

BAY COUNTY BOARD OF COMMISSIONERS

Software and Hardware Policy

General Statement of Policy

It is the policy of Bay County to respect all computer software copyrights and to adhere to the terms of all software licenses to which Bay County is a party. Members of the IT & GIS Services Department/IT Division (IT) shall act as the County's Software and Hardware Managers and are charged with the responsibility for enforcing this policy to ensure compatibility with existing computer and network systems.

Employees of Bay County may not duplicate any licensed software or related documentation for use either on County premises or elsewhere unless the County is expressly authorized to do so by agreement with the licensor and the employee obtains prior permission from IT. Unauthorized duplication of software may subject employees and/or Bay County to both civil and criminal penalties under the United States Copyright Act and subjects employees to disciplinary action up to and including termination.

Employees may not give software to any outsiders including citizens, clients, contractors, customers, and others. Bay County's employees may use software on local and wide area networks or on multiple machines only in accordance with applicable license agreements.

Other factors supporting this policy include:

1. Budgeting

When purchasing software and/or hardware for existing computers, such purchases will be charged to the department's budget for equipment or an appropriate budget set aside for tracking software and/or hardware purchases. When budgeting for computer software or hardware, training (if necessary) must be budgeted at the same time. For highly specialized software/hardware, it is highly recommended that software/hardware maintenance be included in the budget process.

All software and hardware must be purchased from either the "Equipment" (5606401) or the "Equipment < \$1,000" (5606402) accounts. No other budget account shall be used unless authorized by the Budget Officer.

2. Approval for Purchase

To purchase software (*including shareware and freeware*) or hardware, employees must obtain the approval of their supervisor or department director and then follow the same County procedures used for the acquisition of other assets.

Note: Bay County will **not** approve the purchase or acquisition of **any** third-party screensaver software.

3. Acquisition

All software and/or hardware acquired by Bay County must be approved by IT and purchased through either IT or the Purchasing Department. This includes (but is not limited to) computers, software, printers, mice, keyboards, battery backups, and external storage devices. Items may **not** be purchased through use of County credit cards, petty cash, or other budgets. Software and hardware acquisition channels are restricted to ensure that Bay County has a complete record of all software and hardware purchased for the County. Additionally, those restrictions ensure that:

- Software and hardware can be registered, supported, and upgraded as appropriate and
- Software and hardware are compatible with existing County computers and networks.

When software and/or hardware is purchased, it should be delivered to the IT Division offices. Under special circumstances, it may be delivered directly to the County office needing the software and/or hardware. However, the office receiving the software and/or hardware shall make no attempt to install the item on their own without the explicit permission of the IT Division.

4. Registration

The Information Technology Division is responsible for any and all registration information and installing the software or hardware. Software and/or hardware *must* be registered with the job title or department for the Registering Name and *Bay County* for the Registering Organization. Due to personnel turnover, registrations will never be in the name of the individual user. Recipients must notify IT upon delivery to schedule the registration and installation of the software.

IT maintains a registry of all Bay County's software and/or hardware and will keep a library of software licenses and hardware warranties. The registry contains:

- Title and publisher software;
- Make and model of the hardware;
- Date and source of the acquisition;
- Location of each installation as well as the appropriate serial numbers of the hardware on which each copy of the software is installed;
- Name of the authorized user(s);
- Existence and location of software back-up copies; and
- Product serial number.

5. Installation

After the registration requirements above have been met, IT will install the software (testing for viruses) and/or hardware. Manuals, tutorials, and other user materials will be provided to the user. A copy of the applicable End User License Agreement (EULA) and applicable warranties shall be provided to the user upon request. Once the software or hardware is installed, any installation media (diskettes or CD's) and EULAs will be kept in a safe storage area maintained by IT.

6. Relocation

Departments should notify IT when computers and/or peripherals need to be relocated. IT must ensure that the equipment is properly reconnected, is configured to attach back to the network, and the relocation is updated in the hardware registry.

7. Data

The data stored in and/or obtained from computer assets are to be used exclusively for appropriate County business purposes. Any and all County data and/or electronic records are subject to scrutiny under The Public Records Act, Chapter 119 of Florida Statutes.

8. Home Computers

Bay County's computers are County-owned assets and must be kept both software legal and virus free. Only software purchased through the procedure outlined above may be used on County machines. Employees are not permitted to bring software from home to be loaded onto County computers. Conversely, County-owned software cannot be taken home and loaded on an employee's home computer. If an employee is to use software at home, Bay County will purchase a separate package and record it as a County-owned asset in the software registry. However, some software companies provide in their license agreements that home use is permitted under certain circumstances. If an employee needs to use software at home, he/she should consult with their supervisor or department head for the necessity to use software at home and with IT to determine if current licenses allow for home use.

Note Home computers used for County business may be subject to scrutiny under The Public Records Act, Chapter 119 of Florida Statutes and any public information requests.

9. Shareware and Freeware

Shareware and freeware software are distributed across the Internet. It is the policy of Bay County to reimburse shareware authors the fee they specify for use of their products. *Freeware*, as its name implies, is free. Approval and registration of both shareware and freeware products will be handled in the same way as for commercial software products.

10. Computer Access Codes

All computer access codes and passwords are to be kept confidential and used only by the person to whom the access code was issued. Passwords and other computer access codes should **never** be shared, not even between County employees!

11. Audits

IT will conduct scheduled and non-scheduled audits of all County computers, including portables, to ensure that the County is in compliance with all software licenses and employees are not violating County policies. Audits will be conducted as IT sees fit or when requested by County Management. Audits will be conducted using an auditing software product. During any audit, Bay County will search for computer viruses and eliminate any that are found. The full cooperation of all users is required during any audit activities.

12. Penalties and Reprimands

According to the US Copyright Act, illegal reproduction of software is subject to civil damages of as much as US\$100,000 per title infringed, and criminal penalties, including fines of as much as US\$250,000 per title infringed and imprisonment of up to five years. Any Bay County employee, who makes, acquires, or uses unauthorized copies of software will be disciplined as appropriate under the circumstance. Such discipline may include termination of employment. Bay County does not condone the illegal duplication of software and will not tolerate it.

13. Department Agreement

If you have any questions concerning the above policies, address them to the IT & GIS Services Department Director.

14. User Agreement

If you have any additional questions concerning the above policies, address them to IT before signing any policy acknowledgements.

15. Definitions:

- Computer Hardware, whether network-connected or stand-alone, includes, but is not limited to: servers, workstations, notebook computers, attached peripheral equipment and related network devices such as printers, scanners, modems, storage devices, concentrators and gateways.
- Computer Software includes, but is not limited to: County developed and/or modified computer applications, vendor packages, shrink-wrap, shareware, bulletin board software, public domain software, and code.
- Computer Access Codes include, but are not limited to passwords, I.D.'s, and personal identification numbers (PIN).