



FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

Title: Proprietary Software Procedures

Related Policy: FDJJ – 1205.10

I. DEFINITIONS

Chief Information Officer (CIO) - DJJ manager responsible for overseeing the Bureau of Information Technology within DJJ.

Copyright - The exclusive rights to publish, sell, or distribute a literary or artistic work.

Proprietary Software Acknowledgement Form - A signed acknowledgement that the employee understands his or her responsibility and is aware of the consequences if the Proprietary Software policies/guidelines are not followed.

II. STANDARDS/PROCEDURES

A. Use and Maintenance of Software:

1. The Chief of Information Technology (IT) shall approve all software to ensure compatibility with existing operating systems.
2. Questions regarding software license agreements shall be referred to the Bureau of Information Technology.
3. The Bureau of Information Technology shall forward issues requiring legal review to the Office of the General Counsel for resolution.
4. Any requests to inspect or copy software shall be treated as a public records request and are to be referred to the Bureau of Information Technology. If necessary, the Bureau of Information Technology will forward any questions regarding a request to the Communications Office for resolution.
5. DJJ staff, contractors, vendors, providers, and/or third parties using Department-owned computers shall not be allowed to install any software whatsoever on Department-owned computers, without first obtaining written authorization from the Chief of Information Technology.
6. All users of proprietary software shall be responsible for upholding the terms of license agreements associated with that software.
7. Unless a license clearly provides the right to copy the software, users shall assume that it is illegal to do so.

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B. Penalties:

1. The Department shall hold employees violating a software license or copyright agreement personally responsible and subject to the appropriate disciplinary action.
2. The Department shall hold contractors, vendors, providers, and/or third parties using Department-owned computers responsible for violating a software license or copyright agreement.
3. Violation of any provision of this policy is cause for disciplinary action, up to an including dismissal, civil fines or tort action, and/or criminal penalties under applicable state and federal regulations and laws.

III. RESPONSIBILITY AND DUTIES

A. DJJ staff, contractors, vendors, providers, and/or third parties using Department-owned computers:

1. All authorized users of Department-owned computers shall be required to sign the **Proprietary Software Acknowledgement Form**, which will be filed in the employee's official personnel file or retained by the provider or vendor organization.
2. Users of Department-owned computers shall not install computer software, without written authorization from the Chief of Information Technology.

B. Chief, Bureau of Information Technology:

1. Shall maintain an up-to-date list and reference file of supported software packages licensed by the Department of Juvenile Justice.
2. Shall make this list available for inspection by all staff.

C. Information Security Manager:

1. Shall be responsible for monitoring, auditing, and detecting copyright violations.
2. Shall follow up on reported and detected software copyright violations, documenting restorative, and corrective action.

IV. ATTACHMENTS

Attachment 1 - Proprietary Software Policy Acknowledgement Form