

AGENDA

**State Government Council
of the
Nebraska Information Technology Commission**

Thursday, September 8, 2011
1:30 p.m. - 2:30 p.m.
Executive Building - Lower Level Conference Room
521 S 14th Street
Lincoln, Nebraska

AGENDA

Meeting Documents: Click the links in the agenda
or [click here](#) for all documents (9 pages).

1. Roll Call, Meeting Notice & Open Meetings Act Information
2. Public Comment
3. Approval of Minutes* - [June 23, 2011](#)
4. SGC Charter [Revision](#)*
5. Statewide Technology Plan Action Items ([2010 Action Items](#) - Do not print)
6. Standards and Guidelines
 - Draft: [NITC 5-102](#): Microsoft Enterprise Agreement – Home Use Program Policy*
7. Review of Department of Environmental Quality's use of the Enterprise Content Management (ECM) System - Dennis Burling
8. Other Business
9. Agency Reports
10. Adjourn

* Denotes Action Item

(The Council will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.)

Meeting notice was posted to the [NITC website](#) and the [Nebraska Public Meeting Calendar](#) on August 9, 2011. The agenda was posted to the NITC website on August 9, 2011 and updated on September 6, 2011.

STATE GOVERNMENT COUNCIL
of the
Nebraska Information Technology Commission
Thursday, June 23, 2011, 1:30-2:30 p.m.
Executive Building - Lower Level Conference Room
521 S 14th Street
Lincoln, Nebraska
PROPOSED MINUTES

MEMBERS PRESENT:

Brenda Decker, Chief Information Officer, Chair
Dennis Burling, Dept. of Environmental Quality
Josh Daws, Secretary of State's Office
Pat Flanagan, Private Sector
Rex Gittins Department of Natural Resources;
Lori Henkenius, Nebraska Department of Education
Eric Henrichsen, Department of Health and Human Services
Mike McCrory, Administrative Services
John Munn, Department of Banking
Col. Dave Sankey, Nebraska State Patrol
Jayne Scofield, OCIO-Network Services
Len Sloup, Department of Revenue
Bill Wehling, Department of Roads

MEMBERS ABSENT: Beverlee Bornemeier, OCIO-Enterprise Computing Services; Dick Clark, Policy Research Office; Mike Calvert, Legislative Fiscal Office; Keith Dey, Department of Motor Vehicles; Dorest Harvey, Private Sector; Bill Miller, State Court Administrator's Office; Glen Morton, Workers' Compensation Court; Gerry Oligmueller, Budget Office; Mike Overton, Crime Commission; Bob Shanahan, Department of Correctional Services; Terri Slone, Department of Labor; and Rod Wagner, Library Commission

ROLL CALL, MEETING NOTICE & OPEN MEETINGS ACT INFORMATION

Brenda Decker called the meeting to order at 2:30 p.m. There were 12 members present. A quorum existed to conduct official business. Meeting notice was posted to the NITC website and the Nebraska Public Meeting Calendar on June 2, 2011. The agenda was posted to the NITC website on June 21, 2011. The Open Meetings Act was located on the podium at the front of the room.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF APRIL 21, 2011 MINUTES*

Mr. McCrory moved to approve the [April 21, 2011 minutes](#) as presented. Ms. Henkenius seconded. Roll call vote: Burling-Yes, McCrory-Yes, Decker-Yes, Sloup-Yes, Flanagan-Yes, Daws-Yes, Munn-Yes, Henrichsen-Yes, Henkenius-Yes, Sankey-Yes, Scofield-Yes, and Wehling-Yes. Results: Yes-12, No-0, Abstain-0. Motion carried.

REVISED SGC CHARTER*

The primary reason for revising the charter is to insert a provision to address conflict of interests for members. The issue arose in the GIS Council which recently worked on developing an RFP. A member of the Council worked for a company that was a likely respondent on the RFP. The Council and the member created a wall so that the member would not be involved in the RFP development.

Administrative Services indicated that it would be good to have a written policy addressing conflict of interests for council members.

The other changes to the charter are clean up items.

Mr. McCrory moved to recommend approval of the revised [State Government Council Charter](#). Mr. Munn seconded. Roll call vote: Wehling-Yes, Scofield-Yes, Sankey-Yes, Munn-Yes, Henrichsen-Yes, Henkenius-Yes, Daws-Yes, Flanagan-Yes, Sloup-Yes, Decker-Yes, McCrory-Yes, and Burling-Yes. Results: Yes-12, No-0, Abstain-0. Motion carried.

STANDARDS AND GUIDELINES - NITC 5-204: LINKING A PERSONAL PORTABLE COMPUTING DEVICE TO THE STATE EMAIL SYSTEM (REVISED)

Brad Weakly, State Information Security Officer

Mr. Gittins arrived to the meeting.

After NITC 5-204 was approved, some agencies requested that a standard regarding confidential data be addressed. Rather than doing two separate standards (one for “non-classified data” and another for “confidential data”), the Security Architecture Work Group decided to revise NITC Standard 5-204 to include “confidential” data. The revised standard addressed both types of data and includes two forms for employee signature – one for “non- confidential” data and one form for “confidential” data. The Office of the CIO is discouraging agencies to allow syncing of confidential information. Final decision is still at the agency level, as well as implementing any HR policies regarding the use of personal devices. Within the next 5-6 months, the Office of the CIO will work with agencies to determine unauthorized users and will maintain the authorize files. After the initial verification, an annual review of users will be conducted. There are approximately 2,200 devices syncing into email. Of that number, approximately 1,700 are state owned devices.

Mr. Burling noted that the standard did not address the following:

- If legal action involved, there is a potential of staff losing their personal device.
- No certification that the employee is wiping device or turning device off when leaving state government.
- No documentation of the process for state wiping the device.

Although it is stated in the standard, that state agency policy must be followed, Mr. Weakly will address these issues for future updates of the standard.

It was by group consensus for Mr. Becker to add a statement regarding the potential that personal devices could be taken away if there is legal action involved. It has gone for 30-day public comment period and TP review. If approved today, it will go to the NITC for final approval.

Mr. Daws moved to recommend approval of the revised [NITC 5-204: Linking a Personal Portable Computing Device to the State Email System standard](#) with the revision discussed. Mr. Henrichsen seconded. Roll call vote: Munn-Yes, Henrichsen-Yes, Henkenius-Yes, Sankey-Yes, Scofield-Yes, Wehling-Yes, Burling-Yes, McCrory-Yes, Decker-Yes, Sloup-Yes, Flanagan-Yes, Daws-Yes and Gittins-Yes. Results: Yes-13, No-0, Abstain-0. Motion carried.

Members asked Mr. Weakly to verify that there is a policy regarding staff forwarding their work mail to their personal email.

UPDATES AND OTHER REPORTS (AS NEEDED)

Microsoft, Brenda Decker. The Office of the CIO is still on track to move email to the cloud. Microsoft and the Office of the CIO will finish the paperwork to being implementation tomorrow. The move to the cloud will occur similar to how the move to Exchange was implemented with the Office of the CIO being first to move.

Col. Sankey left meeting.

OCIO Lotus Notes Environment. Ms. Decker reminded agencies that the Office of the CIO will be shutting down the Lotus Notes environment on June 30. Any records that need to be kept need to be moved prior to June 30.

Hardware Support Work Group, Eric Henrichsen. The Work Group contracted with Sirius Computer Solution out of Omaha to conduct a study. The Legislature was in session so survey input dropped significantly. Sirius provided a report but it is not very comprehensive due to lack of survey input. The report has been shared with the Department of Labor, the Office of the CIO, and Department of Health and Human Services. If members wanted an electronic copy, they were asked to contact Mr. Henrichsen.

Nebraska Cyber Security Conference ([Website](#) and [Brochure](#)), Brad Weakly. The 6th Annual Nebraska Cyber Security Conference is being held July 26, 2011 at Southeast Community College (SECC), Division of Continuing Center, 301 South 68th Street Place in Lincoln, Nebraska. Beginning and Advance User Sessions are being presented, as well as hands-on sessions. Council members were encouraged to attend. The keynote speaker, Dave Hemsath, is a UNL graduate and his topic is "Cyber Security for Executives".

OTHER BUSINESS

Mr. Decker recognized Len Sloup for receiving the Federation of Tax Administrators annual FTA award for Leadership and Service for the administration of taxes.

AGENCY REPORTS

Mr. Weakly reminded members of the group buy-in with MS-ISAC (Multi-State Information Sharing and Analysis Center) for year-long online access to security training at a cost of \$1.15/person. They would like confirmed numbers and payment by July 30. He will be sending out correspondence to agencies.

Mr. Burling informed the Council that on April 11, the Department of Environmental Quality (DEQ) began their ECM project. The department has gone through two scanners. Since that time, DEQ has had assistance from the Office of the CIO and eDocument staff. NEMA activities would be great opportunity to use ECM. It was suggested that Mr. Burling provide a demonstration to the Council on how DEQ is utilizing ECM.

ADJOURNMENT

With no further business, Mr. Flanagan moved to adjourn. Mr. Wehling seconded. All were in favor. Motion carried.

The meeting was adjourned at 2:25 p.m.

Meeting minutes were taken by Lori Lopez Urdiales and reviewed by Rick Becker of the Office of the CIO/NITC.

State Government Council
September 8, 2011

SGC Charter – New Section

6.4 Member Responsibilities; Conflicts of Interest

A Member with a potential conflict of interest in a matter before the Council or a potential interest in a contract with the Council is subject to the provisions of the Nebraska Political Accountability and Disclosure Act including sections 49-1499.02 and 49-14,102. A Member with a potential conflict of interest or a potential interest in a contract shall contact the Nebraska Accountability and Disclosure Commission and take such action as required by law.

49-1499.02. Executive branch; discharge of official duties; potential conflict; actions required.

(1) An official or employee of the executive branch of state government who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall take the following actions as soon as he or she is aware of such potential conflict or should reasonably be aware of such potential conflict, whichever is sooner:

(a) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict; and

(b) Deliver a copy of the statement to the commission and to his or her immediate superior, if any, who shall assign the matter to another. If the immediate superior does not assign the matter to another or if there is no immediate superior, the official or employee shall take such action as the commission shall advise or prescribe to remove himself or herself from influence over the action or decision on the matter.

(2) This section does not prevent such a person from (a) making or participating in the making of a governmental decision to the extent that the individual's participation is legally required for the action or decision to be made or (b) making or participating in the making of a governmental decision if the potential conflict of interest is based upon a business association and the business association exists only as the result of his or her position on a commodity board. A person acting pursuant to subdivision (a) of this subsection shall report the occurrence to the commission.

(3) For purposes of this section, commodity board means only the following:

(a) Corn Development, Utilization, and Marketing Board;

(b) Nebraska Dairy Industry Development Board;

(c) Grain Sorghum Development, Utilization, and Marketing Board;

(d) Nebraska Wheat Development, Utilization, and Marketing Board;

(e) Dry Bean Commission;

(f) Nebraska Potato Development Committee; and

(g) Nebraska Poultry and Egg Development, Utilization, and Marketing Committee.

Source:Laws 2001, LB 242, § 13; Laws 2005, LB 242, § 41.

49-14,102. Contracts with government bodies; procedure; purpose.

(1) Except as otherwise provided by law, no public official or public employee, a member of that individual's immediate family, or business with which the individual is associated shall enter into a contract valued at two thousand dollars or more, in any one year, with a government body unless the contract is awarded through an open and public process.

(2) For purposes of this section, an open and public process includes prior public notice and subsequent availability for public inspection during the regular office hours of the contracting government body of the proposals considered and the contract awarded.

(3) No contract may be divided for the purpose of evading the requirements of this section.

(4) This section shall not apply to a contract when the public official or public employee does not in any way represent either party in the transaction.

(5) This section prohibits public officials and public employees from engaging in certain activities under circumstances creating a substantial conflict of interest. This section is not intended to penalize innocent persons, and a contract shall not be absolutely void by reason of this section.

Source:Laws 1976, LB 987, § 102; Laws 2005, LB 242, § 46.

NITC 5-102

State of Nebraska Nebraska Information Technology Commission Standards and Guidelines

NITC 5-102 (Draft)

Title	Microsoft Enterprise Agreement – Home Use Program Policy
Category	Groupware Architecture
Applicability	Applies to all state government agencies participating in the Statewide Microsoft Enterprise Agreement

1. Purpose

The purpose of the Home Use Program is to encourage consistency in the office productivity software that employees use at home and at work. Skills learned at home will translate better to the workplace, which leads to higher productivity at work. The Home Use Program is not intended to require or encourage telework or taking work home.

1.1 Background

One benefit of software assurance for Microsoft Office that is included under the statewide Microsoft Enterprise Agreement is the Home Use Program. The Home Use Program allows a qualified employee to pay a nominal fee to Microsoft to download and install the most recent version of Office Professional Plus on one home computer and use another copy on a personally owned portable device.

Some of the key provisions of the program include the following:

(Based on information from Microsoft documentation. "Customer" means the State of Nebraska.)

- Under the Home Use Program, customers' employees, who are users of the licensed qualifying applications, may acquire a single license for the corresponding Home Use Program software, to be installed on one home computer. The license terms for that software permit the primary user of the home computer to install and use another copy on a portable device.
- The number of Home Use Program licenses that may be acquired for any given desktop application is limited to the number of licenses for the corresponding qualifying desktop application(s) for which the customer acquires Software Assurance.
- Under the Home Use Program, an employee's usage rights are tied to continued employment with the Customer, and end with termination of employment, termination or expiration of Software Assurance coverage for the copy of the corresponding desktop application that employee uses at work, the employee is no longer a user of the licensed copy of the software, or upon the employee's installation and use of any prior or later version of that desktop application pursuant to a Home Use Program license.
- Customers are not responsible for their individual employee's compliance with the Home Use Program end user license terms. Those terms are between Microsoft and the customer's employee and do vary from the rights provided under the customers Volume Licenses (e.g. the employee may install only one copy of the HUP software). Microsoft does require that customers limit the Home Use Program access to employees and inform employees of when they should

discontinue use of the Home Use Program software in conjunction with a lapse in Software Assurance coverage or employment termination.

- Offering the Home Use Program (HUP) involves the following steps:
 - First customer must activate the Home Use Program benefits. Once activated, the Software Assurance Manager (within the OCIO) will get a HUP program code that can be distributed to employees using the email templates, banner ads or other [downloadable marketing resources from HUP](#).
 - Employees getting this information will use their HUP program code and work email address (must use work e-mail address) to [validate their eligibility](#). Once accepted, they'll get a confirmation email that allows them to make purchases directly through the HUP Online Store.
 - Employees pay \$9.95 to Microsoft for the license and download of each product available. Physical back-up media is available for an additional \$12.00 (includes shipping/not available for Language Packs). Prices can change and do vary outside the U.S. See the [HUP Web site](#) for current offers.

2. Policy

State agencies may offer the Microsoft Home Use Program to their employees subject to the following restrictions:

- State agencies must have committed to participating in the Statewide Microsoft Enterprise Agreement by purchasing Office Professional licenses through the OCIO.
- State employees must have a state email address (Nebraska.gov) and must use Office Professional at work.
- State agencies must determine which employees are eligible and whether any agency specific statutes or other restrictions apply.

3. Support

While the OCIO manages and provides support for the Enterprise Agreement, there will be no support for individual users of the Home Use Program. Neither the OCIO nor state agencies will provide support for this program.

VERSION DATE: DRAFT - September 6, 2011
HISTORY:
PDF FORMAT: (to be added)
