

MOM-SITSD-POL-Internet Privacy and Security Policy

I. Purpose

The purpose of this Policy is to implement the POL-Internet Privacy and Security Policy for defining actions to fulfill the responsibility.

II. Scope

This policy applies to all state agencies. 2-17-505 et seq., MCA, with the exemptions as defined in 2-17-516, MCA and 2-17-546, MCA .

III. Roles and Responsibilities

Roles and responsibilities are required by this policy and in accordance with POL-Information Security Policy - Appendix B (Security Roles and Responsibilities).

IV. Requirements

The State of Montana respects each individual website user's right to privacy. Any personal information that is collected will not be disclosed to any third party except as required by applicable law, unless the website user has expressly permitted the disclosure or "opted in" to allow the disclosure. The purpose of this statement is to inform website users of the use of information that may be collected while they are visiting this or any State of Montana website.

Citizens and businesses are not routinely asked to provide personal information to visit State of Montana websites or to download information. This includes mt.gov as well as agency websites. Government agencies may request personally identifiable information from you in order to provide requested specialized services, but such information is handled as it would during an in-person visit to a government office.

Montana law controls the level of access to personally identifiable information maintained in public records at state and local levels of government. Information that is generally available under Montana law may be posted for electronic access through mt.gov and associated agency websites.

A. Use of Constituent Email Addresses

Email addresses obtained as a result of a request to the state website will not be sold or given to other private companies for marketing purposes unless it is specifically stated when the email address is requested and the user "opts in" to having their email used in the stated fashion. The information collected is subject to the access and confidentiality provisions of Montana Code and Federal law. Email or other information

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requests sent to a state website may be maintained in order to respond to the request, forward that request to the appropriate agency, communicate updates to the state web page that may be of interest to citizens, or to provide the website designers with valuable customer feedback to assist in improving the site. Individuals will be provided with the ability to "opt in" at any time to receive communication regarding new service updates.

B. Transaction Information

The state uses secured servers for conducting online transactions. All credit card and other payment information that is transmitted is protected by encryption technology, provided the website user's browser is properly configured and the user's computer is operating properly.

C. Data Security and Quality

The State of Montana is committed to data security and the data quality of personally identifiable information that is either available from or collected by governmental web sites and has taken reasonable precautions to protect personally identifiable information from loss, misuse or alteration. Any third parties responsible for this information are committed to the same principles, and also are required by contract to follow the same policies and guidelines as the State of Montana in protecting this information. Unless otherwise prohibited by state or federal law, rule or regulation, the individual is granted the ability to access and correct personally identifiable information whether or not the information inaccuracy was accidental or created by unauthorized access.

D. Non-State Websites

Various non-state websites may be linked through mt.gov and other state-maintained websites. Since the state has no control over these non-state websites, visitors to those sites are advised to check their privacy statements and be cautious about providing personally identifiable information without a clear understanding of how the information will be used. The state accepts no liability for other entities that are linked to the state's websites. Visitors may also wish to consult privacy guidelines such as those recommended by the Online Privacy Alliance.

E. Website Security

For information security purposes, the computer systems that host mt.gov and other state websites employ software programs to monitor network traffic to identify unauthorized attempts to compromise its devices. These attempts to cause damage could be subject to legal action.

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F. Criteria

1. All government websites that collect personally identifiable information from a website user will apply the following criteria:
2. The website must identify who operates it.
3. The website must provide the address and telephone number, as well as an email address, where a contact can be made.
4. The website must give a general description of the types of third parties that may obtain the information that is being collected.
5. The website must provide the website user the ability to "opt-in" for allowing their information to be used in other ways than for the purpose of the website.

V. Definitions

Refer to the National Institute of Standards and Technology (NIST) Glossary of Key Information Security Terms for common information systems security-related definitions.

Government: The state which includes the State of Montana or any office, department, agency, authority, commission, board, institution, hospital, college, university, or other instrumentality of the state and political subdivisions of the state which includes any county, city, municipal corporation, school district, or other political subdivision or public corporation.

Personally Identifiable Information: Individually identifiable information about an individual collected online, including:

1. A first and last name
2. A residence or other physical address, including a street name and name of a city or town
3. An email address
4. A telephone number
5. A social security number
6. Unique identifying information that an Internet service provider or a government website operator collects and combines with any information described above.

VI. Enforcement

- A. MOM-SITSD-PRO-Establishing and Implementing Statewide IT Policies, Standards, and Procedures governs policy changes or exceptions. Submit an Action Request form to request a review or change to this instrument. Submit an Exception Request form to request an exception. Changes to policies, standards, and procedures will be prioritized and acted on based on impact and need.

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- B. 2-17-514, MCA, addresses agency level enforcement information.
- C. Montana Operations Manual (MOM) Discipline Policy addresses individual level enforcement information.

VII. References

- A. Legislation
 1. Section [2-15-112 MCA](#)
 2. Section [2-15-114 MCA](#)
 3. Section [2-17-512 MCA](#)
 4. Section [2-17-516, MCA](#)
 5. Section [2-17-546, MCA](#)
 6. [Montana Information Technology Act \(MITA\)](#) , Sections 2-17-504 et seq., MCA
- B. Policies, Directives, Regulations, Rules, Procedures, Memoranda
 1. Administrative Rules of Montana (ARM): [ARM 2.12](#)
 2. [ARM 2.13.101 -Â 2.13.107](#)
 3. [ARM 2.12.206](#)
 4. Statewide Procedure: [MOM-SITSD-PRO-Establishing and Implementing Statewide IT Policies, Standards, and Procedures](#)
 5. State of Montana Office of the Governor Executive Order No. 09-2016
 6. [MOM-SITSD-POL-Information Security Policy - Appendix B \(Security Roles and Responsibilities\)](#)

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Appendix A

Request for Agency Records Department of Administration

State Information Technology Services Division

REQUESTING ENTITY

Agency: _____

Date Requested: _____

Requestor Name: _____

Title: _____

Agency Head/Delegate Printed Name: _____

Agency Head/Delegate Signature: _____

____ Please send records to the requestor

Send records to:

REQUESTING RECORDS FOR

____ EMAIL (Records are kept for fourteen days)

Date(s): _____

Employee Name and USER

ID: _____

____ TELEPHONE (Records are kept for thirteen months. This includes *outgoing* local and long distance calls)

Date(s): _____

Employee Name and Telephone No.:

____ INTERNET (Records are kept for thirty days)

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Date(s):

Employee Name and IP Address:

Login Information (Available log information is limited by log-system capacity affected by dynamic user load. ^ Logs for specific timeframes may or may not be available because of this dynamic interaction.)

Date(s):

Employee Name and USER ID:

_____ Other Records Request

Date(s): _____

Employee Name, USER ID, and/or IP Address:

Other Pertinent Information:

Description of Request/Comments:

DOA Approvals: DOA-ITSD USE ONLY

ServiceDesk: _____

Date: _____

Legal Counsel _____

Date: _____

(Public Requests Only)

Agency Notification:

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Request Completed by: _____

Date: _____

SCT No. _____

____ Attached, copy of records to requestor

____ Information provided electronically

Date: _____

Request Completed by:

Date: _____

SCT No. _____

____ Attached, copy of records to requestor

____ Information provided electronically

Date: _____

Instructions

1. According to the MOM-SITSD-[MOM-SITSD-POL-Information Security Policy - Appendix A \(Baseline Security Controls\)](#) (ref #431, CP-8 - 5.2), Agency requests must be in writing from the agency head. Retrieve the form at: <https://montanadoa.policytech.com/>, search for the FRM-Request for Agency Records (ref #201).
 2. MCA 2-15-112, (2), except as otherwise provided by law, each department head may:
 - (b) delegate any of the functions vested in the department head to subordinate employees
 - A. For a Delegate to authorize a request, delegated authority per MCA 2-15-112 must be on file in writing in the DOA SITSD Service Desk with original signatures.
 - B. The Delegate will need their name and signature on the letter for comparison.
 - C. The authorization will be validated on an annual basis.
3. The agency requestor completes the "Request for Agency Records" form and submits the form to their Agency Head / Delegate for approval/signature.
 4. Send the completed form to: [DOA SITSD Service Desk](#)
 - A. Agency records requested by the Public, will be disseminated only upon the DOA Legal Counsel approval.
 5. After appropriate authorization is confirmed, qualified records will be sent to the individual designated on the form.

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6. The DOA SITSD Service Desk Supervisor routes the request to the appropriate Bureau's staff.
Each request, Email, Telephone, and Internet records will be sent to the specified requestor by the individual staff providing the requested record(s).
7. Please indicate any special instructions in the Description of Request/Comments.

If you have questions regarding this form and instructions, please telephone the DOA SITSD Service Desk at 444-2000.