

Deschutes County Administrative Policy No. GA-25

Effective Date:

Volunteer Boards, Commissions, and Committees – Public Records

In General

Deschutes County appreciates the valuable contributions of volunteers who serve on County committees and boards. Through their work, they play a vital role in supporting County government.

Volunteers serving on designated County boards, commissions, and committees must use a County-provided e-mail for any e-mail communication related to matters associated with the work of said board, commission, or committee.

The County Administrator will determine which boards, commissions and committees this policy applies to. The designated list will be communicated to departments/offices annually.

Use of County-provided e-mail ensures that the County can access public records for production in a timely and thorough manner as required for compliance with associated public records requests.

The use of private e-mail accounts by a volunteer serving on a designated County board, commission, or committee and concerning a matter(s) associated with the work of said board, commission, or committee is deemed misconduct and is strictly prohibited. Such actions support immediate removal from said board, commission or committee. County staff who serve as committee liaisons are permitted to send informational emails (meeting notifications, etc.) to a secondary email provided by volunteers.

E-mail Use

E-mail should be used as a tool by County volunteers only for County business purposes. Users should not expect privacy and shall observe courtesy and good security practices. There are a variety of ways an e-mail communication can be disclosed to people other than the intended recipient.

Deschutes County has the right to monitor the usage of volunteer's e-mail. All e-mail sent to or from the County's e-mail systems are public records, whether in printed or electronic form, and are subject to the disclosure and inspection provisions of ORS 192 as it currently exists or may from time to time be amended.

Use of Email

Volunteers should be mindful that emails associated with board/committee work are public record and those conversations are subject to public meetings laws.

A series of emails can violate public meetings law if they are used for the purpose of deliberation toward a decision. Volunteers should refer to the public meetings training provided by County Legal Counsel for additional information on this topic.

Multi-Factor Authentication

In order to access the County's e-mail system, volunteers can download an application on their personal cell phone or request a physical token.

Passwords

Volunteers must take prudent and reasonable steps to prohibit access to accounts and passwords. Passwords and accounts must remain confidential to that volunteer and should not be disclosed to any other person. If a volunteer's password is disclosed to another person, the volunteer must change their password immediately.

Passwords should not be kept in written form or in a manner that would enable access to it by another person. Passwords should be changed frequently. When changing a password, common personally related words, such as family member or pet names, should be avoided. Each volunteer shall immediately change their password if the volunteer believes any unauthorized person may have gained access to the volunteer's password information.

In the event that a volunteer becomes aware of, or suspects, that (a) any information contained in their email has been accessed by an unauthorized individual or otherwise compromised, or (b) any security system has been breached or compromised (including, without limitation, the unauthorized disclosure or use of any password), the volunteer shall immediately notify the County staff member assigned to the committee or Board they serve on.

No volunteer shall leave their e-mail open and unattended in a manner that would allow unauthorized use of such Resource. Passcodes are required to be on personal devices that access County resources.

County Records

Unless otherwise specified by written agreement, all electronic documents and data generated by a volunteer using the County's e-mail system are County property. The County reserves the right to access and disclose all messages sent over the e-mail system for any purpose, including the right to disclose e-mail messages to law enforcement officials without prior notice. E-mail messages may be accessed and reviewed at any time by the Department Head, the County Administrator, the Information Technology Director or County Legal Counsel; they may also be accessed and reviewed by computer support

staff for the limited purpose of providing support services. The County further retains the discretion to assert any applicable privileges and objections if a public records request or discovery request is made for any County e-mail. Volunteers will be notified if their emails are responsive to a public records request. A volunteer desiring the County assert a privilege or objection under the Public Records law with respect to County e-mail shall notify the staff member assigned to the committee or Board they serve on, who will coordinate with Legal Counsel to make a final determination.

Volunteer Attestation and Training

Volunteers serving on designated County boards, commissions, and committees are required to sign a *Volunteer Acknowledgement* addressing the use of County-provided e-mail for communication related to matters associated with the work of said board, commission or committee.

Volunteers will also be required to attend virtual Cybersecurity and Public Records trainings.