

# STATE OF ALABAMA

## Information Technology Policy

### **POLICY 682-00: INFORMATION RELEASE**

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In order to protect the privacy and well being of Alabama citizens, State agencies must balance the public's right of access to government records with the privacy rights of the citizens whose records they maintain; therefore the release or dissemination of government records must be controlled according to need to know and as specified by applicable Federal and State laws and statutes.

#### **OBJECTIVE:**

Define the requirements and appropriate safeguards for release or dissemination of records (hereafter referred to as "information") held by one government agency to another government agency or other public or private entity or posting to publicly-accessible websites.

#### **SCOPE:**

This policy applies to all Executive Branch agencies, boards, and commissions except those exempt under The Code of Alabama 1975 (Title 41 Chapter 4 Article 11).

#### **RESPONSIBILITIES:**

##### **Agency Management, Information Technology Organization:**

Public access to State information is governed by The Code of Alabama 1975, Section 36-12-40, and other statutory responsibilities limiting the dissemination of certain types of information (such as social security numbers); however, agencies are ultimately responsible for their own information release and dissemination practices.

The authority to release an agency's information to any public, private, or media entity is held by the Agency Head, the board that elects or office the appoints that Agency Head, or the Agency Head's designees (hereafter, the "Approving Authority"), or legislative/judicial authority.

Agency management shall review and approve all information prior to posting to any State web site.

- Information technology policy related postings must have the approval of the Chief Information Officer
- Operational or other non-policy postings must have the approval of the appropriate agency head, manager, or other designated authority

Official business postings to public web sites, newsgroups, web logs, etc. shall be cleared through the appropriate authority.

Information normally considered public may at times require protection at a higher level (e.g., information pertaining to cyber security incidents or information retained as evidence). Appropriate authorities shall assume ownership of such information and be responsible for its dissemination until such protection is no longer required.

#### **ADDITIONAL REQUIREMENTS:**

##### **Requests for Release:**

Request for release of information must be in written form on official agency letterhead, notarized, and must contain the signature of the requestor. The request must follow all guidelines and procedures—as designated by agency regulations—for the proper processing and return of released information. The request should include a detailed description of all information required, stating the

purpose and disposition of all information being requested. The original request must be addressed to the Approving Authority that has domain over the information being requested.

The Approving Authority is the Data Owner but is not always the Data Custodian (the entity controlling the systems where the information resides). When the Approving Authority is not the Data Custodian, a similar written request shall be made by the Approving Authority to the Data Custodian requesting release of the information and providing specific instructions.

**Information Availability:**

The information available for release is dependent upon the requirements of the approving authority that has domain over the information being requested. As all information is subject to State and Federal retention and archival requirements, which include both minimum and maximum retention periods, some information may not be available at the time the request is made.

**Restrictions and Charges:**

The Approving Authority may enforce reasonable rules and restrictions on the access of said information.

The Approving Authority and/or the Data Custodian may enforce reasonable fees for the research and distribution of said information.

**Reporting Non-Compliance:**

Non-compliance with these requirements may also be a violation of state law and as such may be subject to civil and criminal penalties. Anyone aware of non-compliant information release practices must report the matter to their immediate supervisor, manager, or as outlined in organizational policies or procedures.

**SUPPORTING DOCUMENTS:**

- Information Technology Standard 681S1: Information Protection
- Information Technology Standard 681S2: Protecting Personally Identifiable Information

*By Authority of Director, Information Services Division, Department of Finance*

**DOCUMENT HISTORY:**

| Version | Release Date | Comments   |
|---------|--------------|--|
| 682-00  | 09/01/2011   | Replaces Policy 680-02: Public Information Dissemination, and Standard 680-01S5: Information Release (both hereby rescinded) |
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