DeKalb County Government Email Usage Policy

(Adopted March 18, 1998; Amended January 17, 2001, Amended May 19, 2010, Amended by Ordinance 02018-51 November 21, 2018, Amended December 17, 2025)

1. The County provides email (electronic mail) to employees for their use to transact County business.

2. As the County will provide email to employees as stated above, it is required that all public business done by employees utilizes a DeKalb County email address and not a personally created one. This is because there are laws such as the Freedom of Information Act (5 ILCS 140/1, *et seq*), Local Records Act (50 ILCS 205/1, *et seq*.), and others that pertain to the creation, storage and accessibility of public records. Employees may not create their own private email addresses (gmail, outlook, etc.) purporting to be DeKalb County's, or any department's, official email address for the stated reasons.

3. The County recognizes that employees have substantial interest in, and reasonable expectations of, privacy with regard to the email messages they send or receive. However, the County can make no guarantees that absolute privacy of email messages will be experienced. Further, as a public body, the County must honor the Freedom of Information Act, which specifically states that "all records in the custody and possession of a public body are presumed to be open for inspection or copying". (5 ILCS140/1.2). Therefore, materials in email that pertain to the transaction of public business must be stored, located, reviewed and disclosed as the aforementioned Acts direct, while also seeking to not cause an unwarranted invasion of personal privacy. *See* 5 ILCS 140/2(c) and 50 ILCS 205/3.

4. The responsibility of saving the official "public record copy" of both "sent" and "received" email correspondences rests with the employee. All email messages sent or received, that are "public records" (defined in the Illinois Local Records Act, 50 ILCS 205/3) should either be printed and retained in paper form, or electronically saved in the employee's email box. Contact the DeKalb County State's Attorney's Office if you have any questions regarding the definition of "public records".

5. County email addresses should be utilized for work purposes only. Time spent on email messages, which are personal, is expected to be either incidental in nature, or confined to time periods which are not a part of the employee's paid work hours.

6. Employees are expected to refrain from sending, or encouraging the receipt of, messages for which the content would be considered offensive by community standards, except where such messages are necessary for the execution of County business.

7. The County reserves the right to access and disclose the contents of email messages when it has a legitimate business or legal need, or when the urgency of the need is sufficiently strong to offset the County's commitment to honor the employee's interest in privacy. To that end, the County is a public body, which must comply with the Freedom of Information Act, and so documents within county email boxes are presumed to be available for public disclosure.

8. The County will not monitor email messages as a routine matter. There may be a need, however, for the County to occasionally review email content for a specific reason. Such reasoning would include, but not be limited to, a Freedom of Information Act request.

9. Nothing in this policy shall prohibit law enforcement officials from examining any email messages in the course of an ongoing internal investigation of civil or criminal activity for alleged use or misuse by a County employee. The County reserves the right to disclose any email messages to law enforcement officials, but will notify the State's Attorney's Office prior to any investigation being initiated.

10. In case of termination or extended absence, work-related email messages may be forwarded to the most appropriate employee.

11. The unauthorized viewing and/or retrieval of another person's email messages, and other forms of electronic trespassing, are prohibited.

12. The County Administrator, the State's Attorney and the Information Management Office Director will review any request for access to the contents of email messages. Such requests must be approved in advance by the majority, and any access undertaken without such approval, is a breach of County policy for which there may be disciplinary action. In the absence of one of those individuals, the Human Resources Manager may be substituted.

13. Any conduct which violates this policy may result in disciplinary action up to and including dismissal.

14. The County reserves the right to change this policy at any time, with such prior notice, if any, as may be reasonable under the circumstances.

15. No one shall receive authorized access to the email system until he or she has received, reviewed, and agreed, in writing, to comply with this policy.

16. The Information Management Office (IMO) will back up email items (messages, appointments, contacts, etc.) that employees retain in their email boxes or on County file servers according to IMO's normal procedures for backups. Such backups are generally retained for three weeks, and remain in backups indefinitely as long as employees retain such files.

I have reviewed, understand, and agree to comply with the above policy.

Employee's Name Printed: _____ Signature: _____ Date: _____

Dept. Head's Signature:_____ Date:_____