

DOCUMENT: Policy	DOCUMENT NUMBER: 0503	REVISION: 3/24/03	Page 1 of 3
SUBJECT: Software Copyright Compliance		EFFECTIVE DATE: March 14, 2000	
OFFICE OF MIS:		DATE:	
SECRETARY OF DHHR:		DATE:	

1.0 PURPOSE

The purpose of this policy is to provide guidance to DHHR (Department of Health and Human Resources) personnel relating to the use, compliance, and limits of copyrighted software.

2.0 SCOPE

This policy applies to all employees using DHHR systems and participating in sponsored software development, software demonstrations, and the operation and maintenance of IT (Information Technology) systems.

3.0 APPLICABLE DOCUMENTS/MATERIALS

- 3.1 DHHR IT Policy 0501, Appendix B - Unacceptable Uses of IT Resources
- 3.2 DHHR Policy Memorandum 2104 - Progressive Discipline
- 3.3 DHHR Policy Memorandum 2108 - Employee Conduct
- 3.4 MIS Operating Procedure - 013

4.0 RESPONSIBILITY/REQUIREMENTS (also refer to Appendix B of IT-0501, and OP-013, "Software Installation")

- 4.1 All software **must** be installed by MIS (Management Information Services) technicians.
- 4.2 Employees must only use software furnished through the DHHR procurement process.
 - 4.2.1 In some instances, software may be used if it has been approved by the employee's immediate supervisor and the NTS (Network and Technical Support) group.
- 4.3 Software must only be used in accordance with licensing agreements.

DOCUMENT: Policy	DOCUMENT NUMBER: 0503	REVISION: 3/24/03	PAGE 2 OF 3
SUBJECT: Software Copyright Compliance		EFFECTIVE DATE:	

- 4.3.1 If a license is for multiple users, the authorized number of copies must not be exceeded.
- 4.4 Periodic audits must be conducted to assure that licensing agreements are being followed.
- 4.5 MIS must inventory and document all software on PC's belonging to the DHHR.
- 4.6 Licensing agreements must be stored in a secure location.
- 4.7 When upgrades to software are purchased, the old version must be disposed of in accordance with the licensing agreement to avoid a potential violation.
 - 4.7.1 Upgraded software is considered a continuation of the original license, not an additional license.
- 4.8 Employees are prohibited from making illegal copies of copyrighted software.
- 4.9 Enforcement Authority
 - 4.9.1 The ISO (Information Security Officer) is the person designated by the CIO to monitor and provide initial enforcement of DHHR's information security program and IT policies.
 - 4.9.2 The ISL's (Information Security Liaisons) are employees assigned by the commissioner with each Bureau and/or Office to assist the ISO in the protection of information resources.
 - 4.9.3 The OIG (Office of the Inspector General) has been designated by the Secretary of the DHHR as the primary authority to investigate any reported instances of Departmental employee misconduct.
- 4.10 Violations and Disciplinary Action(s)
 - 4.10.1 All suspected violations of this policy will be reported to a supervisor in the chain of command above the employee.

DOCUMENT: Policy	DOCUMENT NUMBER: 0503	REVISION: 3/24/03	PAGE 3 OF 3
SUBJECT: Software Copyright Compliance		EFFECTIVE DATE:	

4.10.2 The supervisor or designee will review the facts and, if it is suspected that a violation may have occurred, the matter will be referred to the employee's Office Director or Bureau Commissioner for appropriate action.

4.10.3 After reviewing all allegations, the Bureau Commissioners may refer the alleged abuse or misconduct to the ISO and/or the OIG as warranted for further investigation.

4.10.4 Employees who willfully or knowingly violate or otherwise abuse the provisions of this policy may be subject to: (1) progressive disciplinary action as outlined in DHHR Policy 2104; or (2) criminal prosecution. Levels of discipline include the following:

- Verbal reprimand
- Written reprimand
- Suspension
- Demotion
- Dismissal

5.0 DEFINITIONS

- 5.1 Chief Information Officer (CIO) - The director of MIS and the person responsible for all information resources within the DHHR.
- 5.2 Employee - Individuals employed on a temporary or permanent basis by the DHHR; as well as contractors, contractor's employees, volunteers, and individuals who are determined by the Bureau or Office to be subject to this policy.
- 5.3 Information Security Liaisons (ISL) - Individuals designated to serve within each Bureau and Office. Each ISL assists in the protection of information resources and the detection of actual and potential security exposures.
- 5.4 Information Security Officer (ISO) - The person designated by the CIO to establish and administer DHHR's information security program.
- 5.5 Office of the Inspector General (OIG) - An independent entity within the DHHR designated by the Secretary to investigate or assist in investigating allegations of employee abuses or misconduct.