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by the Library Director, employees are prohibited from engaging in or attempting to engage in:

- i. Monitoring or intercepting the files or electronic communications of other employees or third parties;
  - ii. Hacking or obtaining access to systems or accounts they are not authorized to use;
  - iii. Using other people's log-ins or passwords; and
  - iv. Breaching, testing, or monitoring computer or network security measures.
- b. No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.
- c. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
- d. Anyone obtaining electronic access to other organizations', business', companies' municipalities' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

Before installing any new software or data, users should seek assistance from SCLS Tech support staff. SCLS Tech staff keeps our software and network updated including virus scanning software. Staff should not attempt to disable, modify, or uninstall software.

Anyone receiving an electronic communication in error shall notify the sender immediately. The communication may be privileged and confidentiality shall be respected.

## 7. Encryption

Employees should not assume electronic communications are totally private. Employees shall not encrypt messages or files.

## 8. Participation in online forums

- a. Employees should remember that any messages or information sent on PAPL's facilities to one or more individuals via an electronic network (for example: Internet mailing lists, bulletin boards, and on-line services) are statements identifiable and attributable to the PAPL/Village.
- b. The PAPL recognizes that participation in some forums might be important to the performance of an employee's job.

## 9. Policy Violations

Employees who abuse the privilege of Library-facilitated access to electronic media or services risk having the privilege of PAPL-facilitated access to electronic media or services risk having the privilege removed for themselves and possible other employees, are subject to discipline, up to and including termination.

#### **IV. E-MAIL POLICY**

The PAPL provides employees with systems to send and receive electronic mail (e-mail) so they can work more productively. E-mail gives employees a useful way to exchange ideas, share files, and keep in touch with colleagues, whether they are in the next room, another Village building or thousands of miles away.

The PAPL's e-mail system is a valuable business asset. The messages sent and received on the e-mail system, like memos, purchase orders, letters, or other documents created by employees during their workday, are the property of the Library/ Village and may constitute public records. This policy explains rules governing the appropriate use of e-mail and sets out the PAPL's right to access messages on the e-mail system. No expectation of privacy regarding use of the PAPL's e-mail system should be expected by the employee in any respect to accessing, transmitting, sorting or communicating information via the system.

This policy applies to all PAPL employees, library board members and consulting resources.

References: Electronic Communications Privacy act of 1986 (18 U.S.C. §§ 2510-2711); Wis. Stats. §947.0125.

#### **V. E-MAIL PROCEDURES**

1. Access to employee e-mail
  - a. Employees should not have any expectation of privacy with respect to messages or files sent, received, or stored on the South Central Library System (SCLS) e-mail system. E-mail messages and files, like other types of correspondence and Library documents, can be accessed and read by authorized employees or authorized individuals outside the Village. The Village/Library reserves the right to monitor, review, audit, intercept, access and disclose all messages created, received or sent over the e-mail system. Information contained in the e-mail system will only be disclosed to the extent permitted by law, for business purposes, or as needed to enforce the policy. Authorized access to employee e-mail by other employees or outside individuals includes, but is not limited to, the following:
    - i. Access approved by the employee or the employee's supervisor when there is an urgent business reason to access the employee's mailbox – for example, if an employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business is in the employee's mailbox;
    - ii. Access approved by the employee's supervisor, Library Director or the Village Administrator, or an officer of the Village when there is reason to believe the employee is using e-mail in violation of the Village's policies;
    - iii. Access approved by the Library Director/Village Administrator or the Village Attorney in response to the Library/ Village's receipt of a court order or request from law enforcement officials for disclosure of an employee's e-mail messages.

- b. Except as otherwise noted herein, e-mail should not be used to communicate sensitive or confidential information. Employees should anticipate that an e-mail message might be disclosed to or read by individuals other than the intended recipient(s), since messages can be easily forwarded to other individuals. In addition, while SCLS endeavors to maintain the reliability of its e-mail system, employees should be aware that a variety of human and system errors have the potential to cause inadvertent or accidental disclosures of e-mail messages.
- c. 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.
- d. Employees should understand that electronic mail is a written form of communication, just like a paper letter. Though electronic mail is relatively spontaneous compared with regular mail, employees should take care to use the same level of discretion and forethought before executing electronic messages.

## 2. E-mail Access for Library Board of Trustees

An email address shall be provided to all library board members. This email address shall be used for all Library or Village related communications. The Village of Poynette/ Poynette Area Public Library does not endorse the use of privately acquired e-mail services for the Library Board's use in Library or Village related business and communications. It is the library board member's responsibility to manage, retain, and transfer any e-mail correspondence not conducted on the provided email.

## 3. Passwords

Each library employee accesses the e-mail system by means of a personal log-in name and password which will be selected by the employee. Library Board members using an account provided by the library shall be provided a password.

- a. Passwords are intended to keep unauthorized individuals from accessing messages stored on the system. From a systems perspective and from the perspective of an e-mail recipient, passwords also establish the identity of the person sending an e-mail message. The failure to keep passwords confidential can allow unauthorized individuals to read, modify, or delete e-mail messages; circulate e-mail forgeries; and download or manipulate files on other systems.
- b. The practice of using passwords should not lead employees to expect privacy with respect to messages sent or received. The use of passwords for security does not guarantee confidentiality. (See "Access to Employee E-mail")
- c. Passwords should never be given out over the phone, included in e-mail messages, posted, or kept within public view.
- d. Employees are prohibited from disclosing their password, or those of any other employee to anyone. Employees also should not disclose their password to other employees, except when required by an urgent business matter.

#### 4. Personal Use

- a. The Library/ Village allows limited, occasional, or incidental personal use of its e-mail system.
- b. Personal use must not:
  - i. Involve any prohibited activity (see #5 below);
  - ii. Interfere with the productivity of the employee or his or her co-workers or service to residents;
  - iii. Consume system resources or storage capacity on an ongoing basis; or
  - iv. Involve large file transfers or otherwise deplete system resources available for business purposes.
- c. Employees should not have any expectation of privacy with respect to personal e-mail sent or received on the SCLS email system. Employees should delete personal messages as soon as they are read and replied to. Employees should not store copies of the personal messages they have sent. Because e-mail is not private, employees should avoid sending personal messages that are sensitive or confidential.

#### 5. Prohibited Activities

- a. Employees are strictly prohibited from sending e-mail or otherwise using the e-mail system in connection with any of the following activities:
  - i. Engaging in personal business or entertainment on Village time;
  - ii. Engaging in illegal, fraudulent, or malicious activities;
  - iii. Engaging in the unlawful use of the e-mail system as set forth in Section 947.0125 of the Wisconsin Statutes (Unlawful use of computerized communication systems);
  - iv. Sending or storing offensive, disruptive, obscene or defamatory material. Materials which are considered offensive include, but are not limited to: any materials which contain sexual implications, racial slurs, gender-specific comments, or any other comment that offensively addresses someone's age, race, creed, color, sex, ancestry, religious or political beliefs, marital status, national origin or disability;
  - v. Annoying or harassing other individuals;
  - vi. Using another individual's account or identity without explicit authorization;
  - vii. Attempting to test, circumvent, or defeat security or auditing systems, without prior authorization;
  - viii. Accessing, retrieving or reading any e-mail messages sent to other individuals, without prior authorization from the Library Director; or
  - ix. Permitting any unauthorized individual to access the SCLS e-mail system.

#### 6. Confidential Information

- a. All employees are expected and required to protect the Library's confidential information. Employees shall not transmit or forward confidential information to

outside individuals or companies without the permission of the Library Director. See #8 Encryption.

- b. The Village also requires its employees to use e-mail in a way that respects the confidential and proprietary information of others. Employees are prohibited from copying or distributing copyrighted material – for example, software, database files, documentation, or articles using the e-mail system.

#### 7. Record Retention

- a. The same rules apply to record retention for other Library documents apply to e-mail. Generally, e-mail is a public record whenever a paper message with the same content would be a public record.
- b. The specific procedures to be followed with respect to the retention of e-mail records is contained in Section VI, E-Mail Record Retention Policy.

#### 8. Encryption

Encrypting e-mail messages or attached files sent, stored, or received on the SCLS e-mail system is prohibited except where explicitly authorized. Employees are prohibited from using or installing any encryption software without prior permission from SCLE Tech. Employees who use encryption e-mail stored on a Library computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) for all the passwords and/or encryption keys necessary to access the email.

#### 9. E-mail Policy Violations

Employees violating the Library's e-mail policy are subject to discipline, up to and including termination. Employees using the e-mail system for defamatory, illegal, or fraudulent purposes and employees who break into unauthorized areas of the SCLS computer system also are subject to civil liability and criminal prosecution.

### **VI. E-MAIL RECORD RETENTION POLICY**

#### **1. PURPOSE**

The purpose of this policy is to emphasize that certain types of e-mail as defined in Wis. Stats. §19.32(2) are public records. The same rules which apply to record retention and disclosure for other Village/ Library documents apply to such records.

This policy applies to Library Staff and Library Board Members.

References: Wis. Stats. §§16.612, 19.21 et. Seq., 19.32 and 19.33

#### **2. POLICY**

It is the policy of the Library/ Village to follow this set of procedures for e-mail record retention.

### **3. PROCEDURES**

#### **1. Nature of E-Mail Records**

Generally, e-mail is a public record whenever a paper message with the same content would be a public record. See Wis. Stats. §19.32(2) for definition of a record.

#### **2. Components of An E-Mail Record**

The e-mail record is defined to include the message, the identities of the sender and all recipients, the date, and any non-archived attachments to the e-mail message. Any return receipt indicating the message was received by the sender is also considered to be part of the record.

#### **3. Saving E-Mail Records**

The custodian (Library Staff or Library Board) bears the responsibility for determining whether or not a particular e-mail record is a public record which should be saved.

#### **4. Responsibilities for E-Mail Records Management**

- a. Legal Custodian. E-mail records of a Library authority having custody of records shall be maintained by the designated Legal Custodian, pursuant to Library/Village policy.
- b. When a staff e-mail is deactivated, it is the responsibility of the Library Director to request a copy of e-mail messages from SCLS to ensure retention of public records.

#### **5. Public Access to E-Mail Records**

If a Department received a request for release of an e-mail public record, the Legal Custodian of the record shall determine if it is appropriate for public release, in whole or in part, pursuant to law, consulting the Village Attorney and Village Administrator, if necessary. As with other records, access to or electronic copies of disclosable records shall be provided within a reasonable time.

#### **6. Violation**

Employees violating this policy are subject to discipline up to and including dismissal. In addition, violations of this policy may be referred for civil and/or criminal prosecution, where appropriate.

ELECTRONIC COMMUNICATIONS AND INFORMATION SYSTEMS POLICY

EMPLOYEE NOTICE

As a Library employee of the Village of Poynette, I recognize and understand that the Poynette Area Public Library's electronic communication systems are provided for conducting the Library's business. However, Library policy does permit some limited, occasional, or incidental personal use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the Library. I agree not to use the electronic communication systems in a way that is disruptive, offensive, or harmful to others or to the Village. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor or the Village Administrator.

I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy or restrict the Library/Village's right to access electronic communications. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment, as well as civil and/or criminal liability.

I acknowledge that I have read and that I understand the Library's policies regarding e-mail and electronic communications, and have been afforded an opportunity to ask questions regarding the policy. I also acknowledge that I have read and that I understand this notice.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date

ELECTRONIC COMMUNICATIONS AND INFORMATION SYSTEMS POLICY

LIBRARY BOARD MEMBER NOTICE

I acknowledge that I have read and that I understand the Library's policies regarding e-mail and electronic communications, and have been afforded an opportunity to ask questions regarding the policy. I also acknowledge that I have read and that I understand this notice.

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Signature of Library Board Member

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Date