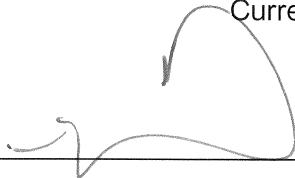


MCCMH MCO Policy 10-020

(was MCCMH Policy 1-02-020)

Chapter: **DIRECTLY-OPERATED PROGRAM MANAGEMENT**
Title: **COMPLIANCE WITH SOFTWARE LICENSES AND LAWS**

Prior Approval Date: 8/20/02
Current Approval Date: 09/9/10

Approved by: _____
Executive Director  _____
Date 09/09/10

I. Abstract

This policy establishes the standards of the Macomb County Community Mental Health Board (MCCMH) regarding MCCMH adherence to and compliance with laws pertaining to the copying and use of software.

II. Application

This policy shall apply to the MCCMH administrative offices and to all directly-operated network providers of the MCCMH Board.

III. Policy

It is the policy of the MCCMH Board to comply with the laws, regulations, and requirements concerning the copying and use of software so that MCCMH and its network providers may avoid severe civil and criminal consequences of violations of same.

IV. Definitions

A. Copyright
The exclusive ownership of and the right to make use of a literary, musical, or artistic work (e.g., computer software and audiovisual material such as film, tapes, or records) protected by law for a specified period of time.

- B. License
An agreement MCCMH has made with a company receiving formal permission to use its copyrighted material.
- C. Software
A program for directing the operation of a computer or processing electronic data which has been copyrighted as a form of literary expression; more broadly, any material requiring the use of mechanical or electrical equipment, esp. audiovisual material such as film, tapes, or records.
- D. Software Piracy
Use of a computer software program by an unlicensed user or by more users than the license permits.
- E. Internet Piracy
Downloading programs uploaded to bulletin board systems / commercial online services or sending the programs via electronic mail to individuals who do not hold software licenses.

V. Standards

- A. MCCMH shall neither commit nor tolerate the making or using of unauthorized software copies under any circumstances.
- B. MCCMH shall provide legally acquired software to meet all legitimate business software needs in a timely fashion and in sufficient quantities for all its computers, the Resource Library, and other training/educational needs.
- C. MCCMH shall comply with all license or purchase terms regulating the use of any acquired software.
- D. MCCMH shall maintain strong internal controls to prevent the making or using of unauthorized software copies (Computer Software Needs Analysis form, Exhibit A.) This includes taking appropriate disciplinary actions for violations.
- E. The provision of legal software usage throughout MCCMH service sites and the Administrative Offices will include:
 - Quality software, i.e., lessening the risk of viruses
 - Notification of upgrades
 - Access to assistance from software publishers
 - Full documentation, i.e., loading instructions and user guides
 - Product support from publishers and high-quality training through dealer networks
 - Prevention of software piracy and Internet piracy

F. MCCMH shall:

1. Ensure that purchased computers containing software are licensed to contain the software; and
2. Purchase enough licenses for the actual number of users or purchase network metering packages which specify the number of users according to the license.
3. MCCMH employees, independent contractors, volunteers, and interns shall:
 - a. Be subject to disciplinary action if they are discovered to be copying software illegally; and
 - b. Be subject to disciplinary action if they are discovered to have copied software and given it to any outside party, including recipients.

VI. Procedures

A. The Policy Management (PMD) Division shall:

1. Conduct a periodic Computer Software Needs Analysis (Exhibit A);
2. Provide consultation on the appropriate software profile for each computer user by examining Service Site/Administrative Office Division, or individual needs;
3. Coordinate the purchase of computers and computer software:
 - a. Ensure that the purchased computers contain licenses and software manuals;
 - b. Utilize recognized, licensed software dealers;
 - c. Maintain knowledge of the typical cost of computer software programs;
 - d. Obtain itemized quotations, and receipts, and licenses;
 - e. Retain an original media for each software program used by MCCMH.
4. MCCMH shall include a statement in any RFPs that it will not accept illegal software;
5. Direct an annual reminder throughout the organization reemphasizing that illegal software copying is a disciplinary offense and that software piracy will not be tolerated; and

6. If unlicensed software copies are discovered, the appropriate Supervisor shall ensure that the unlicensed copies are deleted and, if necessary, replaced with licensed copies.
- B. Upon reporting to his/her MCCMH work site, each new MCCMH staff member shall be expected to read and adhere to this policy.
 - C. All MCCMH employees, independent contractors, volunteers, and interns shall:
 1. Use personal software at MCCMH only to the extent that such use is permitted by the publisher's license;
 2. Use software procured by MCCMH at home only to the extent that such use is permitted by the publisher's license; and
 3. Notify the appropriate Supervisor of any misuse of software or copyrighted materials.

VII. References / Legal Authority

- A. Macomb County Personnel Manual (October 15, 2009), "Computer Usage, E-Mail and Internet Policy," 4.4
- B. Business Software Alliance Guide to Software Management (Abridged Version) 1996

VIII. Exhibits

- A. Computer Software Analysis

MACOMB COUNTY COMMUNITY MENTAL HEALTH

Computer Software Needs Analysis

Name _____

Administrative Office Division or Service Site _____

Authorization _____

Date: _____

NEEDS ANALYSIS			DO YOU USE THIS SOFTWARE			
			daily	weekly	monthly	never
package	publisher	version	1	2	3	4
			Please List Current Software			

Is there software which you feel you need but don't have, which will assist you in your job? Please list below:

- 1. _____ 2. _____
- 3. _____ 4. _____