

4400 ACCEPTABLE USE OF STATE RESOURCES

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Policy Contact: Vice President, Human Resources

POLICY

As a state agency, Bellevue College is responsible for overseeing the appropriate use of state resources and ensuring compliance with state law. This policy is intended to provide College employees and other users of College resources with guidelines for responsible and appropriate use of state resources. Additional policies, procedures and standards may also apply to the use of state assets. Bellevue College reserves the right to determine, at any time, what constitutes appropriate use of state resources.

This policy applies to all Bellevue College employees and/or non-employees who may be authorized to use Bellevue College state resources. It shall apply to the use of all state resources as defined in this policy and/or as defined by state or federal law.

It is not the intent of this policy to limit academic freedom in any way, but to provide an appropriate framework for the proper exercise of those freedoms. Furthermore, it is not the intent of this policy to impinge on the intellectual property rights of authorized users.

Specific policies defining the Acceptable Use of the Bellevue College Network, the Acceptable Use of Bellevue College Computers and Bellevue College Information Technology Security supplement this Policy.

Public resources are entrusted by the State of Washington to Bellevue College employees to further the public interest. Misappropriation of any Bellevue College facilities, equipment, services, or personnel for personal benefit undermines this trust and impedes fulfillment of the Bellevue College mission.

At the same time, legitimate need exists for occasional, but limited exceptions to this general policy. Where the use of Bellevue College state resources is reasonable in light of the legitimate needs and expectations of the Bellevue College work force, neither the public trust nor campus efficiency suffers to any significant degree.

This Policy assumes that all Bellevue College employees will act honestly, responsibly and with good judgment to protect public resources and to fulfill the responsibilities identified in [RCW 42.52 – Ethics in Public Service](#), which states "...employees of government hold a public trust that obligates them, in a special way, to honesty and integrity in fulfilling the responsibilities to which they are elected and appointed. Paramount in that trust is the principle that public office, whether elected or appointed, may not be used for personal gain or private advantage." The foundation for this trust is grounded in the personal responsibility of each Bellevue College employee.

Use of Bellevue College State Resources – General Exceptions

The use of Bellevue College state resources shall be for the purpose of facilitating the exchange of information and furtherance of education, research, and administration missions of the college. The use of Bellevue College state resources will be consistent with the purposes and objectives of Bellevue College and the Community and Technical College system (see [Washington State Executive Order 91-10, Sec. III \[A\]](#)) and [RCW 42.52](#)). The expectation of the [Ethics in Public Service Act](#) is that employees may not use Bellevue College state resources, including any person, money or property, for private benefit or for the gain of the employee or any other person. However, some general exceptions have been defined:

1. Public Benefit

If there is a public benefit, infrequent and incidental use of state resources may be permissible.

- a. A public benefit under this rule may be direct or indirect, such as improving employee morale, promoting organizational effectiveness, or activities that improve the work-related job skills of a Bellevue College employee.
- b. A public benefit may also include the use of equipment and facilities for a variety of uses by an external group or entity as governed under the WAC, subject to stipulated contractual obligations. This use should substantially relate to and not interfere with the mission of the

College.

2. Fund Raising for Charitable Organization

Employees may participate in fund-raising activities in a state-owned or leased facility, subject to all the following conditions:

- a. The activity is in the interest of a charitable organization.
- b. The employee is not directly soliciting co-workers for support of his/her preferred charitable organization.
- c. Participation in such activities does not interfere with the normal transactions of Bellevue College business.
- d. Employees comply with any health regulations and Bellevue College policies relating to the sale of food items.
- e. The activity is authorized by the President of the College or her/his designee.

3. Personal Use

Bellevue College allows personal use of Bellevue College state resources by employees consistent with [WAC 292-110-010 \(3\)](#) and [WAC 292-110-010 \(6\)](#), unless such use is otherwise prohibited by policy. Employees may make occasional, but limited, use of Bellevue College state resources only if all the following conditions are met:

- a. There is little or no cost to the State (de minimis):
 - i. The cost to the State is de minimis if the actual expenditure of state funds is so small as to be insignificant or negligible;
- b. Any use is brief in duration, occurs infrequently, and is the most effective use of time or resources;
- c. The use does not interfere with the performance of the employee's official duties;
- d. The use does not disrupt or distract from the conduct of state business due to volume or frequency;
- e. The use does not disrupt other state employees and does not obligate them to make a personal use of state resources; and
- f. The use does not compromise the security or integrity of state property, information, or software.

Examples of these permissible uses are given on the Washington State Executive Board Web site at www.wa.gov/ethics.

Use of Bellevue College State Resources – Specific Exceptions

Employees may make occasional, but limited, use of telephone services, computers, electronic messaging systems, and Internet access for their personal benefit, provided the use conforms to the conditions set forth in the **Personal Use** section of this Policy.

1. Use of Telephones

Bellevue College-owned telephones are provided to Bellevue College employees for conducting state business.

- a. Employees are not permitted to make personal long-distance calls that would result in charges to Bellevue College. Employees on authorized travel status may place brief (10 minutes or less) calls to their homes and families to communicate safe arrivals and changes in itinerary.

Bellevue College-leased cellular phones may be provided to Bellevue College employees who have a demonstrated business need.

- a. Bellevue College-leased cellular phones and services are to be used to conduct college business only.
- b. Because cellular transmissions are not secure, employees should refrain from using them to relay

confidential information.

Further guidelines for the personal use of state-owned wired and cellular telephones are provided under the Personal Use and Prohibited Uses sections of this policy.

2. Use of Computers

All Bellevue College-owned computers, including but not limited to, desktops, laptops, personal digital assistants, and data applications, as well as all servers and all other hardware, are provided to Bellevue College employees for conducting college business.

- a. Employees using Bellevue College-owned computers must follow all expectations of the Bellevue College policies on the Acceptable Use of the Bellevue College Network and the Acceptable Use of Bellevue College Computers.
- b. Further guidelines for the personal use of state-owned computers are provided under the Personal Use and Prohibited Uses sections of this policy.

3. Use of Electronic Messaging Systems

Bellevue College electronic message systems are provided to Bellevue College employees as a means to conduct College business.

- a. Employees using Bellevue College-owned electronic messaging systems must follow all expectations of the Bellevue College policies on the Acceptable Use of the Bellevue College Network and Bellevue College Data Management Systems, and the Acceptable Use of Bellevue College Computers.
- b. Further guidelines for the personal use of state-owned electronic messaging systems are provided under the Personal Use and Prohibited Uses sections of this policy.
- c. Because electronic message systems may not be secure, employees should refrain from using them to relay confidential information.

4. Use of the Internet and Instant Messaging

Access to the Internet is provided to Bellevue College employees as research, teaching and communication tool for conducting College business. Employees may also make use of instant messaging, provided that use is in compliance with this policy.

- a. Employees using the Internet and/or instant messaging from Bellevue College-owned systems must follow all expectations of the Bellevue College policies on the Acceptable Use of the Bellevue College Network and Bellevue College Data Management Systems, and the Acceptable Use of Bellevue College Computers.
- b. Further guidelines for the personal use of the Internet and/or instant messaging using state-owned resources are provided under the Personal Use and Prohibited Uses sections of this policy.
- c. The Internet and/or instant messaging may not be secure. Employees should take this into account before receiving or transmitting information and messages.

5. Use of Materials Sent to College Employees

Bellevue College Employees often receive copies of textbooks, digital materials, subscriptions, publications and/or informational materials from publishers. Such materials are frequently distributed for evaluation or review. In addition, faculty members may receive courtesy textbook copies or "desk copies" directly from the publisher. Bellevue College employees are free to use these materials in the course of their official duties. However, these materials are considered state property and may not be sold or disposed of for the benefit of an individual employee. Divisions/departments may retain custody of these materials or may dispose of them in accordance with college policy and state regulations.

Prohibited Uses

The use of Bellevue College state resources is strictly intended for use by Bellevue College employees. This prohibits others, such as family members and friends, from using employee-controlled state resources for any purpose. Additionally, the state specifically prohibits the employee from certain use, including:

1. Any use for the purpose of supporting, promoting or soliciting for an outside organization, group or business, unless provided for in this policy under General Exceptions, by law or authorized by the

Bellevue College President, or designee.

2. Use that promotes personal business interests or conducts private employment.
3. Any use that constitutes political campaigning or lobbying, whether for an individual, a private business, a non-profit organization or a political party, except as noted below. This includes participating in or assisting in an effort to lobby the State Legislature or a state agency head. (see [RCW 42.17.190](#), [RCW 42.52.180](#))
 - a. College facilities may be used for purposes of political campaigning—directed to members of the public—by or for candidates who have filed for public office, only when the full rental cost of the facility is paid. Use of state funds to pay for facility rental costs for political campaigns is prohibited. No person may solicit contributions on college property for political purposes, except where this limitation conflicts with federal law regarding interference with the mail.
4. Use for personal political advocacy, or the promotion of personal religious organizations.
5. Commercial uses, such as advertising or selling.
6. Personal use of Bellevue College E-mail distribution lists.
7. Any illegal or unethical activity.
8. Infringement of copyrights.
9. Any form of harassment, including sexual harassment.
10. Discrimination on the basis of race, creed, color, marital status, religion, sex, national origin, age, veteran's status, sexual orientation, or because of the presence of any sensory, mental or physical disability.
11. Accessing, downloading or disseminating any information that a reasonable person would deem inappropriate for the workplace, such as pornography or racist materials.
 - a. This restriction does not prohibit such access or retention of such materials if they are being used for a specific academic purpose.
12. Downloading of software or files via the Internet for personal use.
13. Any activity using excessive network band-width, such as downloading music. Employees are prohibited from such non-business activities, even if the use is brief in duration or occur infrequently, because it compromises Bellevue College's network and legitimate business activities. Note: this prohibition does not apply to students when being done as directed by a faculty member for specific educational purposes.
14. Private use of any state property removed from Bellevue College, even if there is no cost to the state.
 - a. Bellevue College state resources authorized for an employee to use at home for official purposes are subject to the same ethics expectations as would be applicable if the employee were located in a Bellevue College facility or other official duty station.

Private use of any consumable state property, such as paper, envelopes, or spare parts, even if the actual cost to the State is de minimis.

RESPONSIBILITIES

Confidentiality, Retention and Access to Public Records:

All Bellevue College employees should be aware that electronic mail, facsimile transmissions, and voice mail are technologies that may create an electronic record. An electronic record is reproducible and is therefore not private. Such records are considered writings and all writings may be public records, subject to disclosure under Washington's Public Disclosure Act (see [RCW Chapter 42.56](#)) or may be disclosed for audit or legitimate Bellevue College operational or management purposes. All records and information generated and stored on electronic message systems is kept according to state-approved retention schedules (see [RCW Chapter 40.14](#); Bellevue College Procedures # [6900P, Records Storage and Disposal \(Procedures\)](#)).

The Public Disclosure Law provides for the release of public records upon request. In its preamble, the law states "*...full access to information concerning the conduct of government on every level must be assured as a fundamental and necessary precondition to the sound governance of a free society.*" Any kind of activity or business conducted by a Bellevue College employee using state resources is considered to be a public record and is subject to disclosure, whether that use is made in their conduct of official duties or is a use made for a

purpose other than the conduct of official duties.

While there are exceptions to the requirement of disclosure, state law favors broad disclosure of public documents. Questions about public records or employee privacy issues should be referred to the College's Public Records Officer, the Vice President of Administrative Services (see also Bellevue College Policy # [2500, Access to Public Records](#)).

Education records of students attending the college are confidential and can only be released in accordance with the [Family Education Rights and Privacy Act of 1974 \(FERPA\)](#) and the administrative rules of the College. Questions about student records should be referred to the college's vice-president of Student Services (see also Bellevue College Policy # [2600, Family Education Rights and Privacy Act: Disclosure of Student Information](#)).

Logging and Monitoring:

Bellevue College has the right to log and monitor employee use of the Bellevue College state resources and to ensure their appropriate use for business-related privileges. This may include, but is not limited to, review of employee computers, file server space, user accounts and all electronic documents. Bellevue College employees should not expect privacy in their use of Bellevue College state resources.

Monitoring of Electronic Messaging Systems:

Bellevue Community College will monitor electronic messages only under the following guidelines:

1. If an IR director (and/or his/her staff) who is responsible for the implementation, operation and maintenance of electronic message systems, needs to do so to monitor the flow, not the specific content, of electronic messages.
2. If, through other evidence, there has been established sufficient cause to investigate the misuse of the system, or during the course of investigations where there is evidence of illegal or inappropriate (as defined by policy) activity.

If the College is required to access an employee's electronic messaging system pursuant to the "Right to Access" described in the Acceptable Use of the Bellevue College Network and Data Management Systems Policy, Human Resources will be responsible for providing the necessary information to the appropriate supervisor(s) and/or administrator(s).

Policy Maintenance:

- o **Human Resources (HR)**
The primary responsibility for maintenance and administration of this Policy rests with the vice president of Human Resources. HR is responsible for drafting any updates and changes to these policies and procedures, with input from the dean of Information Resources. After appropriate campus review and final approval by the college president, HR will publish any new or revised policy, providing a brief description of the policy and its implications for employees and other affected individuals or groups.
- o **Information Resources (IR)**
The secondary responsibility for maintenance and administration of this Policy rests with the Dean of Information Resources. IR is responsible for working with the vice president of Human Resources for drafting any updates and changes to this policy, with input from the Technology Advisory Committee.
- o **Technology Advisory Committee (TAC)**
The Technology Advisory Committee (TAC) is responsible for reviewing Bellevue College technology strategies and serving as a conduit for dialogue between IR and the campus regarding all technology policies and procedures. Membership of this group is representative of the campus, and supports the dean of Information Resources by advocating for and presenting the campus technology needs.

Sanctions:

Violation of any of the provisions of this Policy will be dealt with in the same manner as violations of other College policies, and may result in disciplinary review. In such a review, the full range of disciplinary sanctions is available, including:

- o Disciplinary action – Any disciplinary action will be taken in accordance with appropriate Human Resources procedures;
- o Dismissal from the College; and /or
- o Legal action.

Some violations of this Policy may also constitute a state, local or federal criminal offense.

DEFINITIONS

- **Bellevue College State Resources:** Include, but are not limited to, desktop, laptop or mainframe computer hardware or software; software licenses; workstations; data systems; personal digital assistants; electronic messaging systems; E-mail systems; pagers; telephones—both wired and cellular; SCAN services; voice mail systems; fax machines; Bellevue College network resources, whether wire-based or wireless; Internet connections, accounts or access; state contracts; documentation photocopiers; facilities; vehicles, credit cards; supplies; and state mail services.
- **De Minimis:** The use of state resources is considered de minimis if the actual expenditure of state funds is so small as to be insignificant or negligible, any such use of the resource is brief in duration, occurs infrequently and is the most effective use of time or resources, if the use does not disrupt or distract from the conduct of state business due to volume or frequency, if the use does not disrupt or distract from the conduct of state business due to volume or frequency, the use does not disrupt other state employees and does not obligate them to make a personal use of state resources; and the use does not compromise the security or integrity of state property, information, or software.
- **Electronic Messaging Systems:** Include, but are not limited to, electronic mail systems, such as E-mail, that store and transmit communications; voice mail systems which store and transmit communications; pagers that store and transmit communications; facsimile and imaging equipment that store and transmit images; and all similar systems.
- **Internet:** Includes, but is not limited to, the connection to and the use of interconnected networks in public and private domains to access the World Wide Web, E-mail, file transfer protocols, and other state network resources.
- **Official Duties:** Those duties within the specific scope of employment of Bellevue College employees as defined by Bellevue Community College, by statute, or by the Washington State Constitution.
- **Public Record:** Includes, but is not limited to, any writing (as defined below) containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. [[RCW 42.56.010 \(2\)](#)]
- **Writing:** Includes handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. [[RCW 42.56.010 \(3\)](#)]

RELEVANT LAWS AND OTHER RESOURCES

[RCW 42.56](#)

REVISION HISTORY

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APPROVED BY

President's Staff