

APPENDIX O

JUDICIAL BRANCH
AUTHORIZED USE POLICY FOR THE COMMUNICATIONS AND
COMPUTER SYSTEMS

POLICY

This policy adopts, with specified changes, the provisions of the **Department of Technology & Information Acceptable Use Policy** as the **Authorized Use Policy for the Communications and Computer Systems for Judicial Branch Personnel**. A copy of the DTI policy is attached to this policy, and can also be found on the internet at: <https://webfiles.dti.delaware.gov/pdfs/pp/AcceptableUsePolicy.pdf>.

ACKNOWLEDGEMENT OF COMPLIANCE

Judicial Branch personnel will receive a copy of this policy through e-mail, and/or in writing, as part of employee orientation, and upon implementation of this, and subsequent, versions of this policy. All Judicial Branch personnel (including judicial officers) are required to sign a form acknowledging that they have read and agree to abide by this policy. The form may be either a separate form pertaining to the Authorized Use Policy specifically, or contained within a general acknowledgment form covering all policies of the Court and/or the Judicial Branch and specifically mentioning the Authorized Use Policy. Forms shall be maintained in the personnel files of each court or agency.

ENFORCEMENT

Any improper use of State communications and computer systems may be grounds for disciplinary action or other sanction, as appropriate to the offense and pursuant to applicable codes or rules.

MONITORING

State communications and computer systems, including, but not limited to, computer networks, data files, e-mail and voice mails, may be monitored and/or accessed by the State to ensure the integrity of the network, protect against fraud and abuse, detect unauthorized access or use, and for other business purposes. In order to safeguard the integrity of shared network resources and protect computer systems against security threats, procedures may be implemented for monitoring network traffic, logging errors and exceptions and performing industry-standard maintenance. JIC and DTI will neither conduct any content-based monitoring nor permit any other party to conduct content-based monitoring of usage by Judicial Branch personnel, except upon prior notice to and the written approval of the Chief Justice of the State of Delaware, unless maintaining the security or integrity of the network requires immediate action. In that situation, the Chief Justice will be notified, and his/her approval sought, as soon as possible in the process.

**DELAWARE JUCICIAL BRANCH
AUTHORIZED USE POLICY AGREEMENT FORM**

This is to certify that I have read and agree to abide by the guidelines set forth in the Judicial Branch Authorized Use Policy for Communications and Computer Systems.

Name: _____

Signature: _____

Court/Judicial Branch Agency: _____

Date: _____



STATE OF DELAWARE
DEPARTMENT OF TECHNOLOGY AND INFORMATION
801 Silver Lake Blvd.
Dover, Delaware 19904

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Synopsis:	Guide Behaviors in Using the State's Communications and Computer Systems.		
Authority:	<u>Title 29 Chapter 90C Delaware Code, §9004C</u> – General Powers, duties and functions of DTI "2) Create, implement and enforce statewide and agency technology solutions, policies, standards and guidelines, including as recommended by the Technology Investment Council on an ongoing basis and the CIO"		
Applicability:	This Policy is applicable to all users of the State of Delaware communications and computing resources. DTI is an Executive Branch Agency and has no authority over the customers in Legislative and Judicial Branches, as well as School Districts, and other Federal and Local Government entities that use these resources. However, all users, including these entities, must agree to abide by all policies, standards promulgated by DTI as a condition of access and continued use of these resources.		
Effective Date:	June 5, 2006	Expiration Date:	None
POC for Changes:	Solomon Adote, Chief Security Officer		
Approval By:	James Collins, Chief Information Officer		
Approved On:	September 28, 2015		
Review Date:	Sept 27, 2019		



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I. Policy

EXECUTIVE SUMMARY

Technology-based solutions and communication devices are woven into all aspects of our professional and personal lives. Often, business and individuals have struggled to determine the appropriate use of technology. This State policy defines the acceptable use of various technologies in our professional lives in service to the State of Delaware.

PURPOSE

There is an endless array of technology services and products for State organizations to consume, and the number and type of available options is ever-growing and expanding. It is not reasonable that this policy keeps pace with frequent technology changes in real time, or that it can specifically list and address every possible service, product, or use-case scenario. One goal of this policy is to provide guidance and information as a framework to consider when making technology-related decisions. Another goal is to provide explicit examples of choices or actions that are not acceptable. As individuals involved in the affairs of State government, our jobs must be conducted with integrity, respect, and prudent judgment.



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COMPLIANCE WITH ALL LAWS AND REGULATIONS

All State of Delaware employees must comply with all applicable federal, state and local laws and government regulations. This includes compliance with agency requirements within the State organization.

POLICY STATEMENT

1. You are responsible for exercising good judgment regarding appropriate use of State data and resources (email, web sites, Internet services, etc) in accordance with State policies, standards, and guidelines. The State uses internet content management tools designed to restrict access to unauthorized internet sites. However, while these tools limit prohibited usage, sites that violate acceptable use remain accessible and users must therefore remain vigilant when using the Internet. Alternatively, agencies with business requirements to use filtered sites may request that access. Appendix C includes website categories typically blocked and the process for requesting changes. State of Delaware data or resources may not be used for any unlawful or prohibited purpose. State resources may not be used for personal or inappropriate use, nor for pursuing activities not specifically identified as work required except as noted under Personal Use in Appendix A. Also, Appendix A has a non-exclusive list of specific activities that are prohibited.
2. You must ensure through practice or technical means that non-public information remains within the control of State at all times. Conducting State business that results in the inappropriate release of data or the storage of non-public State information on personal or non-State controlled environments, including devices maintained by a third party with whom the State of Delaware does not have a contractual agreement, is prohibited. This also specifically prohibits the use of an e-mail account that is not provided by the State of Delaware or its customer and partners, for government business. Appendix A has additional details.
3. You are responsible for ensuring secure practices are utilized when conducting business with or on behalf of the State. Personally owned devices, when interacting with or for the State, are considered on temporary duty assignment to the State for the duration of the activity. The State retains the right to access any State records or materials developed for State use even on personally owned devices. In that regard, both personally owned devices (smart phones, tablets, home computers, etc.) and State



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owned devices are mandated to comply with State security policies and practices. Appendix A has more details.

Examples include the comprehensive use of:

- Strong Passwords
 - Encryption for data, both stored and transmitted
 - Anti-virus
4. You acknowledge and understand that all uses of the State's resources is subject to monitoring and there is no right to privacy when using State resources. Appendix B has more information related to monitoring.
 5. Each network user is required to read and understand this policy and sign the appropriate acknowledgement statement. Each organization must have their staff review this policy annually. The signed acknowledgement statement must be maintained by each organization. Network users, who do not sign the Acceptable Use Policy Acknowledgement Statement, will be denied access to the State's Communications and Computer Systems.
 6. State information and records could be subject to the [Freedom of Information Act](#).

IMPLEMENTATION RESPONSIBILITY

DTI and/or the organization's technical staff will implement this policy during the course of normal business activities, including business case review, architectural review, project execution and the design, development, or support of systems.

ENFORCEMENT and WAIVER

DTI will enforce this policy during the course of normal business activities, including business case and architectural review of proposed projects and during the design, development, or support of systems. This policy may also be enforced by others during the course of their normal business activities, including audits and design reviews.



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If there is ambiguity or confusion regarding any part of this policy, contact your supervisor or Agency/School District or Affiliate IRM. Agency/School District or Affiliate IRM's can contract DTI by sending an email to eSecurity@state.de.us

II. Definitions

State Communications and Computer Systems – State of Delaware communications and computer systems are any equipment, hardware, software or networks (including wireless networks) owned, provided or used by or on behalf of State of Delaware that store or transmit voice or non-voice data. This includes telephones, cellular/wireless telephones, voice mail, computers, e-mail, facsimiles, pagers, and State Intranet or Internet access (including when accessed through personal computers).

III. Development and Revision History

Initial version established April 15, 2003.
Corrected hyperlinks, reference to the Merit rules, and CRS title change on August 8, 2005.
First reformatted version established July 31, 2006.
Revised version published on May 22, 2007.
Updated acknowledgement statement on September 17, 2007.
Clarified the requirement to sign the Acknowledgement statement in Appendix 1 on September 5, 2008.
Add FOIA and social media topics on July 1, 2009.
Add mobile device topic plus reformatting on January 5, 2012
Add revised language related to DropBox on June 3, 2013
Added language for Internet Content Filtering on January 2, 2015
Added language for unprofessional messages or images on May 26, 2015
Added language for FTI and social media on 9/28/2015
Refreshed as per sponsor 09/15/2017

- Added **COMPLIANCE WITH ALL LAWS AND REGULATIONS** statement
- Added FOIA statement
- Added further detail/clarification to prohibited email activities
- Added further detail/clarification to use of State resources
- Added Cloud File Sharing to Internet Content Filtering
- Updated Internet Content Filtering with request for exceptions instructions



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- Updated K12 email address

IV. Approval Signature Block

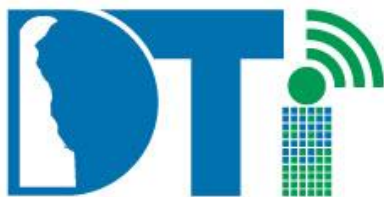
Name & Title: State Chief Information Officer	Date

V. Related Policies and Standards

Delaware Information Security Policy
Strong Password Standard



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ACKNOWLEDGMENT STATEMENT

State Of Delaware - Acceptable Use Policy

State Employee

This is to certify that I have read and agree to abide by the guidelines set forth within the State Acceptable Use Policy. As an employee of the State of Delaware, I fully intend to comply with this policy realizing that I am personally liable for intentional misuse or abuse of the State's communications and computer systems. If I have any questions about the policy, I understand that I need to ask my supervisor or IRM for clarification. Users are also encouraged to take and score 100% on the AUP self-test located on the DTI Internet at: http://dti.delaware.gov/information/aup_self_test.shtml

****If I refuse to sign this acknowledgement form, my supervisor will be asked to sign to this form indicating that I have been given time to read and have questions answered about this policy. The supervisor will read this statement to me prior to signing the document and advise me that by not signing this document my rights to use the State's Communications and Computer Systems will be denied and may affect my ability to meet my job requirements.***

Name: _____

Signature: _____

Agency/Organization/School: _____

Date: _____

Supervisor Signature

(*as required): _____



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Comments: _____

Non-State Employee (All Other Users)

This is to certify that I have read and agree to abide by the guidelines set forth within the State Acceptable Use Policy that apply to my use. (Some users may use a combination of state communications and computing resources) As an authorized user of the State of Delaware's communications and computing resources I fully intend to comply with this policy realizing that I am personally responsible for intentional misuse or abuse of the State's communications and computer systems. All users must agree to abide by all policies, standards promulgated by DTI as a condition of access and continued use of these resources. If DTI learns of a possible inappropriate use, DTI will immediately notify the affiliate responsible, which must take immediate remedial action and inform DTI of its action. In instances where affiliates do not respond in a timely or reasonably appropriate manner, are "repeat offenders", or if criminal activity is suspected, DTI will work directly with the proper authorities, and follow their guidance in determining appropriate action. In an emergency, in order to prevent further possible unauthorized activity, DTI may temporarily disconnect the user or affiliate. If I have any questions about the policy, I understand that I need to ask my supervisor for clarification.

Name: _____

**Signature
(Required):** _____

Organization: _____

Date: _____



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Appendix A – Specific activities that are prohibited

Prohibited activities with e-mail include, but are not limited to, sending or forwarding:

- Jokes or language, that may be considered discriminatory, harassing, unlawful, defamatory, obscene, offensive, insensitive or otherwise inappropriate, this includes but is not limited to, messages about age, race, gender, disability, sexual orientation, national origin or similar matters.
- Pornographic or sexually explicit materials.
- Chain letters.
- Information related to religious materials, activities or causes, including inspirational messages.
- Charitable solicitations unless sanctioned by State of Delaware.
- Gambling.
- Auction-related information or materials unless sanctioned by State of Delaware.
- Games or other software or copyrighted materials without a legitimate business or instructional purpose (and then only according to the rights and licenses granted by the owner of the games, software or copyrighted material).
- Messages that disparage other governments, companies or products.
- Large personal files containing graphics or photographs or video or audio files.
- Materials related to personal commercial ventures or solicitations for personal gain (for example, messages that could be considered pyramid schemes).
- Information related to political materials, activities or causes unless sanctioned or permitted by the State of Delaware.
- Unauthorized or inappropriate mass distribution of communication.
- Any other materials that would be improper under this policy or other State of Delaware policies.
- Expressing personal opinion as an authoritative response.
- Using background images, animation, excessive colors/formatting, quotes, sayings, verses, etc.
- Sending to non-authorized individuals, accounts or services via an auto-forwarding feature.
- Sending Confidential, Secret, or Top Secret without encryption unless a secure connection is already established.
- Utilizing State email for events, organizations, orders, or communications not directly related to the agency or the State.



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Prohibited use of the Internet includes, but is not limited to, accessing, sending or forwarding information about, or downloading (from):

- Sexually explicit, harassing or pornographic sites.
- "Hate sites" or sites that can be considered offensive or insensitive.
- Auction or gambling sites.
- Non State of Delaware business-related chat sites.
- Underground or other security sites which contain malicious software and/or instructions for compromising State of Delaware security.
- Games, software, audio, video or other materials that we are not licensed or legally permitted to use or transmit or that are inappropriate, or not required by, State of Delaware business or instruction.
- Offensive or insensitive materials, such as sexually or racially oriented topics.
- Intentional importation of viruses.
- Registering Internet domain names of the State of Delaware business/school district or those of third parties without authorization from DTI.
- Excessive personal surfing, utilizing streaming services for personal use such as listening to music or watching video, and downloading of music and video files
- Authorized personal use that interferes with your work responsibilities or business/instructional operations.
- Any other materials that would be improper under this policy or other State of Delaware policies.

Prohibited use of State resources includes, but is not limited to:

- Sending emails to non-authorized individuals or accounts or services via an auto-forwarding feature.
- Use of Cloud Services (e.g. File Storage/Sharing services like DropBox or Google Drive) for Top Secret, Secret and Confidential data, unless the contract includes cloud computing terms and conditions approved by DTI.
- Use of non-DTI approved Cloud Services for document sharing of Public data.
- Sharing of passwords and/or accounts
- Sharing of Federal Tax Information (FTI) on any social media/networking sites.
- Sharing data classified as Top Secret, Secret, and Confidential without proper approval.
- Sharing data that may be detrimental to the State.
- Sharing an unprofessional message or image when utilizing State email, messaging tools, websites, social media, etc.



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Personal Use

- State systems are intended for primarily business/instructional purposes, but limited (incidental and occasional) personal use may be permissible when authorized by your management and it does not:
 - Interfere with work responsibilities or business/instructional operations.
 - Involve interests in personal or outside business and/or other non-authorized organizations and activities such as selling or soliciting personal property/items, promoting commercial ventures, charitable, religious or political activities.
 - Violate any of the standards contained in any Delaware code or policies.
 - Lead to costs to the State. Excessive personal surfing, utilizing streaming services for personal use such as listening to music or watching video, and downloading of music and video files are *specifically forbidden*.

Personally Owned Devices

- The Delaware Information Security Policy states on page 39 that 'Any electronic equipment (PC, Laptop, iPad, iPod, etc) that is not owned by the State cannot connect from an internal source (inside the firewall) to the State's network.'

Appendix B - State of Delaware Monitoring

State communications and computer systems, including, but not limited to, computer networks, data files, e-mail and voice mail, may be monitored and/or accessed by the State to ensure the integrity of the technology, protect against fraud and abuse, detect unauthorized access or use, and for other business purposes. Although the Department of Technology and Information (DTI) does not randomly monitor message or network transactions, DTI may without notification or approval, monitor, access and review any and all communications originating from the State of Delaware or delivered to the State of Delaware – employees should have no expectation of privacy in regard to use of these services. This is in accordance with 19 Del. C. chapter 7.

When DTI learns of a possible inappropriate use, DTI will immediately notify the agency/school district or affiliate responsible, which must take immediate remedial action and inform DTI of its action. In instances where agencies/school districts or affiliates do not respond in a timely or reasonably appropriate manner, are "repeat offenders", or if criminal activity is suspected, DTI will work directly with the proper authorities, and follow their guidance in determining appropriate action.



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Any inappropriate use of State communications and computer systems may be grounds for discipline up to and including dismissal based on the just cause standard set forth by Merit Rules, or collective bargaining agreement, whichever is applicable to the subject employee. Exempt employees shall be subject to appropriate discipline without recourse, except as provided by law.

In an emergency, in order to prevent further possible unauthorized activity, DTI may temporarily disconnect that agency or affiliate. If this is deemed necessary by DTI staff, every effort will be made to inform the agency or affiliate prior to disconnection, and every effort will be made to reestablish the connection as soon as it is mutually agreed upon.

Any determination of non-acceptable usage serious enough to require disconnection will be promptly communicated to the Senior Manager at the agency or affiliate by the DTI Executive Team.

Unauthorized activity or non-acceptable usage determined at the agency/school district or affiliate may be subject to remedial action being taken in accordance with the acceptable use policy of that agency/school district or affiliate as well as those actions outlined above. The remedial action outlined in agency/school district or affiliate policies may differ from the remedial action as outlined in this policy.

DTI provides access to state, national and international resources to its clients through connections with networks outside of Delaware. In general, it is the responsibility of those networks to enforce their own acceptable use policies. DTI will make every attempt to inform its clients of any restrictions on use of networks to which it is directly connected; as such information is made available by the network provider.

DTI accepts no responsibility for traffic that violates the acceptable use policy of any directly or indirectly connected networks beyond informing the client that they are in violation if the connected network so informs DTI.

Appendix C – Internet Content Filtering

The State uses internet content management tools designed to restrict access to unauthorized internet sites. Internet sites may be restricted for several reasons such as



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the site is insecure, contaminated with virus or malware, places unconstrained demands on limited State resources or contains inappropriate content. This solution is not 100% effective.

Internet websites are categorized by web filter providers and the State limits access to the following categories:

Audio/Video Clips	Remote Access Tools	Suspicious
Child Pornography	Extreme	Violence/Hate/Racism
Hacking	Controlled Substances	TV/Video Streams
Intimate Apparel	Malicious Data	Social Networking
Nudity	Phishing	Questionable/Illegal
Pornography	Proxy Avoidance	Cloud File Sharing

Category definitions are available at <https://sitereview.bluecoat.com/categories.jsp> If a user believes that a site is improperly categorized a review request can be sent to <https://sitereview.bluecoat.com/sitereview.jsp> or by email to DTI at StateProxy@lists.intranet.state.de.us .

Requests for exceptions can be made by reaching out to your [Customer Engagement Specialist](#) (CES) and SOC@state.de.us.

The following information is required to do a proper evaluation of adding a service:

- The business use for desired service
- The required URLs used by desired service
- Verification that the desired service is used for data classified as PUBLIC
- If not Public Data, have the Cloud Terms and Conditions been signed by desired service?
- Are you compliant with all licensing required by desired service?

The Agency /Organization head or their designee may request exceptions to these restrictions if the user, or group of users, require access to perform their work responsibilities. Examples of this include public safety officials obtaining access to Violence/Hate/Racism to conduct investigations, public information officers requiring access to social media sites, and training personnel requiring access to streaming video content for education.



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The Agency/Organization head can make this request by sending an email request with the user's name and/or email address and the access required.

On the state network send to the DTI Service Desk at DTI_ServiceDesk@state.de.us.

On the K12 network send to eduproxy@lists.state.de.us.

At no time do approved allowances/exceptions alter the requirements of the Acceptable Use Policy.



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