

<b>UTAH DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES</b>		
<b>Reference: 06-04-A</b>	<b>Effective Date: December 13, 2000</b>	<b>Page 1 of 1</b>
<b>SUBJECT: ADDENDUM TO POLICY ON THE APPROPRIATE USE OF INFORMATION TECHNOLOGY RESOURCES</b>		
<b>RATIONALE: The purpose of this Addendum to Policy No. 06-04 is to clarify that the Department's "Policy on the Appropriate Use of Information Technology Resources" does not authorize corrective action or disciplinary action against Users whose unauthorized use of IT Resources is unintentional or inadvertent</b>		

1. **Clarification of the Department's IT Policy:** A User whose unauthorized use of IT Resources is unintentional or inadvertent is not subject to disciplinary action or corrective action. The term "unintentional or inadvertent" refers to situations in which the User did not intend to engage in a particular use; the term does *not* refer to situations in which the User failed to realize that a particular use would violate the Department's policies. Users are expected to be familiar with the Department policies and to comply with them.
  - a. **Examples of "Unintentional or Inadvertent" Uses:**
    - i. If a User inadvertently accesses a web site that contains sexually explicit material but the User immediately exits from that web site, the User has not violated the Department's policy on IT Resources. On the other hand, a User who inadvertently accesses a sexually-explicit web site but then browses the web site for ten minutes *has* violated the Department's policy on IT Resources.
    - ii. If a User receives unsolicited but racially-discriminatory e-mail messages or facsimiles, and the User takes reasonable steps to dissuade the person who sent the message from sending any other such messages to the User, the User has not violated the policy on IT Resources. On the other hand, if the User subscribes to a service or organization, knowing that the service or organization regularly sends out such discriminatory messages, the User's receipt of the messages would violate the Department's policy on IT Resources.
2. **User's Obligation to Report to the User's Supervisor.** Users who find themselves in a situation where they have unintentionally or inadvertently engaged in an unauthorized use of IT Resources shall promptly report the situation to their supervisors.
3. **Factors Relevant to Deciding Whether a Use Is "Unintentional" or "Inadvertent."** If a User is found to have engaged in the unauthorized use of IT Resources, the following evidence is relevant to the Department's determination of whether the unauthorized use was, in fact, unintentional or inadvertent:
  - a. Evidence that the User promptly reported the unauthorized use to the User's supervisor, as required by this Addendum;
  - b. Evidence that the User took reasonable steps to promptly discontinue such unauthorized use and avoid any similar unauthorized uses in the future;
  - c. Evidence that the User knew or should have known that the User's conduct violated the Department's policies or was likely to result in an unauthorized use of IT Resources; and
  - d. Any other evidence that tends to indicate whether the User unintentionally or inadvertently engaged in the unauthorized use of IT Resources.

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DATE: 12-13-00

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