

MONTEREY PENINSULA COLLEGE
GOVERNING BOARD POLICIES

2000 SERIES ADMINISTRATIVE AND BUSINESS SERVICES

B. Business Services

2164 Electronic Mail Code of Practice

1. General Procedures:

- 1.1 Code of Practice: This Code of Practice clarifies the applicability of law and other College policies to electronic mail. In general, use of College electronic mail services is governed by policies that apply to the use of all College computing and networking facilities and in particular by the guidelines of the Policy.
- 1.2 Purpose of E-Mail Services: The College provides and encourages the use of electronic mail services by staff and others affiliated with the College in support of its mission of teaching and learning, research, and community service.
- 1.3 College Property: College electronic mail services are College facilities; all College e-mail addresses are owned by the College; and all electronic mail which is in support of College business, whether or not the equipment, software, or facilities used to create or store the electronic mail record are owned by the College, are College records.
- 1.4 College Records: Electronic mail, whether or not created or stored on College-owned equipment, may constitute a College record subject to disclosure under the Freedom of Information laws or as a result of litigation. However, prior to such disclosure, the College evaluates all requests for information submitted by the public for compliance with the provisions of the Act or other applicable law.
- 1.5 Service Restriction: Use of College electronic mail services is a privilege that may be restricted by the College, without the prior consent of the user of such services, as per paragraph 4.0. The College reserves the right to designate those categories of user to whom it will provide access to electronic mail and may revoke access at any time to persons who misuse the services.
- 1.6 Storing and Viewing of Mail: In accepting access to electronic mail services users consent to their electronic mail being stored as per paragraph 3.3 and viewed when necessary as per paragraph 4.3.
- 1.7 Privacy: The College may deny access to electronic mail services

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and may retrieve, inspect, monitor, or disclose electronic mail when appropriate as per paragraph 4.0.

2. Use of Electronic Mail Services:

- 2.1 Responsible Use: Those who use the electronic mail services are expected to do so responsibly, that is, to comply with state and federal laws, with policies and procedures of the College, and with normal standards of professional and personal courtesy and conduct. The College cannot, in general, protect users from receiving electronic mail they may find offensive. Members of the College community are therefore strongly encouraged to use the same personal and professional courtesies and considerations in electronic mail as they would in other forms of communication.
- 2.2 Non-competition: College electronic mail services are provided, subject to the other provisions of this Policy, primarily for the use of College staff and are not to be provided in competition with commercial services to individuals or organizations outside the College.
- 2.3 Personal Use: College electronic mail services may not be used for personal purposes. Electronic mail is a College record. There is no expectation of privacy of the contents of any e-mail message.
- 2.4 Restrictions: Electronic mail services may not be used for: unlawful activities; commercial purposes not under the auspices of the College; personal financial gain; or purposes that contravene other College policies or guidelines. The latter include, but are not limited to, policies and guidelines regarding sexual or other forms of harassment, religious or political activities or copyright.
- 2.5 Representation: When creating and sending e-mail, users of electronic mail services should take care not to give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the College or any unit of the College unless appropriately authorized (explicitly or implicitly) to do so.

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2.6 False Identity: College e-mail users shall not employ a false identity. E-mail is not a private form of communication and can be traced to the sender.

2.7 Interference: College e-mail services shall not be used for purposes that could reasonably be expected to cause, directly or indirectly, excessive strain on any computing or networking facility, or unwarranted or unsolicited interference with others' use of e-mail. Such uses include but are not limited to:

A. Send or forward e-mail chain letter;

B. "Spam," that is, to exploit list-servers or similar broadcast systems for purposes beyond their intended scope to amplify the widespread distribution of unsolicited e-mail; and

C. "Letter bomb," that is, to re-send the same e-mail repeatedly to one or more recipients to interfere with the recipient's use of e-mail.

2.8 Misuse: State and Federal law and College policy prohibit, in general, the theft or other abuse of information technology facilities or resources. Such prohibitions apply to electronic mail services, and include (but are not limited to): unauthorized entry, use, transfer, and tampering with the accounts and files of others; interference with the work of others and with other information technology resources or services. Under certain circumstances, the law contains provisions for felony offenses. Users of electronic mail are encouraged to familiarize themselves with these laws and policies.

3. Security and Confidentiality:

3.1 Precautionary measures: All users of the electronic mail services are required to take necessary precautions to protect the confidentiality of electronic mail or other records containing personal or confidential information encountered in the performance of their duties or otherwise. They should therefore utilize whatever means of protection, such as passwords, are available to them to safeguard their e-mail. Since such means of protection are not necessarily foolproof, the security and

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confidentiality of electronic mail is not guaranteed.

- 3.2 Duties of System Administrators: Operators of College electronic mail services are required to establish procedures to provide for the physical security of electronic mail records, data, application programs, and system programs. Users should be aware that on occasion network and computer operations personnel and system administrators will, during the performance of their duties, see the contents of e-mail messages. Except as provided elsewhere in the Policy, such personnel are not permitted to do so intentionally or disclose or otherwise use what they have seen. One exception, however, is that of systems personnel (such as “postmasters”) who may need to inspect e-mail when re-routing or disposing of otherwise undeliverable e-mail. This exception is limited to the least invasive level of inspection required to perform such duties.
- 3.3 Back-ups of Electronic mail: Users of electronic mail services should be aware that even though the sender and recipient have discarded their copies of an electronic mail record, there may be back-up copies of such e-mail that can be retrieved. Systems involved in the transmission and storage of e-mail records may be “backed-up” on a routine or occasional basis to protect system reliability and integrity, and to prevent potential loss of data. The back-up process results in the copying of data onto storage media that may be retained for periods of time and in locations unknown to the originator or recipient of electronic mail. The practice and frequency of back-ups and the retention of back-up copies of e-mail vary from system to system. Electronic mail users are encouraged to request information on the back-up practices followed by the operators of College electronic mail services that they use, and such operators are required to provide such information upon request. Operators of electronic mail services are not required by this Policy to retrieve e-mail from such back-up facilities upon request of authorized users, although on occasion they may do so as a courtesy.
- 3.4 Archiving of Electronic Mail: The College does not maintain central or distributed electronic mail archives of all electronic mail sent or received, in part because of the difficulty of assuring that electronic mail can continue to be read in the face of changing formats and technologies and in part because of the changing nature of electronic mail systems. If electronic mail is

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backed up (see paragraph 3.3), the purposes are to assure system integrity and reliability, not archiving and retention, although back-ups may at times serve the latter purposes incidentally. Users of electronic mail services and those in possession of College records in the form of electronic mail are cautioned, therefore, to be prudent in their reliance on electronic mail for purposes of archiving and/or retention. Consideration should be given to printing electronic mail where archiving or retention becomes an issue for reasons of policy or sound business practice.

4. Inspection and Monitoring of Electronic Mail:

4.1 Privacy: E-Mail is not a private or confidential communication system. Users should know that they cannot expect messages to be kept private.

4.2 Consent and Compliance: The college retains the right to inspect E-Mail messages for conformity with College policies.

5. Policy Violations:

Violations of College policies governing the use of College electronic mail services may result in restriction of access to College information technology resources in addition to any disciplinary action that may be applicable under other College policies, guidelines, implementing procedures, or collective bargaining agreements, up to and including dismissal.

6. Responsible Administrator

The Vice President for Administrative Services is responsible for the control and administration of the policy and Code of Practice. Concerns related to the administration of this policy are to be directed to the Superintendent/President.

7. College/Area Responsibilities:

7.1 College Procedures: It is the responsibility of each college administrative area to develop, maintain, and publish specific procedures and practices that implement this Policy and to communicate their provisions to users of college administrative area electronic mail services. Such guidelines should include:

A. Authorization and notification;

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- B. Response to requests for information concerning the back-up of electronic mail; and
- C. Any other provisions of this Policy for which procedures are not explicitly stated.

7.2 Termination of Affiliation: When an individual's affiliation with the college is terminated, the college may elect to: terminate the individual's e-mail account, redirect electronic mail, or continue the account. The Office of the Superintendent/President will establish regulations and procedures governing policies in this regard that conform to the provisions of this Code of Practice.

Adopted: December 15, 1999