



Berwyn Park District
Cook County, Illinois

**A RESOLUTION ADOPTING BOARD ELECTRONIC
COMMUNICATION POLICY**

R-17-04

COMMISSIONERS

**MARIO MANFREDINI
DIEGO ESTRELLA
EDWARD A. KARASEK
SANDRA FEJT**

Published by the Berwyn Park District as authorized by the Berwyn Park District Board
of Commissioners on 03/28/2017

BERWYN PARK DISTRICT

RESOLUTION NO. R-17-04

A RESOLUTION ADOPTING BOARD ELECTRONIC COMMUNICATION POLICY

WHEREAS, the Berwyn Park District (the "District") is an Illinois park district governed under the Park District Code, 70 ILCS 1205/1-1 et seq. (the "Code"); and

WHEREAS, the Board of Park District Commissioners have determined that it is in the best interest of the People of the District to establish an electronic communication policy for the Board Commissioners; and

WHEREAS, the Board of Park District Commissioners have reviewed and approved the attached Board Electronic Communication Policy to serve as a guide to the Park District Commissioners in the use of electronic equipment and Park District e-mail;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Berwyn Park District in the County of Cook, State of Illinois:

SECTION 1: That the District adopts the Board Electronic Communication Policy to serve as a guide to the Park District Board Commissioners in the use of electronic equipment and Park District e-mail;

SECTION 2: That this Resolution shall be in full force and effect from and after its adoption and approval.

AYES: *Martindale, Krensek, Fejt, Estrella*

NAYS: *0*

ABSENT: *0*

Passed this *28th* day of March, 2017.

Approved this *28th* day of March, 2017.

M. J. M. K.

President of the Board of Commissioners of
The Berwyn Park District

Attest

Elizabeth J. O'Hara

Secretary of the Board of Commissioners of the
Berwyn Park District

**BERWYN PARK DISTRICT
BOARD ELECTRONIC COMMUNICATION
POLICY**

R-17-04

This policy is designed to serve as a guide to park district Board members in the use of electronic equipment and park district provided email.

GENERAL GUIDELINES AND PRINCIPLES

All Berwyn Park District electronic communications, as well as the equipment and stored information transmitted, received, or archived, are and remain at all times the property of the Park District. Accordingly, all messages and files created, sent, received, or stored within the system will be related to Park District business and are and will remain the property of the Park District.

Communication systems, as broadly defined (whether Park District owned or personal), must never be used in connection with Park District activities or functions, to:

- a. Threaten, intimidate, or intentionally embarrass another person.
- b. Send or post images that contain nudity, images or words of a profane, prurient, or sexually suggestive nature, even if the employee or recipient has consented to or requested such material.
- c. Engage in any illegal, illicit, improper, unprofessional, or unethical activity, or in any activity that could reasonably be construed to be detrimental to the interests of the Park District.
- d. Send or post jokes or comments that tend to disparage a person or group because of race, ethnic background, national origin, religion, gender, sexual orientation, age, verbal accent, source of income, physical appearance or agility, mental or physical disability or occupation; or to use electronic resources or manual communications in any manner which might reasonably be considered harassment or embarrassment of an individual or a group as outlined above. Material of this nature which is received inadvertently should not be saved or printed unless for the sole reason of bringing it to the immediate attention of system management.
- e. Send messages which could be harmful to workplace morale.
- f. Send or post messages for personal commercial ventures for profit.
- g. Solicit or address others regarding religious or political causes or for any other solicitations that are not work related, unless otherwise authorized by the department head.

Board members are expected to maintain the integrity of the sensitive, confidential, and proprietary information that is stored on or is passed through the Park District communications and information systems. Such information or data may not be disseminated to unauthorized persons or organizations. This includes, but is not limited to personnel information including salaries, performance reviews, complaints, grievances, disciplinary records and medical records.

No e-mail or other electronic communication may be sent which hides the identity of the sender or represents the sender to be someone else or to be someone from another entity.

No Board member may represent or give the impression of representing an official position of the Park District in any e-mail or Internet type communication without the express permission of an administrative staff member.

All e-mail messages must be businesslike, courteous, civil, and written with the expectation that they could be made public at some time in the future. Confidential information (such as personnel or legal materials) should be communicated via a more secure and private method.

Classified, confidential, sensitive, proprietary, or private information or data must not be disseminated to unauthorized persons or organizations.

PRIVACY

Board members have no right of personal privacy in any matter stored in, created, received, or sent over the Park District e-mail system and cellular communications phones, or communications devices.

The Park District reserves the right to retrieve and review any message, whether said message is an e-mail message, other electronic message or file composed, sent or received. It should be noted that although a message or file is deleted or erased, it is still possible to recreate the message. Although electronic mail and voice mail may allow the use of passwords for security, confidentiality cannot be guaranteed. It is possible for messages to be retrieved and viewed by someone other than the intended recipient. Furthermore, the Park District may remove or change passwords, as it sees fit.

All electronic mail messages are “public records” under the Illinois Freedom of Information Act. As such, all messages are available to the public to inspect and copy, subject to the limited exceptions contained in the law. In order to ensure that such messages comply with this policy, all electronic mail messages are subject to review by authorized Park District employees.

The confidentiality of electronic mail is not guaranteed. Electronic messages may be monitored by service providers and authorized Park District officials, and may be compromised by unauthorized or unintended distribution. Confidentiality may also be compromised because of inadequacy of current technology to protect against unauthorized access. All electronic messages shall therefore be limited to non-confidential matters.

Users are also prohibited from using electronic means to seek out personal or confidential information regarding Park District employees, contracts, finances, or other non-public matters.

PERSONAL DEVICES

While at park district functions and /or meetings Board members are expected to exercise the same discretion in using personal communication devices and other information technology devices as is expected for the use of Park District assets. Excessive personal time (including calls, personal emails, or text messages) during meetings, regardless of the phone used, can interfere with productivity, employee and patron safety, and be distracting to others. Flexibility will be provided in circumstances demanding immediate attention.

The Park District will not be liable for the loss of or damage to personal devices brought into the park district.

MEETING BY ELECTRONIC MEANS

Certain use of electronic mail may be considered a meeting under the Illinois Open Meetings Act. A meeting is defined as a gathering by a majority of a quorum of the Board of Park Commissioners, or a majority of a quorum of any sub-body of the Board, including committees for the purpose of discussing public business. Therefore, the use of electronic mail to discuss public business is prohibited if a majority of a quorum participates. Electronic mail may be used to discuss public business by less than a majority of a quorum, subject to the restrictions contained in this policy. Electronic mail may also be used to communicate in any other manner that does not constitute deliberation under applicable Illinois law.

HARASSMENT

Harassment of any kind is prohibited. Harassment policies apply equally to all electronic media. No messages with derogatory or inflammatory remarks about an individual or group's race, color, religion, sex, age, national origin, marital status, veteran status, disability, physical attributes, sexual preference, genetic disposition or carrier status, or any other legally protected characteristic shall be transmitted.

VIOLATIONS

Violations of this policy may result in violations of the Open Meetings Act. If necessary the Park District may advise appropriate legal officials of any illegal violations.

ADMINISTRATION

The Executive Director, or designee, will administer this policy.

E-MAIL USAGE AND TEXT MESSAGING

The park district E-mail is the property of the Park District and are to be used for Park District purposes only. All communications, including text messaging, and information transmitted by, received from, or stored in this system are Park District records and property of the Park District. Board members have no right of personal privacy in any matter stored in, created, received, or sent over the Park District e-mail system. The Park District, in its discretion as owner of the e-mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the E-mail system, including text messages, for any reason and without the permission of any Board member.

Use of e-mail provided by the Park District expressly prohibits the following:

1. Dissemination or printing of copyrighted materials, including articles and software, in violation of copyright laws.
2. Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information of the Park District in violation of Park District policy of proprietary agreements.
3. Any form of harassment whether through language, frequency, or size of messages.
4. Unauthorized use, or forging, of e-mail header information.
5. Use of unsolicited e-mails or text messages originating from within Berwyn Park District's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by the Berwyn Park District or connected via Berwyn Park District's network.
6. Operating a business, seeking business opportunities or soliciting money for personal gain.

-
7. Transmission of any unsolicited or unauthorized advertising, promotional materials, "junk mail", "spam", "chain letters", "pyramid schemes", jokes, comics, non-related computer graphics, or any other form of solicitation.
 8. Postings of the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).
 9. Sending unencrypted credit cardholder data.
 10. Gambling or engaging in any other activity in violation of local state or federal law.

The above list is not intended to be an exhaustive list.

All users should be aware that the action to delete data, documents, e-mail messages, or text messages does not mean that the data, document, e-mail message, or text messages has been eliminated from the system. All users must password protect their e-mail.

Strategies for Effective E-mail and Text Message Communication

- Avoid communicating through e-mail or text messages on a sensitive subject that should be addressed in person. If possible, communicate confidential information in another form other than e-mail or text message. A good rule of thumb is "never write anything in an e-mail or text message that you would not want to become public knowledge."
- Practice good housekeeping rules. Storage space on the server is critical.
- Create folders for received and sent messages. Use folders to save important information but make it a regular habit to review all folders and delete old or out-dated material. Delete unimportant messages as you read them.
- Keep your "in" and "sent" boxes clean. We recommend that Board members keep important messages in their archive directory.
- Use professionalism and business etiquette.

Receipt of E-Mail or Text Message

Users who receive mail from an unknown or suspicious source must delete the message right away and must not try to open the file attachment.

Remote Access Service

The use of the District's e-mail, text messaging, and software systems are available to users for business communications and functions related to the Park District. Use of these systems shall not be used in place of the users' personal Internet e-mail service, or for personal computer activities.

Retention of Records

The individual user's archive of electronic mail messages shall not be relied upon for permanent storage of records. Users of electronic mail shall use traditional methods of record storage, such as paper copies, when existing procedures or business practices requires that a lasting record of a document be retained.

Copying of Records

Upon receipt of a Freedom of Information request for copies of electronic mail messages, the Executive Director, or designee, will review the archive of stored messages to determine if any documents exist which are responsive to such request. No requests for "All Electronic Mail" will be complied with, but the Executive Director or his or her designee shall attempt to assist the person making such request to narrow the scope of the request. If responsive documents are

found, the Executive Director shall review the exceptions to the Freedom of Information Act, and shall consult with the Park District attorney if necessary, to determine if any exceptions to disclosure apply to the requested records. Documents which are not exempt shall be disclosed as required by the Freedom of Information Act. If exempt documents are requested, the Executive Director, or designee, shall notify the requesting party in accordance with the Freedom of Information Act.

Destruction of Records

The electronic mail messages stored by the Park District shall be destroyed in accordance with the State Records Act.

INTERNET

The Internet is a useful research and communication resource that is provided to Board members for uses related to park district business. Access to the Internet provides e-mail capabilities for contacting outside resources and access to databases for research and information purposes.

All Internet use must be in conformity with local, state and federal laws, policies, regulations, rules and court orders. The use of computer resources to access, view, store or distribute obscene or pornographic material or to send or receive obscene or pornographic e-mail or text messages is prohibited.

Board members accessing the Internet are representing the Park District. All communications shall be for professional reasons. Board members are responsible for seeing that the Internet is used in an effective, ethical and lawful manner.

Disclaimer of Liability for Use of Internet

The Park District is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contain millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search records may lead to sites with highly offensive content. In addition, having an e-mail address on the internet may lead to the receipt of unsolicited e-mail containing offensive conduct. Users accessing the Internet do so at their own risk.

PROHIBITED ACTIONS

Prohibited actions include, but are not limited to, the following:

- Any illegal, illicit, improper, unprofessional or unethical activity, or any activity that could reasonably be construed to be detrimental to the interests of the Park District
- Unauthorized attempts to access another's e-mail or text messages
- Transmitting obscene or harassing messages, by e-mail, text message, or any other means, to any other individual
- Use for access to and distribution of indecent or obscene material, child pornography, inappropriate text or graphic files or messages; or files dangerous to the integrity of the network
- Use of Internet/e-mail for commercial use or profit
- Extensive use of Internet/e-mail resources for personal use
- Solicitation of funds

**Board Member Electronic
Communication Policy
Resolution R-17-04**

- Political messages
- Harassing messages
- Messages that could be construed as sexually explicit or discriminatory based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs