

935 USE OF ELECTRONIC MAIL POLICY

Policy 935 approved by the ISU Board of Trustees on February 27, 2004.

935.1 Purpose. The University provides electronic mail resources to support its work of teaching, scholarly research, and public service. This administrative policy statement sets forth the University's policy with regard to use of, access to, and disclosure of electronic mail to assist in ensuring that the University's resources serve those purposes. This policy applies to all faculty, staff and students who use the Indiana State University network and systems.

935.2 Statement of Policy.

935.2.1 Privacy, Confidentiality and Public Records Considerations. Indiana State University will make reasonable efforts to maintain the integrity and effective operation of its electronic mail systems, but users are advised that these systems should in no way be regarded as a secure medium for the communication of sensitive or confidential information. Because of the nature and technology of electronic communication, ISU can assure neither the privacy of an individual user's use of the University's electronic mail resources nor the confidentiality of particular messages that may be created, transmitted, received, or stored on these.

935.2.1.1 Public Records. In addition, Indiana law provides that communications of University personnel that are sent by electronic mail may constitute "correspondence" and, therefore, may be considered public records subject to public inspection under the Access to Public Records Act (IC 5-14-3-3).

935.2.2 Permissible Use of Electronic Mail.

935.2.2.1 Authorized Users. Only ISU faculty, staff, and students and other persons who have received permission from the appropriate University authority are authorized users of the University's electronic mail systems and resources.

935.2.2.2 Purpose of Use. The use of any University resources for electronic mail must be related to University business, including academic pursuit. Incidental and occasional personal use of electronic mail may occur when such use does not generate a direct cost for the University. Any such incidental and occasional use of University electronic mail resources for personal purposes is subject to the provisions of this policy.

935.2.3 Prohibited Use of Electronic Mail. Use of Electronic Mail is prohibited as follows:

- (a) Personal use that creates a direct cost for the University is prohibited.
- (b) The University's electronic mail resources shall not be used for personal gain or for

commercial purposes that are not directly related to University business.

935.2.4 Other Prohibited Uses. Other prohibited uses of electronic mail include, but are not limited to:

- (a) Sending copies of documents in violation of copyright laws.
- (b) Inclusion of the work of others in electronic mail communications in violation of copyright laws.
- (c) Capture and “opening” of electronic mail except as required in order for authorized employees to diagnose and correct delivery problems.
- (d) Use of electronic mail to harass or intimidate others or to interfere with the ability of others to conduct University business.
- (e) Use of electronic mail systems for any purpose restricted or prohibited by laws or regulations.
- (f) “Spoofing”: constructing an electronic mail communication so it appears to be from someone else.
- (g) “Spam”: mass sending of unsolicited electronic mail.
- (h) Attempting unauthorized access to electronic mail or attempting to breach any security measures on any electronic mail system, or attempting to intercept any electronic mail transmissions without proper authorization.

935.2.5 University Access and Disclosure.

935.2.5.1 General Provisions.

935.2.5.1.1 Access and Disclosure. To the extent permitted by law, the University reserves the right to access and disclose the contents of faculty, staff, student, and other users electronic mail without the consent of the user. The University will do so when it believes it has a legitimate business need including, but not limited to, those listed in paragraph 3.D.3 (below), and only after explicit authorization is obtained from the appropriate University authority.

935.2.5.1.2 Faculty, Staff and Non-student Email. Faculty, staff, and other non-student users are advised that the University’s electronic mail systems should be treated like a shared filing system, with the expectation that communications sent or received on University business

or with the use of University resources may be made available for review by any authorized University official for purposes related to University business.

935.2.5.1.3 Student Email. Electronic mail of students may constitute “education records” subject to the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). The University may access, inspect, and disclose such records under conditions that are set forth in the statute.

935.2.5.1.4 Use of Encryption Devices. Any user of the University’s electronic mail resources who makes use of an encryption device to restrict or inhibit access to his or her electronic mail must provide access to such encrypted communications when requested to do so under appropriate University authority.

935.2.5.2 Monitoring of Communications. The University will not monitor electronic mail as a routine matter but it may do so to the extent permitted by law as the University deems necessary for purposes of maintaining the integrity and effective operation of the University’s electronic mail systems.

935.2.5.3 Inspection and Disclosure of Communications. The University reserves the right to inspect and disclose the contents of electronic mail:

(a) in the course of an investigation triggered by indications of misconduct or misuse,

(b) as needed to protect health and safety,

(c) as needed to prevent interference with the academic mission, or

(d) as needed to locate substantive information required for University business that is not more readily available by some other means.

935.2.5.3.1 No Other Means. The University will inspect and disclose the contents of electronic mail when such action is not more readily available by some other means.

935.2.5.4 Limitations on Disclosure and Use of Information Obtained by Means of Access or Monitoring. The contents of electronic mail communications, properly obtained for University purposes, may be disclosed without permission of the user. The University will attempt to refrain from disclosure of particular communications if

disclosure appears likely to create personal embarrassment, unless such disclosure is required to serve a business purpose or satisfy a legal obligation.

935.2.5.5 Special Procedures to Approve Access to, Disclosure of, or Use of Electronic Mail. Individuals needing to access the electronic mail communications of others, to use information gained from such access, and/or to disclose information from such access and who do not have the prior consent of the user must obtain approval in advance of such activity from either the Chief Information Officer, the Provost or the President.

935.2.6 Disciplinary Action. Appropriate disciplinary action will be taken against individuals found to have engaged in prohibited use of the University's electronic mail resources.

935.2.7 Public Inspection, Retention, and Archiving of Electronic Mail.

935.2.7.1 Public Inspection of Electronic Mail. Communications of University employees in the form of electronic mail may constitute "correspondence" and therefore may be a public record subject to public inspection under the Indiana Access to Public Records Act (IC 5-14-3-3).

935.2.7.2 Retention and Archiving of Electronic Mail. Electronic mail messages produced or stored using University resources will be subject to such retention and archiving requirements as may be established by appropriate University authorities.

935.3 No Exceptions. There are no exceptions to this policy.

Last revised February 1, 2011.