El Camino College District - Administrative Procedures

AP 3721 - Electronic Communications

Definition

Electronic communications is information transmitted through or stored in El Camino College (ECC) business systems, including but not limited to e-mail, instant messaging (IM) or chat data, fax and voice mail messages.

E-mail is ECC's official means of communicating information to faculty, staff, students, and external entities.

Purpose and Scope

The objective of this Administrative Procedure is to provide requirements and procedural steps for electronic communications at ECC.

Electronic mail and other messaging services (such as instant messaging, chat, fax, and voice mail messages) are a means to transmit information. E-mail and/or messaging services are not, in and of themselves, a college record series for which a schedule exists. However, electronic messages may contain content which raises them to the level of an official record that is subject to established information retention and disposition policies. In addition, electronic messages stored on college information resources are subject to discovery and can be used as evidence in the event of litigation.

Unless otherwise prohibited by law, ECC may send official communications to employees and students by e-mail to an account provisioned by the College with the full expectation that such e-mails will be read by the recipient in a timely fashion.

Applicability

This procedure applies to all ECC faculty, staff, administrators and students granted use of ECC electronic communication tools (including but not limited to e-mail, instant messaging, chat, fax, and voice mail messages), whether used on campus or at/from remote locations. Additional procedures may apply to certain e-mail accounts operated by specific units of the college.

Ownership and Responsibilities

ECC considers all information transmitted through or stored in its business system, including e-mail, instant messaging (IM) or chat data, voice mail messages, and any other ECC provided services as ECC business information. ECC may review or use such business information as it deems appropriate. All files and other business information stored on ECC electronic communication systems, even if considered personal by an employee, are and remain the property of ECC.

All ECC students and employees are provisioned an account in the elcamino.edu domain, which is designated as their "ECC e-mail account." The ECC e-mail may not be changed absent College approval. College communications that are sent by e-mail will be sent to ECC e-mail accounts.

Employees and students are expected to review messages received through their ECC e-mail account on a frequent and consistent basis. Individuals must ensure that there is sufficient space in their accounts to allow for e-mail to be delivered. Individuals must use ECC e-mail accounts for all College-related e-mail communications.

<u>Acceptable Use</u>

All ECC employees and students must:

1. Comply with all federal, California, and other applicable law; all generally applicable college rules and policies; and all applicable contracts and licenses. Examples of such laws, rules, policies, contracts, and licenses include the laws concerned with libel, privacy, copyright, trademark, obscenity, and child pornography; the Electronic Communications Privacy Act, the Computer Fraud and Abuse Act, and California Penal Code Section 502, which prohibit "hacking," "cracking," and similar activities; the college's of student conduct (BP/AP 5500); the institutional code of ethics (AP 3050), the college's prohibition of harassment (BP/AP 3430); and all applicable software licenses. Electronic communications with persons in other states or countries or on other systems or networks should be aware that they may also be subject to the laws of those other states and countries and the rules and policies of those other systems and networks. Users are responsible for ascertaining, understanding, and complying with the laws, rules, policies, contracts, and licenses applicable to their particular uses.
2. Not electronically transmit any content which may be considered offensive or disruptive. ECC employees and students should act in accordance with the institutional code of ethics (AP 3050).
3. Not electronically transmit Personally Identifiable Information (PII) or anything categorized or marked as confidential without encryption.
4. Not electronically transmit messages that do not reflect the College's mission of Education, Diversity, and Opportunity.
5. Not electronically transmit messages that are commercial in nature with the exception of those messages that are in support of college business.
6. Not electronically transmit messages of political activities that advocate for or against a ballot measure or candidate(s) for public office.
7. Not electronically transmit messages that solicit contributions, charities, or participation in personal activities not related to college purposes or not sponsored by the college.
8. Not electronically transmit messages solicitations for non-college business operated by college employees.
9. Not electronically transmit messages that are discriminatory or infringe on privacy
10. Not open e-mail attachments or hypertext links received from unknown senders, which may contain malware or viral code.

Security / Passwords

Accounts and passwords may not, under any circumstances, be shared with, or used by, persons or groups other than those to whom they have been assigned by the college.

Passwords must always be protected. Passwords are not to be written down and made visible to anyone other than the individual they are for.

E-mail Auto-Forwarding

Auto-forwarding of ECC e-mail is the automated re-sending of e-mail from an ECC e-mail service to a non-ECC e-mail service. Auto-forwarding is typically used to avoid separately accessing multiple e-mail accounts (e.g., personal and District-related). Auto-forwarding raises concerns regarding security, privacy and reliability. Auto-forwarding can also be technically problematic. Potential issues posed by auto-forwarding include, but are not limited to:

- Inappropriate disclosure of Non-Public District Information (NPDI), including personally identifiable information such as social security numbers. Although e-mail is not generally appropriate for the transmission of unencrypted NPDI, risks increase when NPDI in any form leaves ECC's systems.
- Significantly increases the complexity of complying with California Public Records Act (CPRA) laws and e-discovery.
- External (non-ECC) e-mail providers can block ECC e-mail or mail servers when too much spam is auto-forwarded. If a major e-mail provider blocks e-mail from ECC, it can result in a broad and extended impact to the District.
- Non-ECC e-mail providers can impose terms of service that reserve them the right to collect, read, use, distribute or even claim ownership of e-mail that is sent to their system.
- Senders may not receive a non-delivery receipt ("bounce back") even when delivery to an auto-forwarded address does not occur.
- Important e-mail from ECC may be delayed or fail to be delivered.
- ECC ITS may take longer or be unable to diagnose or resolve delivery problems with a non-ECC e-mail provider.
- Interferes and introduces complexity with anti-spam measures and controls.

E-mail sent to an ECC e-mail address mailbox shall not be forwarded through an automated means to a non-ECC destination e-mail address. Selected e-mail may be manually forwarded by an ECC user to a non-ECC destination when such forwarding:

   a. will not result in an inappropriate disclosure of NPDI
   b. does not also automatically delete the e-mail from the ECC mail server
   c. complies with the requirements of the ECC Computer and Network Use Policy (BP/AP 6160)

Full consideration of the use of POP, IMAP, ActiveSync and similar protocols used to retrieve or synchronize mail with mobile devices and non-ECC e-mail accounts is not within the scope of this procedure, nevertheless, any such use must comply with *a*, *b* and *c* above.

ECC e-mail can be accessed using mobile devices with no use of auto-forwarding required. Mobile devices, desktop e-mail applications, etc., support concurrent access to multiple e-mail accounts by combining e-mail from separate accounts into a consolidated view. In this way, the need to auto-forward e-mail from one account to another is conveniently avoided.

Monitoring and Enforcement

1. The Information Technology Services (ITS) department has the primary responsibility for the maintenance, integrity, and security of ECC e-mail systems. ITS is primarily responsible for enforcing this procedure.

2. Users who violate this procedure may be denied access to college systems and may be subject to other penalties and disciplinary action, both within and outside the college. Violations will normally be handled through the college's disciplinary procedures applicable to the relevant user. However, the college may temporarily suspend or block access to an account, prior to the initiation or completion of such procedures, in order to protect the college from liability. The college may also refer suspected violations of applicable law(s) to appropriate law enforcement agencies and/or pursue civil action.

3. Where allowed by law, ECC ITS reserves the right to monitor activities which occur on its systems in order to troubleshoot systems problems, disruptions or outages. For this reason, users should not have an expectation of privacy for anything they store, create, send, or receive on a college system. Suspected inappropriate use of systems by individuals may also be investigated in order to protect the organization.

References

BP/AP 6160
BP/AP 5500
AP 3050
BP/AP 3430

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