



<p><b>STATE OF NEW JERSEY IT CIRCULAR</b></p> <p><b>Title:</b> 123-01 – State of New Jersey Disclaimer Standard</p>	<b>NO:</b> 14-04-S1-NJOIT		<b>SUPERSEDES:</b> N/A
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	<b>FOR INFORMATION CONTACT:</b> <a href="#">Office of Policy and Planning</a>		

ATTN: Directors of Administration and Agency IT Managers

**I. PURPOSE**

The purpose of this standard is to define the default language required for disclaimers displayed on the New Jersey Executive Branch of State Government computer systems, electronic media, websites, and online services.

**II. AUTHORITY**

This policy is established under the authority of the State of New Jersey. [N.J.S.A. 52:18a-230 b](#). This policy defines New Jersey Office of Information Technology’s (NJOIT) role with regard to technology within the Executive Branch community of State Government.

The New Jersey Office of Information Technology (NJOIT) reserves the right to change or amend this circular.

**III. SCOPE/APPLICABILITY**

This standard applies to all applicable computer systems in the Executive Branch of State Government that by law or regulation require a banner page or disclaimer statement.

**IV. DEFINITIONS**

Please refer to the Statewide Policy Glossary at <http://www.nj.gov/it/ps/glossary/>.

## V. STANDARD

The following are illustrations of default disclaimer language for the State of New Jersey computer systems and/or electronic media:

### A. Computer Systems Disclosure Notice

#### 1. New Jersey State Government System

You have accessed a New Jersey Government Information System that is provided to conduct State of New Jersey business within policy guidelines. You are accountable for all activities performed under your logon-id. Do not share your password with anyone for any reason. As a user or privilege user, you understand that the confidentiality and protection of the State's information is of the utmost importance.

You understand that all information stored in, transmitted, or received through this system and the State's network, consisting of printed, computer or electronic information, is the property of the State of New Jersey, and is to be used only for business-related purposes of the State of New Jersey.

You are hereby notified that use of this system constitutes consent to monitoring and auditing consisting of printed, computer or electronic information to ensure that all uses are consistent with the State of New Jersey's policies and interests. Information related to suspected internet or computer use violations shall be provided to the Office of Employee Relations for investigation.

#### 2. Criminal or Civil Liability

The [Federal Computer Fraud Act of 1986](#), and applicable Federal and State of New Jersey laws declare unauthorized or attempted unauthorized access, use, alteration, destruction, or damage to this system or to any data or applications that may be accessed through this system may subject you to criminal or civil prosecution.

Entering the user id or proceeding further acknowledges your understanding of the above.

#### 3. New Jersey Government System Monitoring

All persons are hereby notified that use of this system constitutes consent to monitoring and auditing, and acknowledging that monitoring is being performed. Monitoring is performed by electronic software that will maintain a record of all sites visited by logon-id with date, time, and duration of such visits. Electronic logging of all site visits is an automatic feature of the monitoring of software and will be reviewed on a random basis. Furthermore, if network

degradation is noticed on the system, it will be reviewed by the Network Support Staff. Information obtained during such monitoring shall be used to support statistical upgrade studies and for management reporting. Information related to suspected Internet or computer use violations shall be provided to the Office of Employee Relations for investigation.

Continuing beyond this screen is acknowledgement that you have read, understand, and will comply with these statements.

**B. State of New Jersey System with Federal Tax Information**

**1. New Jersey State Government System**

This system may contain Government information, which is restricted to authorized users ONLY. Unauthorized access, use, misuse, or modification of this computer system or of the data contained herein or in transit to/from this system constitutes a violation of Title 18, United States Code, Section [1030](#), and may subject the individual to Criminal and Civil penalties pursuant to Title 26, United States Code, Sections [7213\(a\)](#), [7213A](#) (the Taxpayer Browsing Protection Act), and [7431](#). This system and equipment are subject to monitoring to ensure proper performance of applicable security features or procedures. Such monitoring may result in the acquisition, recording, and analysis of all data being communicated, transmitted, processed, or stored in this system by a user. If monitoring reveals possible evidence of criminal activity, such evidence may be provided to Law Enforcement Personnel.

Additionally all agencies receiving Federal Tax Information are forbidden by law from including Federal Tax Information in emails and any other type of electronic communications unless proper procedures are in place to adequately protect the data from unauthorized inspection or disclosure.

You understand that all information stored in, transmitted, or received through this system and the State's network, consisting of printed, computer or electronic information, is the property of the State of New Jersey, and is to be used only for business-related purposes of the State of New Jersey.

You are hereby notified that use of this system constitutes consent to monitoring and auditing consisting of printed, computer or electronic information to ensure that all uses are consistent with the State of New Jersey's policies and interests.

Entering the user id or proceeding further acknowledges your understanding of the above.

**C. State of New Jersey System Email or Messaging System**

NOTICE: This email message and all attachments transmitted with it may contain State of New Jersey legally privileged and confidential information intended solely

for the use of the addressee only. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachment is prohibited. If you have received this message in error, please notify the sender immediately and delete this message.

#### **D. State of New Jersey System Web Sites**

Links to a department or agency's disclaimer statements shall be displayed on the home page of all agencies subject to this policy.

##### **1. Conditions of Use Notice - Web Sites**

The following notices apply to all web sites of state agencies listed at [www.state.nj.us/nj/gov/deptserv/](http://www.state.nj.us/nj/gov/deptserv/) in the Executive Branch of State Government other than independent state agencies.

Thank you for visiting the State of New Jersey's web site and reviewing our Use Policy. You should also be aware that the State has a Privacy Policy, also available on this web site. By visiting this web site, you are accepting the policies and practices described in this Notice. This Notice covers the following topics:

Please note that this Use Policy is subject to change without notice, and that it reflects the state's current business practices.

Also, note that each department within the State may have additional privacy and use policies specific to the mission and needs of their work. Be sure to review those policies as you access additional sites within the State.

##### **2. Section A. Information Disclaimer**

The State of New Jersey makes great effort to provide secure, accurate, and complete information on this web site. However, portions of the information contained in this site may be incorrect or not current. Any errors or omissions should be reported for investigation.

The State of New Jersey, its officers, employees or agents shall not be liable for damages or losses of any kind arising out of or in connection with the use or performance of information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of any such information, or damages incurred from the viewing, distributing, or copying of those materials.

The materials and information provided on this website are provided "as is." No warranty of any kind, implied, expressed, or statutory, including but not limited to the warranties of non-infringement of third party rights, title, merchantability, fitness for a particular purpose, and freedom from computer

virus, is given with respect to the contents of this web site or its hyperlinks to other Internet resources.

The State disclaims any duty or obligation either to maintain availability of or to update the information contained on any of these web sites.

### **3. Section B. Investment Information Disclaimer**

The State has included the information contained on this web site for general informational purposes only and no person should make any investment decision relating to securities of the State or securities issued by governmental authorities that are secured by amounts subject to appropriation by the State Legislature in reliance on any statements or information contained herein. This web site and the information contained herein do not constitute an offer to sell or the solicitation of an offer to buy any such securities. The State does not intend and does not consider any of the statements or information on this web site as a communication to the investment community or to any persons who own or who may consider purchasing any such securities.

### **4. Section C. Links to Other Sites**

The State of New Jersey's website and materials may contain hypertext or links to other internet computer sites, which are not owned, operated, controlled, or reviewed by the State. These links are provided solely as a courtesy and convenience to you, the visitor.

The State of New Jersey, its officers or employees, exercise no control over the organizations, views, accuracy, copyright or trademark, compliance or the legality of the material contained on those servers and do not sponsor, endorse, or approve the information, content, proceeds, materials, opinions or services contained on such external sites. The visitor proceeds to those external sites at their own risk. The State of New Jersey specifically disclaims any and all liability from damages, which may result from the accessing of a third-party site, which is linked to the State of New Jersey's web site, or from reliance upon only such information.

### **5. Section D. Endorsement Disclaimer**

Reference in this web site to any specific commercial products, processes, or services, or the use of any trade, firm, or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by the State of New Jersey, or its officers, employees or agents.

### **6. Section E. Intrusion Detection**

All State of New Jersey computer systems are subject to monitoring at all times to assure proper functioning of the systems, to provide security for the computer system's operation and information contained therein, to prevent unauthorized use, and to deter and investigate violations of law. There is no reasonable expectation of privacy in the use of this web site.

**7. Section F. Copyright and Trademark Limitations**

The State of New Jersey has made the content of these pages available to the public and anyone may view, copy or distribute State information found here without obligation to the State, unless otherwise stated on particular material or information to which a restriction on free use may apply. However, the State makes no warranty that materials contained herein are free of Copyright or Trademark claims or other restrictions or limitations on free use or display. Making a copy of such material may be subject to the copyright of trademark laws.

**8. Section G. Seal of the State of New Jersey**

Use and display of the Seal of the State of New Jersey and the seals and logos of any state agency are restricted by law and may be used only as authorized by the law of the State of New Jersey.

**9. Section H. Unauthorized Modifications**

Unauthorized attempts to modify or modifications of any information stored on the State's web pages may result in criminal prosecution.

**VI. EXCEPTIONS AND NON-COMPLIANCE**

Departments and Agencies shall comply with this policy within 90 days of its effective date.

Failure to comply with this policy may result in disciplinary action. A compliance exception must be requested if there is an inability to comply with this policy because of a business reason or system constraint. Exceptions and non-compliance with this policy shall be managed in accordance with Policy [08-02-NJOIT](#) (111 – *Information Security Managing Exceptions*).

*Signature on File*

**E. STEVEN EMANUEL**

**Chief Technology Officer-NJ Office of Information Technology  
State Chief Information Officer**

*01/07/2014*

**DATE**