
State of Ohio Administrative Policy

Software Licensing

No: Information Technology
IT-03

Effective: October 13, 2016

Issued By:



Robert Blair, Director

1.0 Purpose

This policy requires state agencies to establish controls for the use and protection of **licensed software** required to conduct official state business.

A glossary of terms found in this policy is located in Appendix A - Definitions. The first occurrence of a defined term is in **bold italics**.

2.0 Policy

Agencies shall establish a software licensing policy for acquiring, distributing, auditing and disposing of licensed software used by the agency based upon this policy, and customized to their particular needs. Agencies shall ensure that use of software has been granted by the **intellectual property holder** and that any use of software is in compliance with associated license agreements.

2.1 **Authorized Software:** Agencies shall maintain an up-to-date list of **authorized software** that is used to conduct official state business.

2.1.1 **State-Licensed Software:** Software acquired for official state business shall be licensed in the name of the state or state agency. Software shall not be licensed in the name of an individual.

2.1.2 **Software Inventory:** Agencies shall maintain an inventory of all authorized software acquired and installed. If manufacturer registration is available, licensed software shall be registered. Licensed software records shall be maintained in such a way as to be sufficient to determine the number and duration of software licenses. The type of information collected and maintained might include, but is not limited to, the following:

- purchase documentation;

- number of licenses;
- serial numbers, access codes, or license keys;
- location and quantity of original media;
- location of each installation of the licensed software;
- evidence of registration; and
- actual license agreement.

2.2 **Software Installation:** Agencies shall establish installation procedures based upon this policy, and customized to their particular needs, that ensure software has been authorized and properly licensed. These procedures shall identify the staff authorized to receive, distribute and install licensed software. These procedures also shall determine whether the agency will permit installation of state-licensed software on privately owned computers and whether it will permit installation of personally licensed software on agency-controlled computers.

2.2.1 **Installing Software on Privately Owned Computers:** If agencies permit installation of state-licensed software on privately owned computers, there shall be an authorizing document that requires adherence to agency software licensing policies, information technology security policies and acceptable use policies as well as to the terms of license agreements.

2.2.2 **Installing Personally Licensed Software:** If agencies permit installation of personally licensed software on state-owned computers, the agency shall ensure that such use is allowed by the intellectual property holder and specific license. Any such use shall include an authorizing document that requires adherence to agency software licensing policies, information technology security policies, and acceptable use policies as well as to the terms of license agreements.

2.3 **Software Audit:** Agencies shall establish procedures for conducting periodic licensed software audits to inspect all servers, personal computers, and mobile computing devices under the control of or operated for the benefit of the agency to ensure that only authorized software is installed. Audit procedures shall compare the number of licenses in the software inventory with the actual number of uses and, if discrepancies are found, corrective action shall ensure that only authorized and properly licensed software is installed.

2.4 **Software Disposal:** Agencies shall comply with Ohio Administrative Policy IT-05, "Disposal, Servicing and Transfer of IT Equipment," and software license agreements to ensure proper disposition of licensed software and associated media. Information technology equipment that is recycled or salvaged shall be processed as necessary to comply with the terms of license agreements and to prevent unauthorized use of licensed software.

2.5 **Education and Awareness:** Agencies shall ensure that software licensing is addressed as part of education and awareness programs.

2.5.1 **Management Training:** Agencies shall implement a management training program covering its software licensing practices to ensure that managers and supervisors understand how to comply with this state information technology policy and agency policy for the use of licensed software. Training may include items such as:

- How the agency purchases software
- Software inventory requirements
- Software audit procedures
- Software disposal

2.5.2 **General Training:** Agencies shall develop education and awareness programs to inform employees, contractors, temporary personnel and other agents of the state of the applicable requirements of this state information technology policy and agency policy for the use of licensed software. Training shall be provided during initial orientation and as part of an ongoing education and awareness program addressing items such as:

- Authorized software
- Use of personal software
- Personal use of agency software
- Software installation procedures
- Applicable laws, regulations and state policies, including state and individual liabilities

3.0 Authority

ORC 125.02, 125.021, 125.023, 125.04, 125.041, 125.18

4.0 Revision History

Date	Description of Change
10/15/1997	Original policy.
09/26/2001	Policy ITP-A.26 supersedes policy OPP-026. A new policy numbering system and format are introduced.
04/05/2007	Policy requirements added for management controls concerning privately owned computers and personally licensed software; requirements for mandatory reporting removed; policy significantly restructured and streamlined.
10/13/2016	Transferred policy content to a new State of Ohio Administrative Policy Template. Re-numbered policy to IT-03 to be consistent with new format.
10/13/2018	Scheduled policy review.

5.0 Inquiries

Direct inquiries about this policy to:

State IT Policy Manager
Enterprise IT Architecture & Policy
Office of Information Technology
Ohio Department of Administrative Services
30 East Broad Street, 39th Floor
Columbus, Ohio 43215

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State of Ohio Administrative Policies may be found online at
www.das.ohio.gov/forStateAgencies/Policies.aspx

Appendix A - Definitions

- a. Authorized Software. Software that is properly licensed by an agency and authorized for installation on state-provided computers.
- b. Intellectual Property. A commercially valuable product of the human intellect in a concrete or abstract form, such as a copyrightable work, a protectable trademark, a patentable invention, or a trade secret.
- c. Intellectual Property Holder. A person or entity who owns intellectual property or is authorized to grant the use of intellectual property.
- d. Licensed Software. Software in any form, whether commercial, proprietary or gratuitous, that is provided by the intellectual property holder under terms of a contract that governs use, copying, modification and distribution.