

SOFTWARE Policy 422

.1 GENERAL STATEMENT OF POLICY

It is the policy of Clallam County to respect all computer software copyrights and to adhere to the terms of all software licenses to which Clallam County is a party. The County will take all steps necessary to prohibit users from duplicating 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. Unauthorized duplication of software may subject users and/or the County to both civil and criminal penalties under the United States Copyright Act.

The County does not permit any employee to use software in any manner inconsistent with the applicable license agreement, including giving or receiving software from clients, contractors, customers and others.

.2 USER EDUCATION

Employees are required to sign the Clallam County Software, Internet, and Email Usage Guidelines.

.3 BUDGETING FOR SOFTWARE

When acquiring computer hardware, software and training, the County must budget accordingly to meet the costs at the time of acquisition. When purchasing software for existing computers, the County must charge the purchases to the department's budget for information technology or an appropriate budget set aside for tracking software purchases.

.4 ACQUISITION OF SOFTWARE

All software acquired by the County must be purchased through Information Technology. Software may not be purchased, for example, through user corporate credit cards, petty cash, travel or entertainment budgets. Software acquisition channels are restricted to ensure that the County has a complete record of all software that has been purchased for County computers and can register, support, and upgrade such software accordingly. This includes software that may be downloaded and/or purchased from the Internet.

.5 REGISTRATION OF SOFTWARE

When the County receives the software, Information Technology must receive the software first to complete registration and inventory requirements before installation. Software must be

registered in the name of Clallam County and department in which it will be used. Due to personnel turnover, software will never be registered in the name of the individual user. Information Technology maintains a register of all County software and will keep a library of software licenses. The register must contain:

- a. The title and publisher of the software;
- b. The date and source of software acquisition;
- c. The location of each installation as well as the serial number of the hardware on which each copy of the software is installed;
- d. The existence and location of back-up copies; and
- e. The software product's serial number.

.6 INSTALLATION OF SOFTWARE

After the registration requirements above have been met, the software will be installed by Information Technology. Once installed, the original media will be kept in a safe storage area maintained by Information Technology. User manuals, if provided, will either reside with the user or reside with Information Technology.

.7 SOFTWARE ON COUNTY COMPUTERS

County computers are organization-owned assets and must be kept both software legal and virus free. Only software purchased through the procedures outlined above may be used on County machines. Users are not permitted to bring software from home and load it onto County computers.

.8 PERSONALLY OWNED COMPUTERS – SOFTWARE AND SUPPORT

Use of Personally owned computers including laptops for County Business is discouraged. Clallam County is not responsible to ensure that hardware, operating systems and/or other applications are compatible with County owned software. Clallam County is not responsible for loss, theft, or damage to any non-county owned computer being used for County business.

The IT Department is limited in their ability to support County software authorized for use on personally owned computers. In addition, the County cannot ensure integrity or security of data on personally owned computers. The Director of the IT Department may require particular specifications, operating systems, and/or security protocols for use of County owned software on a personally owned computer. Employees who routinely use County software on personal laptops or other computers should contact their County Official regarding use of a County owned computer.

County owned software may not be loaded or used on a personally owned computer without specific permission from the IT Department. If an employee is required to use software on a personally owned computer, the County will purchase a separate package and record it as an

County owned asset in the software register. However, some software companies provide in their license agreements that personal use, in addition to County use, is permitted under certain circumstances. Loading or use of County owned software on any non-county owned computer is only authorized with specific permission from the Information Technology Department. All use of County owned software on personally owned computers will be for business purposes only per requirements detailed in Administrative Policy 420.

.9 SHAREWARE

Shareware software is copyrighted software. It is the policy of the County to pay shareware authors the fee they specify for use of their products. Under this policy, acquisition and registration of shareware products will be handled the same way as for commercial software products.

.10 AUDITS

The Information Technology Department will conduct a routine audit of all County PCs and servers, including portables, to ensure that the County is in compliance with all software licenses. Surprise audits may be conducted as well. Monthly audits will be conducted using an auditing software product.

.11 PENALTIES AND DISCIPLINE

According to the US Copyright Act, illegal reproduction of software is subject to civil damages and criminal penalties, including imprisonment. Any County employee who makes, acquires, or uses unauthorized copies of software will be disciplined as appropriate under the circumstances. Such discipline may include termination of employment. The County does not condone the illegal duplication of software and will not tolerate it.

Any such improper use is outside the scope of the employee's employment. In the event of litigation for improper use, and in the event that it is determined, pursuant to CCC 3.34, et seq, that such use is improper, Clallam County will neither interpose a defense in behalf of the employee nor indemnify on behalf of the employee.