



November 4, 2011

Randall J. Meyer
Ohio Inspector General
30 East Broad Street
Suite 2940
Columbus, OH 43215-3414

Re: Report of Investigation 2011-103 dated August 23, 2011
Ohio Department of Education

Dear Inspector General Meyer:

This letter is a response to your office's August 24, 2011 letter to Superintendent Heffner which contained a copy of your office's report of investigation into the conduct of Ohio Department of Education (ODE) employee, Melanie Brown.

Your letter requested ODE respond to the list of recommendations contained at the end of the report. ODE's responses are detailed below immediately following each of the four recommendations issued by your office.

RECOMMENDATIONS

- 1) Review the ODE policy ISP-019, "Acceptable Use of Information Resources," with Brown and have her sign a letter acknowledging she has reviewed and agrees to abide by the policy.
The ODE's Office of Human Resources has received a letter from Ms. Brown acknowledging she has reviewed ODE policy ISP-019 and that she agrees to abide by the policy moving forward.
- 2) The ODE's Office of Human Resources should review the Ohio Department of Education's policy regarding harassment in the workplace to determine if any violations occurred.
The ODE's Office of Human Resources and Office of Legal Counsel have determined that no harassment violations occurred with regard to Ms. Brown's case.
- 3) The Ohio Department of Education should revise its "Acceptable Use of Information Resources" policy which addresses the time an employee is permitted to use information technology resources for personal use to align with the Ohio Department

of Administrative Service's Office of Information Technology policy ITP-E.8, "Use of Internet, E-mail and Other IT Resources." **(Exhibit 3)** Policy ITP-E8 sets forth that "personal use, if permitted by an agency, shall be strictly limited and can be restricted or revoked at an agency's discretion at any time."

ODE has modified its policy to reflect this language.

- 4) Where possible, the Ohio Department of Education should create a filter on e-mails from sources that are deemed untrustworthy to remove attachments and store them on a secure server.

The items located in the investigation were from 2007-2009. Since that time period, ODE has established a strong information security program focused on the implementation both technological security controls as well as an education and awareness program to ensure knowledge and compliance with policies. Specifically, ODE has in place two e-mail system filtering mechanisms. First, the Symantec Gateway blocks most questionable content (Spam, phishing, etc.) before it hits the Microsoft Exchange server. Second, the Exchange Server performs an additional level of filtering to move borderline cases into the users' Junk E-Mail folders for review. Additionally, ODE is collaborating with the State Office of Information Technology to migrate ODE's e-mail system to the enterprise state provided e-mail system hosted by OIT and will leverage their e-mail filtering capabilities. The kickoff meeting occurred on or around October 6, 2011 and the system migration is tentatively scheduled for early 2012.

Should you have any questions regarding the steps ODE has taken to comply with your office's recommendations, please do not hesitate to contact me.

Sincerely,



P.R. Casey
Chief Legal Counsel