**SECURE POLICY & PROCEDURE**

**Disciplinary Action Procedure for SECURE Usage Violations**

**Purpose:**

To establish a procedure for taking action against an authorized submitter or agent who has violated a Statewide Electronic Courier Uniform Recording Environment (SECURE) policy or Electronic Recording Delivery System (ERDS) regulation.

**Policy:**

Authorized Submitters or Agents who violate SECURE’s policies or rules will be notified of the violation, informed of needed corrective measures, and may have disciplinary action taken against them by the SECURE owners.

**Procedures:**

* If a SECURE County determines that an Authorized Submitter or Agent has violated a SECURE policy or ERDS requirement, the recording County will notify the submitting party of the violation and inform the submitter/agent of any corrective action(s) that may be needed.
* If a SECURE County suspects a submitter/agent of violations (such as account sharing) but they are not sure, they can inform the Lead County who will review access logs and other information to determine if a violation has been committed.
* If a violation has been committed, the recording county will document the violation in writing and forward it to the Lead County.
* The Lead County will maintain a log of all SECURE violations.
* The Lead County will inform the other Owner counties of the violation and forward any supporting documentation of the violation.
* The SECURE Owners Assistants will review the information and propose actions or penalties if warranted.
* For any infraction deemed minor, the Lead County will send a letter to the offending submitter/agent, informing them of the violation(s), needed corrective action(s), and potential consequences of continued violations. Minor infractions include, but are not limited to the following:
	1. Password sharing with another SECURE user
	2. Installation of software not related to electronic recording
	3. Moving workstations without notifying SECURE
	4. Other similar violations
* For major ERDS violation, the SECURE Owners Assistants will review each violation(s) independently and propose a proposed disciplinary action(s) to the SECURE Owners. Sample major infractions include, but not limited to the following:
	1. Not ensuring that SECURE security measures and credentials are protected
	2. Not submitting original documents
	3. Refusal to submit to random security audits
	4. Password sharing with a non-background checked individual
	5. Other similar violations
* The SECURE Owners will review the recommended disciplinary action and indicate if they support the recommended action.
* Upon approval of the SECURE owners, the Lead County will notify the violating submitter/agent of the approved disciplinary action(s) and the effective dates via phone and email.
* The Lead County will also prepare a formal letter to be sent to the violating submitter/agent that outlines the violation(s) and the impending action(s) to be imposed by the SECURE Owners.
* The letter notifying the submitter/agent of the violation(s) will be sent after it has been approved by all of the SECURE Owner counties.
* Suspension letters notifying the violator will typically be sent within 7 days.
* The Lead County will send copies of the violation letter to each SECURE member county.
* The Lead County will also notify SECURE member counties via email of the pending action and implementation dates. If the violating submitter/agent wishes to appeal the disciplinary action(s), they must submit an appeal letter to SECURE within seven days of being notified of any disciplinary action(s).
* The SECURE Owners will review the appeal and provide a written response within 72 hours.