Internet Access and Information Dissemination: Selected Topics
Draft... for review and comment only ... Draft
Office of Technology, State of Minnesota

[Back to Table of Contents]

III. SELECTED TOPICS: KEY CONCEPTS DESCRIBED
INFORMATION MANAGEMENT TOPICS: REQUIREMENTS & RECOMMENDATIONS
1. INFORMATION MANAGEMENT FOR THE INTERNET

Description:
Scope: Information management addresses aspects of management policy that govern the use, obligations and responsibilities of access and dissemination. Individual topics related to management include planning and implementation, employee use of the Internet, public access to the Internet, business access to the Internet, liability, ownership and value-added issues, education and training, maintenance, resources, data privacy and customer service. Each of these management topics has its own individual chapter containing further information.

Rationale: Because nobody is in charge, the Internet environment lacks consistency, predictability and organization. Those providing information on the Internet are free to create whatever they please, which has left many users unable to locate the desired information. The present condition of information on the Internet has created an even greater need for good planning and management of information and services.

Moral and legal issues have surfaced in connection with what is OK to distribute electronically and what is not. Arguments continue over which free speech laws - if any - apply to the Internet. The legal obligation for accuracy and currency of information may also be unclear in the Internet environment, since it is often impossible to trace the source of information. Additionally anyone can abuse the privilege of access, either by promoting inappropriate activities or by misusing access time. It is easy to spend hours on the Internet browsing around and following search paths, while other important work goes undone.

Requirements:

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1. Agencies must identify an executive with the responsibility, authority and accountability for managing the organization's information resources. This includes management of electronic information access and dissemination.

Recommendations:
1. In addition to statewide policies, standards and guidelines, state agencies should establish their own policies, standards and guidelines for Internet access and information dissemination. Emphasis should be placed on responsible use, providing quality information and services with equal access to all, maintaining proper security precautions, and applying general information resource management

principles to electronically disseminated information.

References: See also: IRM Guideline 5, Version 1: Internet Responsible Management
Appendix Section: Legal References and State of Minnesota References, Related Standards and Guidelines.

2. PLANNING AND IMPLEMENTATION

Description:
An organization's electronic information will affect its image as a result of user perceptions about information quality and value. Therefore, planning and implementation of electronic information should not be taken lightly or delegated to whomever has an interesting idea.

Electronic dissemination planning should address four broad areas: management, content, design and delivery. Within each component, relevant topics should be incorporated into the organization's planning process.

When planning for electronic dissemination, information must be organized, controlled and disseminated differently than information in paper form. With physical media, like paper, distribution is controlled by whoever has the master copy. However, with electronic media, distribution is controlled by whoever chooses to access it. Unlike a controlled distribution list for paper documents, electronic distribution is not controlled with a recipient list. When planning, agencies should be aware that electronic user identities may be anonymous and their intentions unknown.

The packaging of electronic information is also different with electronic media. Paper documents can be consolidated before distribution, but electronic media is 'packaged' by the end user, who may not get all the pieces, or may not put them together correctly.

These changes are significant for providers of electronic information. When information can reach anyone, anywhere, in a form selected by an unknown party, the intended audience may not be the only audience. Errors and omissions probably will not be repairable. User perceptions will not be observable. Organizations planning for electronic dissemination need to think broadly about the quality and expected uses of information, and about how to communicate expectations to a diverse, unknown audience.

Requirements:

1. Information and services provided on the Internet must be lawful, must not compromise any state or agency rules or procedures, must not violate privacy rights of others,and must not violate copyright and license agreements (intellectual property rights).

Recommendations:

1.

An organization's management should take an active role in planning an electronic distribution strategy. At a minimum, the strategy should define the boundaries and management's quality expectations for electronically distributed information.

2. **Management involvement in "electronic publishing" of agency information must at least parallel that of traditional release or dissemination of information.**
3. **Materials made available on the Internet should be selected, prioritized, presented and distributed as part of an organization's overall business plan and access / dissemination strategy. Content should be appropriate to the business of the agency or organization.**
4. **Good candidates for electronic dissemination include information generally in high demand and information released or produced on a frequent basis. Automated or integrated electronic releases should be planned along with current distributions.**
5. **Knowledge gained through experience with electronic dissemination, and feedback received from users, should be incorporated into future decisions about electronic dissemination.**

3. EMPLOYEE USE OF THE INTERNET :

Description:
This chapter addresses responsibilities of both management and employees related to employee's use of the Internet.

Requirements:

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1. All executive branch employees must comply with the Code of Ethics for Employees in the Executive Branch. (Other state employees may also be required to comply with ethics laws.)

Recommendations:

Responsibilities of Management:

1. **Management should establish an agency "Code of Conduct" for employees specifically addressing electronic access, communications and information dissemination. At a minimum the code of conduct should state that government Internet access may not be used to defame, defraud, or cause embarrassment to any individual or group, or for any illegal activity.**
2. **Management should encourage employees to use the Internet when appropriate for business functions.**
3. **Management should ensure employees are familiar with, have access to, and adhere to, all Statewide and agency policies, standards and guidelines for responsible use of computer and network resources.**
4. **Management should ensure employees are provided with appropriate hardware and software to use Internet services when needed for their jobs and professional activities.**

Responsibilities of Employees:
Employees are expected to:

1. **Know and adhere to State laws, and statewide and agency policies, standards and guidelines for responsible use of computer and network resources.**
2. **Be responsible for ensuring state equipment and Internet access are not made available to non-employees, unless appropriate to conducting the business of the state.**
3. **Adhere to the agency code of conduct for electronic access, communications and information dissemination.**
4. **Represent themselves, their agency or any other state organization accurately and honestly through electronic information or service content.**
5. **Use government Internet access responsibly, and only for exchange of information in the course of government business. Unless statutorily authorized, government Internet access may not be used for commercial or campaign purposes.**

References:
See also:
Appendix, Legal References and State of Minnesota References, Related Standards and Guidelines

4. PUBLIC USE OF THE INTERNET:

Description:
This topic addresses:

a) **Access by the public to government information and services via the Internet, and**
b) **Use by the public of government equipment for the purpose of accessing the Internet**

Recommendations:

1. **Access to State of Minnesota information, and Internet services for accessing government information, should be available to all citizens or residents of Minnesota, as appropriate under the Minnesota Government Data Practices Act (MGDPA).**
2. **Public access terminals connected to the Internet should be located in ADA compliant convenient locations such as libraries, schools and community centers throughout Minnesota.**
3. **Public services and information access mechanisms should be easy to use and comprehend.**
4. **Agencies should design user interfaces and security mechanisms to ensure appropriate use of Internet services by those using government-provided equipment and/or gaining access at**

government-provided sites.

References:
Refer to Appendix, Legal References.

5. BUSINESS USE OF THE INTERNET:

Description:
This topic addresses:

a) **Business community access to government information and services via the Internet,**
b) **Business community use of government equipment for accessing the Internet, and**
c) **Partner relationships between government and the business community re: electronic commerce or communications**

Recommendations:

1. **Vendors should have access to state sponsored Internet services when appropriate to conducting the business of the state.**
2. **Agencies should carefully plan what information will be available on the Internet, considering the possible access by vendors or other business interests.**
3. **Public access terminals should be available for use by organizations conducting business with the state or accessing government information or services.**

6. LIABILITY

Description:
The 'Liability' chapter addresses the accountability of those who create and disseminate information for its accuracy and adherence to privacy restrictions and other state and federal laws. Government organizations run the risk of incurring liability for failing to properly evaluate their liability, or meet their legal obligations, for electronic access and dissemination. The legal requirements for electronic information continue to evolve. Therefore, for their own protection agencies should assess, and continue to reassess, their liabilities in this dynamic legal environment.

Requirements:

1. State and Federal laws apply to liability of agencies (see Recommendation #2, 3 and 4 below).
2. Contractors of Internet-related products and services must be held accountable, through clauses in vendor contracts, for meeting appropriate federal, state and agency standards and guidelines for information quality, security, and for adhering to all relevant legal requirements.
3. Government agencies, in making Information and services available electronically, must not create a liability for the government.

Recommendations:

1. **Government organizations should establish standards for accuracy and accountability of electronic information/data. At a minimum, all electronic documents should include information that identifies the source, how current the information is, when it was last updated, and if appropriate, how accurate it is.**
2. **Government organizations should review State and Federal laws relating to liability of government agencies and employees for applicability to electronic information/data, and incorporate appropriate requirements into standards and guidelines for electronic access and dissemination.**
3. **Requirements for archiving and preservation of government information apply to electronic information and data. Government organizations should establish procedures for the archiving of electronic information along with other media.**
4. **Requirements to accommodate the rights of Americans with disabilities to equitable communication and information access apply to electronic media. Government organizations should analyze how content is prepared and delivered to ensure access is provided in accordance with the ADA (Americans with Disabilities Act).**

Issues:
There are many open legal issues concerning liability in an electronic information environment. This chapter presents only a sampling of known liabilities, along with some of the issues that need legal resolution. This chapter does not provide a complete list of liability requirements.

Followup:

1. **State agencies should carry Requirement #2 through to any new vendor contracts.**
2. **At the time of this writing, federal legislation was pending that could affect state agency liability in conjunction with use of the Internet. Agencies should monitor federal legislative activities accordingly.**

References:
See also: Appendix Section: Legal References and State of Minnesota References, Related Standards and Guidelines

7. OWNERSHIP & VALUE-ADDED ISSUES

Description:
Ownership, in terms of electronic information dissemination, has two facets: 1) it can be related to liability (to assign responsibility to those who can be held liable); and 2) it allows entities to claim rights to intellectual property. Entities often claim rights when they have added value to the initial product: in these cases the ownership of intellectual property may come into dispute.

With regard to government information, 'value-added' means individuals and/or organizations have added something to the original government information to increase its value. Examples include labor, technology features or add-ons (such as software for retrieving information), or added information (clarification, reformatted, etc.) This chapter covers issues about:

1)
Value added by government (e.g. government charging for reproducing information), and
2)
Value added by outside parties (e.g. does government dissemination compete with vendors that are reselling government information?)

Recommendations:
1. Agencies should seek legal advice when potential ownership conflicts, or disputes over intellectual property rights, exist. Some examples include private sector resellers of government information, and contractors who provide copyrighted materials to the State.

Issues: **Statewide legal issues need to be addressed concerning intellectual property, value-added issues, pricing of information/services, and agency costs for increased services. GIAC is working on intellectual property issues and will make recommendations in 1996 legislative session. Questions concerning value-added issues include:**
1) When can agencies charge for information or services?
2) Does government dissemination compete with resellers of government information?

8. EDUCATION AND TRAINING

Description:
The Internet can provide value when users have the appropriate knowledge and skills to use its services effectively and appropriately. Education and training are prerequisite to realizing the benefits of the Internet and avoiding failure or disaster. Education provides knowledge necessary to understand the structure, benefits and risks of the Internet, and the implications of one's actions in an electronic information environment. Training provides know-how for using, or creating, electronic information and for managing the support systems and technologies.

Education and training also need to consider a variety of different individuals, and formation needs. For example, users of government resources for accessing the Internet may need training on particular configurations. Employees connected through multiple state computer networks

may need instructions for logging on and for ensuring they don't indvertently compromise the security of the networks. On the other hand, members of the public accessing a remote kiosk in a library may need only minimal instructions for getting to the State of Minnesota home page.

Categories of users to consider for education or training may include some of the following:

1. **Users of state resources for accessing the Internet**
2. **Users of government information created and distributed via the Internet**
3. **Creators or maintainers of government information in electronic formats; those who convert government information into electronic formats**
4. **Data managers, data administrators; those responsible for information integrity or compliance with information-related laws**
5. **The public, including individuals and businesses**

Recommendations:

1. **Agencies should identify information needs of each type of user to ensure proper education and training requirements are identified for successful Internet use.**
2. **Government agencies are responsible for training employees to be effective Internet users.**
3. **Government agencies are responsible for training employees to create and maintain effective, high quality information for electronic dissemination via the Internet. This requirement extends to providing instruction to contractors acting on behalf of state organizations to create or maintain Internet resources, information, or supporting technologies.**
4. **Government agencies are responsible for providing instructions to ensure that members of the public can be effective users of government information on the Internet.**
5. **Government agencies are responsible for providing instructions to state employees (and contractors, when appropriate) that address the following categories: a) Comprehensive explanations of applicable legal requirements (retention, archiving, data practices, ADA, etc.) b) Comprehensive explanations of statewide and agency policies, standards and guidelines c) Security: network, virus prevention, use of passwords, authentication, etc.**

References:
See also: Appendix Section: Legal References and State of Minnesota References, Related Standards and Guidelines

9. MAINTENANCE

Description:

Information must be kept current, accurate and relevant to ensure its quality and value to users. Unfortunately, many Internet 'publishers' consider their creations to be a one-time event. This assumption has led to a proliferation of out-of-date information, information links that go nowhere, and invalid or discontinued Internet addresses still being published on the Internet.

Prerequisite to maintaining information is knowing what information exists, where it is, how to get it and how to secure it from loss or destruction. A good maintenance strategy is therefore essential to preventing inaccurate, out-of-date information from accumulating.

However, maintaining information accuracy on the Internet is not something one can just pick up and do later. The ease and flexibility of information links make it easy to rapidly create - and link - information: however, it is also possible for people to create a maze that is next to impossible to maintain. Additionally, liability for inaccuracy could result from an unplanned maintenance environment. (See also: section on 'Liability').

Recommendations:

1. **Government organizations are responsible for assigning resources - people, information and technology - to maintain the electronic capability for access and dissemination of information/data. Resources must be sufficient in numbers, and have the necessary capability to maintain the environment. Electronic capability means: a) Technologies for security, access and dissemination, and b) Information integrity, accuracy and currency**
2. **Government organizations are responsible for developing policies, standards, guidelines and adequate procedures for maintaining the electronic capability for access and dissemination of information/data.**
3. **Government organizations are responsible for maintaining - and continuously upgrading - security mechanisms and procedures to ensure the state's assets are protected.**
4. **Once an agency has committed to electronic information dissemination, there must be a plan in place for on-going fiscal and physical maintenance of the system.**
5. **Content maintenance strategies should be established that address change management, version control and conversion control (from other forms or media).**
6. **An 'architecture' should be established to model the Internet information networks, information links, document locations, etc. as part of a change management strategy.**

Next Section