



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

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| Doc Ref Number: | DTI-0042.02 | Revision Number: | 10 |
| Document Type: | Enterprise Policy | Page: | 1 of 13 |
| Policy Title: | Acceptable Use Policy | | |

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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. The Department of Technology and Information (DTI) is an Executive Branch Agency and has no authority over the customers in Legislative and Judicial Branches, as well as Local Education Agencies, 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: | 6/1/2006 |
| Reviewed: | 8/31/2022 |
| Approved By: | Chief Information Officer |
| Sponsor: | Chief Security Officer |





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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. The objective of this policy is to create a framework to ensure that IT resources are used in an appropriate manner and support the State of Delaware. Unauthorized use or disclosure of protected data may result in sanctions to an individual by the governing bodies of the Federal and State governments.

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. This policy addresses current technology services, products, and use-case scenarios while anticipating future developments in the field.

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



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choices or actions that are not acceptable. As individuals involved in the affairs of State government, our work must be performed with integrity, respect, and prudent judgment.

POLICY STATEMENT

It is the policy of the State of Delaware to maintain an environment that promotes ethical and responsible conduct in all online network activities by all employees, contractors, and casual seasonal staff (herein as "User(s)" or "You"), consistent with the standards set forth in Title 29, Chapter 58 of the Delaware Code. It shall be a violation of this policy for any User to engage in any activity that that does not conform to the established purpose, general rules and policies pertaining to use of the State network. This Acceptable Use Policy identifies certain uses and activities that the State may consider violative of the State's Employee Code of Conduct, found within Title 29, Chapter 58 of the Delaware Code. The lists and examples of prohibited conduct found within this policy is not exhaustive. Failure to demonstrate ethical and responsible conduct may be a violation of this policy, even if the conduct is not specifically enumerated herein.

1. You are responsible for exercising good judgment and acting in a manner that supports public trust regarding appropriate use of State data and resources (email, web sites, Internet services, teleconferencing, etc.) in accordance with State policies, standards, and guidelines. The State of Delaware uses Internet content filtering 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. State of Delaware data or resources may not be used for any unlawful or prohibited purpose.
2. You must ensure through practice or technical means that non-public information remains within the control of the State of Delaware at all times. Conducting State business that results in the inappropriate release or disclosure of State of Delaware or Federal data or the storage of non-public State or Federal 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. You must not use an e-mail account that is not provided by the State of Delaware or its customer and partners, for government business. Sanctions may be imposed by the



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governing bodies of the Federal and State governments for any willful release of data including fines and/or imprisonment.

3. You are responsible for ensuring secure practices are utilized when conducting business with or on behalf of the State of Delaware, consistent Chapter 29, Section 9011C of the Delaware Code and other laws, regulations, and standards. The State retains the right to access any State records or materials developed for State use. In that regard, State owned devices are mandated to comply with State security policies and practices.

You acknowledge and understand that all uses of the State’s resources are subject to monitoring and there is no right to privacy when using State resources.

4. Each user is required to read and understand this policy and sign the applicable Acceptable Use Policy Statement at time of hire. The signed acknowledgement statement must be maintained by each organization. Users who do not sign the Acceptable Use Policy Acknowledgement Statement will be denied access to the State’s Communications and Computer Systems.
5. State information and records could be subject to the [Freedom of Information Act](#).
6. Each user must comply with this Acceptable Use Policy

COMPLIANCE AND OVERSIGHT

DTI, the relevant Agency, oversight organization, or applicable contractor may notify the User’s human resources, Information Resource Manager, or contractor management as applicable regarding User’s access to State systems.

DTI reserves the right to terminate or suspend service immediately or to otherwise disconnect, remove, block, filter or restrict Your use of service if DTI determines that such use is illegal or violates this Acceptable Use Policy. DTI will cooperate with legal authorities and/or relevant third parties in the investigation of any suspected or alleged crime or civil wrong. If DTI believes that You have used the systems for an unlawful or abusive purpose, DTI may forward the relevant communication and other information, including your identity, to the appropriate authorities for investigation and Your employing agency. You hereby consent to DTI forwarding any such communications and information to these authorities and Your employing agency. In addition, DTI may provide information in response to law enforcement requests, lawful government requests, subpoenas or court orders. DTI may also provide information to the appropriate authorities to protect the



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State's rights and property and in the case where failure to disclose the information may lead to imminent harm to You or others.

If Your Human Resources department finds that You have violated this Acceptable Use Policy, then refer to the employment rules, policies, and procedures of Your Human Resources department for additional information and guidance. This Acceptable Use Policy does not address any actions that your Human Resources department may or may not take.

If there is ambiguity or confusion regarding any part of this policy, contact Your supervisor or Agency/School District or Affiliate Information Resource Manager (IRM) or Technology Director. Agency/School District or Affiliate IRM's or Technology Directors can contact DTI by sending an email to eSecurity@Delaware.gov.

II. Definitions

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, any device that is used to facilitate teleconferencing/videoconferencing, and State Intranet or Internet access (including when accessed through personal computers).

III. Development and Revision History

| Date | Revision |
|-----------|---|
| 4/15/2003 | Rev 0 – Initial version |
| 8/8/2005 | Rev 0 - Corrected hyperlinks, reference to the Merit rules, and CRS title |
| 7/31/2006 | Rev 1 - First reformatted version |
| 5/22/2007 | Rev 2 - Revised version published |
| 9/17/2007 | Rev 3 - Updated acknowledgement statement |
| 9/5/2008 | Rev 3 - Clarified the requirement to sign the Acknowledgement statement in Appendix 1 |
| 7/1/2009 | Rev 3 - Add FOIA and social media topics |
| 1/5/2012 | Rev 4 - Add mobile device topic plus reformatting |



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| 6/3/2013 | Rev 5 - Add revised language related to DropBox |
| 1/2/2015 | Rev 6 - Added language for Internet Content Filtering |
| 5/26/2015 | Rev 7 - Added language for unprofessional messages or images |
| 9/28/2015 | Rev 8 - Added language for FTI and social media |
| 9/15/2017 | Rev 9 - <ul style="list-style-type: none">• 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• Updated K12 email address |
| 8/31/2022 | Rev 10 - Major revisions in all areas such as policy statement, compliance and oversight, acknowledgement statements, prohibited use, monitoring, personal use and Internet content filtering |
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IV. Approval Signature Block

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| | |
| Name & Title: State Chief Information Officer | Date |



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V. Related Policies and Procedures

[Delaware Information Security Policy](#)
[Identity and Access Management Guidelines](#)



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ACKNOWLEDGMENT STATEMENT

State Of Delaware - Acceptable Use Policy

State of Delaware 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 or Technology Director 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, I acknowledge that my Communications and Computer Systems will be denied and my employment status with the State of Delaware will be evaluated to determine how this may affect my ability to meet my job requirements and my employment may be terminated.***

Name:

Signature:

Agency/Organization/School:

Date:

**Supervisor Signature
 (*as required):**

Comments:



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State Of Delaware - Acceptable Use Policy

Non-State of Delaware Employee (All Other Users)

This is to certify that I have read and agree to abide by the guidelines and requirements set forth within the State of Delaware Acceptable Use Policy that apply to my use. As an authorized User of the State of Delaware’s communications and computing resources I fully intend to comply with this policy as a condition of access and continued use of these resources. I am personally responsible for intentional misuse or abuse of the State’s communications and computer systems. If DTI learns of my possible inappropriate use or abuse of the system, DTI will immediately notify the relevant leadership team including Human Resources or contract management, who must take immediate remedial action and inform DTI of their action(s). In instances where criminal activity is suspected, DTI will work with the proper authorities and follow their guidance in determining appropriate action. DTI may determine that an employee’s or contractor’s access may temporarily be suspended until a full investigation is completed.

Name: _____ **Date:** _____

Signature: _____

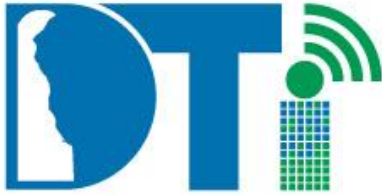
Agency/Organization/School: _____

Date: _____

Supervisor Signature
 (*as required):

Comments:





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Prohibited use of the Internet and activities including *email (sending or forwarding)*, downloading of data, accessing data or specific sites that are prohibited unless there is a legitimate business purpose:

- ✓ Emailing, downloading or accessing jokes or language, that may be considered discriminatory, harassing, unlawful, defamatory, obscene, or otherwise inappropriate, this includes but is not limited to, messages about age, race, gender, disability, sexual orientation, national origin, or similar matters.
- ✓ Accessing, downloading, sending or forwarding emails or materials that include pornographic or sexually explicit, discriminatory, harassing, defamatory, libelous material, or are accessed or downloaded from pornographic websites or hate websites.
- ✓ Using the email systems in a way that could affect the system's reliability or effectiveness, for example distributing chain letters, spam, or unauthorized or mass communication.
- ✓ Accessing or distributing information related to religious or charitable materials, activities, or causes that are not affiliated with the State of Delaware.
- ✓ Accessing gambling sites or conducting gambling online via State of Delaware Internet access.
- ✓ Downloading or using 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).
- ✓ Distributing or soliciting messages that inappropriately disparage other governments, companies, or products.
- ✓ Downloading large personal files containing graphics, photographs, videos, or audio files.
- ✓ Emailing, distributing, or soliciting mass communication related to political materials, personal or commercial ventures or solicitations (for example, messages that could be considered pyramid schemes, multi-level marketing, or fraudulent activity for personal gain).
- ✓ Accessing Underground or other websites which contain malicious software and/or instructions for compromising State of Delaware cyber security.
- ✓ Participating, accessing, and contributing to chat sites that are not business or work related.
- ✓ Auto-forwarding emails through an automated means to a non-State of Delaware destination email address is strictly prohibited. In the event auto-forwarding is required, written approval is necessary from the Chief Security Officer or designee. Selected email (s) may be manually forwarded by a State of Delaware user to a non-State of Delaware destination if it will not result in inappropriate disclosure of





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information, such as but not limited to Federal Tax Information ("FTI"), State of Delaware Tax Information, Personal Health Information ("PHI"), Personally Identifiable Information ("PII"), or any information such as Policies, Procedures or documents deemed non-public (Confidential, Secret, or Top Secret) or Social Security Administration (SSA) Data.

Additional Prohibited Activity

- ✓ Intentionally importing viruses, installing malware, botnet, keyloggers ransomware or malware.
- ✓ Registering Internet domain names of the State of Delaware business/school district or those of third parties without authorization from DTI.
- ✓ Distributing or soliciting any other materials that would be improper under this policy or other State of Delaware policies.
- ✓ Excessive personal surfing, utilizing streaming services for personal use such as listening to, downloading, or watching music or videos during work hours.
- ✓ Disclosing or sharing passwords and/or accounts without prior authorization or legitimate business purpose.
- ✓ Unauthorized disclosure, distribution or storage of protected information including but not limited to: Confidential, Secret, or Top Secret information, Federal Tax Information (FTI), State of Delaware Tax Information, Protected Health Information (PHI), Personal Identifiable Information (PII), or Social Security Administration (SSA) Data.

PERSONAL USE

State systems are intended primarily for business and instructional purposes, but limited personal use in accordance with your manager's discretion may be permissible if 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 State of Delaware law or policies
- Lead to unreasonable costs attributed to excessive personal surfing, utilizing streaming services for personal use such as listening to music or watching video and downloading of music and video files may be violative of this policy or Your employing agency's rules of conduct.



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STATE OF DELAWARE MONITORING

State Communications and Computer Systems, including, but not limited to, computer networks, data files, e-mail, voice mail, and substance of dialogue found within collaborative communication tools, may be monitored and/or accessed by the State of Delaware to ensure the integrity of the technology, protect against fraud and abuse, detect unauthorized access or use, and for other business purposes. Although 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.

Violation of any provision of this Policy, whether as a single instance or repeated occurrence, may result in the immediate interruption, suspension, or termination of your access and use of the systems. You acknowledge, understand, and agree that the State of Delaware shall not be required to issue warnings, reprimands, or undergo any formal or informal process prior to causing the Services to be interrupted, suspended, and/or terminated. 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 unacceptable usage determined at the agency/school district or affiliate may be subject to remedial action being taken in accordance with any applicable 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.





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INTERNET CONTENT FILTERING

The State uses Internet content management tools designed to restrict access to unauthorized Internet websites. Internet websites may be restricted for several reasons such as the website is insecure, is contaminated with virus or malware, places unconstrained demands on limited State resources, or contains inappropriate content.

Category definitions can be verified by contacting the DTI Service Desk at 302-739-9560. If a user believes that a site is improperly categorized, a review request can be sent to the DTI Service Desk at DTI_ServiceDesk@Delaware.gov.

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 content to conduct investigations, public information officers requiring access to social media sites, and training personnel requiring access to streaming video content for education.

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 of Delaware network.

Send the request to the DTI Service Desk at DTI_ServiceDesk@Delaware.gov.

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

