

# CITY OF DENTON

## **POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE**

SECTION: GENERAL POLICIES/PROCEDURES/DIRECTIVES	REFERENCE NUMBER: 506.05
SUBJECT: TECHNOLOGY SERVICES	INITIAL EFFECTIVE DATE: 02/05/2001
TITLE: E-MAIL USE	LAST REVISION DATE:

### **ADMINISTRATIVE DIRECTIVE:**

The City provides electronic mail access to certain employees at taxpayer expense for these employees to use in performing their duties with maximal efficiency. It is not an individual entitlement, benefit or perquisite of employment. Electronic mail (e-mail), Internet access, and telecommunications access are resources made available to City employees to efficiently communicate with each other, other governmental entities, companies and individuals for the benefit of the City and to perform research beneficial to the missions and goals of the City. Because telecommunications bandwidth is a scarce resource, the unauthorized use of these services for purposes unrelated to City business is not only a productivity issue, but an impediment to the efficient use of the system for legitimate purposes. The City of Denton (City) has therefore established a directive with regard to proper use, access, and disclosure of electronic mail messages created, sent, or received by City employees using the City's electronic mail system.

### **GENERAL GUIDELINES:**

- The City maintains an electronic mail system that is provided and reserved to assist in conducting business at the City of Denton. The use of electronic mail for personal use is not allowed. However, employees may forward unsolicited-personal e-mail received at the City to a personal e-mail account.
- The electronic mail system is City property. Additionally, all messages composed, sent, or received on the electronic mail system are and remain the property of the City of Denton. Electronic mail messages are not the private property of any employee.
- The City 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, upon concurrence of the City Manager and the City Attorney, or their respective designates. The contents of electronic mail, properly obtained for legitimate business purposes, may be disclosed within the City without the permission of the employee.
- The electronic mail system may not be used to solicit or proselytize 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

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someone's age, sexual orientation, religious or political beliefs, national origin, or disability.

- All electronic mail messages sent out by any City employee will reference an individual user name or ID that can be traced back to the sender. Electronic messages may not be sent out anonymously or from an identified group. Individual Department Directors shall reserve the right to have their employee's supervisors give prior approval of messages that are being sent out to the entire organization.
- The electronic mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, legally privileged information, or similar materials without prior authorization of the City Attorney or his or her designate.
- Texas law requires that all employees protect the integrity of the City's confidential information as well as the confidentiality of others. The confidentiality of any message should not be assumed. Even when a message is erased, it may still be possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. Confidential information should never be transmitted or forwarded to other employees inside the City who do not have a need to know the information. Electronic mail messages that contain confidential information should have a confidentiality legend in all capital letters at the top of the message in a form similar to the following: THIS MESSAGE CONTAINS CONFIDENTIAL INFORMATION OF THE CITY OF DENTON. UNAUTHORIZED USE OR DISCLOSURE IS PROHIBITED. However, the failure of a message to contain such a legend shall not be deemed a waiver of any such privileges which may otherwise exist.
- Notwithstanding the City'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 directive must receive prior approval by the employee's supervisor, or someone higher in the employee's chain of command. However, individual employees may authorize other individuals by proxy access to read their e-mail and set calendar events, with the understanding that such proxy access is limited to the legitimate and efficient conduct of City business on behalf of the individual granting such proxy privileges, with due respect for the limited purposes of such access.
- 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 or send messages using another employee's identity without the latter's permission. Correlatively, any employee who gives permission to another employee to "ghost write" e-mails assumes responsibility for the content and character of any such "ghost written" message, and it is not an excuse or defense to this directive that the account holder identified in the e-mail message did not actually review a message "ghost written" with his or her permission.

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- Any employee who discovers a violation of this directive shall notify his/her supervisor.
- The use of electronic mail to violate any other City policies or directives is prohibited. Any employee who violates this directive or uses the electronic mail system for improper purposes shall be subject to discipline, up to and including termination. In addition, violations of this directive may be referred for criminal prosecution, where appropriate.
- Retention and deletion of e-mail messages and attachments are governed by the applicable Records Retention schedules maintained by the City Secretary. All users of the e-mail system are charged with the responsibility to know and follow these retention schedules, and to refrain from deleting any e-mail message or attachment until they have verified that such deletions are appropriate to, and do not conflict with, these records retention schedules.

All employees who use e-mail shall certify that they have read and fully understand the contents of this directive.

**CITY OF DENTON  
E-MAIL USE  
Acknowledgement**

As an employee of the City of Denton, I, \_\_\_\_\_, recognize and understand that the City's e-mail systems are to be used for conducting the City's business only. I understand that use of the e-mail system for private purposes is strictly prohibited with the exception of forwarding unsolicited-personal emails received at my City address to my personal e-mail account. Further, I agree not to access a file or retrieve any stored communication other than where authorized unless there has been prior clearance by an authorized City of Denton representative. I understand that any e-mail messages that I send will not be sent anonymously, from a group, or using another employee's identity without permission.

I am aware that the City reserves and will exercise the right to review, audit, intercept, access, and disclose all matters on the City's e-mail systems at any time, with or without employee notice, and that such access may occur during or after working hours. I am aware that use of a City of Denton-provided password or code does not restrict the City's right to access electronic communications. I am aware that violations of this directive may subject me to disciplinary action, up to and including discharge from employment.

I authorize that I have read and that I understand the City's directive (Reference #506.05: E-MAIL USE). I authorize that I have read and that I understand this notice.

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

\_\_\_\_\_  
Date Signed

**PLEASE RETURN TO: HUMAN RESOURCES DEPARTMENT**