

Goucher College Electronic Communications Policy

Purpose

The purpose of this policy statement is to:

- A. Establish electronic mail (e-mail) as an official means of communication within the campus community;
- B. Present guidelines relating to the permissible use of the college's electronic communications systems;
- C. Identify the privacy rights of the campus community;
- D. Identify the college's right of access to electronic communications;
- E. Identify the intellectual property rights of individuals using electronic communication systems;
- F. Delineate the college's policy for the retention of electronic communications; and
- G. Provide for the enforcement of electronic communications policy.

Definitions

For the purpose of this policy, the term "electronic communications systems" includes, but is not limited to, the use of college computer networks, the Internet, e-mail, telephones (including cellular telephones), voice mail, pagers, modems, fax transmissions, video, multimedia, and all other computer-related communications provided by the college. Facilities, technologies, and information resources used for college information processing, transfer, storage, and communications are also included.

A. E-mail as an Official Means of College Communication

There is an expanding reliance on electronic communication among students, faculty, staff, and administration at Goucher College. This is motivated by the convenience, speed, cost-effectiveness, and environmental advantages of using e-mail rather than printed communication. Because of this increasing reliance on and acceptance of electronic communication, e-mail is considered an official means of communication for Goucher College. Implementation of this policy ensures that students have access to this critical form of communication.

1. College use of e-mail

E-mail is an official means of communication for Goucher College. Therefore, the college has the right to send communications to students, faculty, and staff via e-mail and the right to expect that those communications will be received and read in a timely fashion.

2. Assignment of e-mail addresses

Information Technology will assign an official college e-mail address to all students, faculty, and staff. It is to this official address that the college will send e-mail communications. This official e-mail address will be the listed in the Global Address Book for the college's Exchange e-mail system.

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3. Redirecting of e-mail

A student may have e-mail electronically redirected to another e-mail address (e.g., @aol.com, @hotmail.com, @yahoo.com, etc.) by requesting this capability through the Information Technology Help Desk. Redirection is made at the student's own risk, as the college will not be responsible for the handling of e-mail by outside vendors. Having e-mail redirected does not absolve a student from the responsibilities associated with communication sent to his or her official Goucher e-mail address.

4. Expectations regarding use of e-mail

In recognition that certain communications may be time-critical, students, faculty, and staff are expected to check their official e-mail address on a frequent and consistent basis in order to stay current with college communications.

5. Educational uses of electronic communication

Faculty should discuss with their classes how assignments and documents are to be submitted. It is highly recommended that requirements and expectations for e-mail submission of assignments, the use of electronic drop boxes, the use of courseware, and the use of an online learning environment be specified in the course syllabus. Faculty may expect that students' official e-mail addresses are being accessed, and faculty may use e-mail for their courses accordingly.

B. Permissible Uses of Electronic Communications

The college provides electronic communications services for students, faculty, and staff for use when engaging in activities related to teaching, learning, research, public service, business services, management, and administrative support. The college also permits incidental personal use provided that such use does not interfere with college operations, generate incremental identifiable costs, saturate the data networks of the college, or negatively impact the individual's job performance. In addition, users are expected to accept and comply with the individual responsibilities relating to computer and information technology set forth in the Goucher College Computer Use Policy.

The college has no control of the addressing of incoming e-mail. If an employee receives e-mail that should have been transmitted to another employee, the e-mail message should be forwarded to the proper party or returned to the original sender with an explanation. No employee should respond to an e-mail request belonging to another party unless he or she has been authorized to do so.

Campus classroom, lab, and office computers are automatically updated with anti-virus software and Windows operating system software. Other computers that connect to the campus network off campus or through residential housing facilities should also have Windows operating system and anti-virus software installed and updated regularly to prevent the infection and propagation of computer viruses.

The college will take reasonable precautions to insure the security and appropriate use of electronic communications systems; however, the college accepts no responsibility for harm

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caused directly or indirectly through the use of the college's electronic communication systems.

Users should take appropriate precautions to ensure the security of their passwords and prevent others from obtaining access to their computer resources. Users are prohibited from modifying system or network facilities, or attempting to crash systems or networks.

College e-mail shall not be used for illegal or wrongful purposes, including but not limited to the following:

1. To communicate, to access, or to disclose information in violation of any copyright, patent, license agreement, or other intellectual property right;
2. To communicate, to access, or to disclose information in violation of applicable laws and regulations;
3. To communicate obscene, defamatory, harassing, or threatening information;
4. To communicate anonymously or under a pseudonym or to conceal or misrepresent a user's identity;
5. To compromise the integrity, security, or efficient and proper operation of college e-mail, including but not limited to obtaining or attempting to obtain unauthorized access to other users' files, or to other networks or systems;
6. To intentionally run or install on any system or network a program or other electronic device that the user knows may damage a computer system or network, including but not limited to programs known as computer viruses, Trojan horses, worms, or other similar devices; and
7. To use e-mail as a means to transfer executable files or other software and install them on lab computers.

In addition, users are expected to accept and comply with the individual responsibilities relating to computer and information technology as set forth in the Goucher College Computer Use Policy.

C. Privacy Rights

1. Family Educational Rights and Privacy Act (FERPA)

Personally identifiable information about students contained in e-mail communications or attachments thereto, including information contained in student education records, medical information, and information about disabilities, may be protected by FERPA.

When communicating such information about a student via e-mail, parties should consult the college's policy on FERPA and ensure that they have obtained the appropriate consent to communicate such information to another individual.

2. Medical records

State law governs the confidentiality of medical records and prohibits the disclosure of such records without the consent of the individual, except in certain circumstances.

Users of e-mail should obtain all consents required by law when communicating medical information via e-mail about any employee, student, or other person, and otherwise maintain the confidentiality of such information, as required by law.

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3. Library records

Maryland state law (Maryland Education Code Ann. §23-107, Circulation records) governs the confidentiality of library records, including those that identify the use a patron makes of that library's materials, services, or facilities.

NOTE: In some circumstances, the provisions of federal law, including the U.S. Patriot Act, may override the provisions of FERPA and state confidentiality laws and permit federal officials to have access to ordinarily confidential records.

D. College Access to Electronic Communications

All hardware and software associated with the electronic communications systems are the property of the college. The college supports a climate of trust and respect and does not ordinarily read, monitor, or screen e-mail or other electronic data, files, or records. However, the college retains the right, in circumstances described below, to access electronic communications, data, files, or records for college related purposes, and members of the college community should therefore have no expectation of privacy with respect to the use of electronic resources.

College employees who improperly read, disseminate, or otherwise compromise the confidentiality of e-mail or other data, files, or records, or who improperly authorize such activities are subject to disciplinary action, including dismissal.

1. Immediate health or safety risk

Employees and agents of the college may read, listen to, or otherwise access confidential electronic communications, including e-mail, and electronic data, files, or records, provided that the employee or agent needs to access the confidential contents in order to perform the responsibilities of his or her job and permission to access the confidential contents has been requested by Legal Counsel or the Office of Public Safety, due to an immediate risk to the health or safety of people or property.

2. System maintenance

System administrators of the college may read, listen to, or otherwise access confidential electronic communications, including e-mail, and electronic data, files, or records, provided that the employee or agent needs to access the confidential contents in order to perform the responsibilities of his or her job and access is necessary to maintain system integrity, including but not limited to tracking viruses and performing ordinary system repair, maintenance, and enhancement.

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3. Purposes approved by Legal Counsel

Employees and agents of the college may read, listen to, or otherwise access confidential electronic communications, including e-mail, and electronic data, files, or records, provided that the employee or agent needs to access the confidential contents in order to perform the responsibilities of his or her job and permission to access the confidential contents has been obtained from the college's Legal Counsel, for purposes including but not limited to:

- a. To comply with legal requests and demands, search warrants, subpoenas, discovery requests, legislative audits, and other requests for information to which the college is required to respond by law;
- b. To perform internal investigations required by federal, state, or local law;
- c. To perform internal investigations outlined in college policies;
- d. To obtain information related to legal actions brought against the college, such as a breach of contract claim or a discrimination claim; or
- e. To obtain information related to legal actions brought on behalf of the college such as a dispute with an outside contractor.

4. Separation from the college

Employees and agents of the college may read, listen to, or otherwise access confidential electronic communications, including e-mail, and electronic data, files, or records, provided that the employee or agent needs to access the confidential contents in order to perform the responsibilities of his or her job and such access is required in order to delete or retain any or all e-mail messages, computer files, or electronic data on the college's systems after a student leaves the college or an employee separates from the college. Each supervisor is responsible for ensuring that access to college systems is terminated and that needed computer files are retained when such a circumstance occurs.

NOTE: E-mail accounts normally remain active for students and faculty for 60 days after individuals leave the institution, and are terminated for administrative staff on the last date of employment. Exceptions may be made at the discretion of the college.

E. Intellectual Property

In the event that there is a dispute regarding intellectual property that is owned by a member of the college community and maintained or communicated in electronic form through college systems, the college shall have the right, upon written notification to the individual, to obtain access to the work for the purpose of resolving the dispute or determining whether the college has an interest in the property. The vice president and academic dean, however, must approve of any such access in writing.

F. Retention of Electronic Communications

The college does not maintain centralized or distributed archives of all e-mail or voice mail sent or received. E-mail is normally backed up to assure system integrity and reliability, not to provide for future retrieval—although back-ups may at times serve the latter purpose

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incidentally. Operators of college e-mail services are not required by this policy to retrieve e-mail from such back-up facilities upon the holder's request, although on occasion they may do so as a courtesy. The college maintains system backups of e-mail for eight weeks, and voice mail is retained for 14 days after the voice mail has been heard. No e-mail or voice mail is archived beyond this backup cycle.

E-mail users should be aware that generally it is not possible to assure the longevity of e-mail records for record-keeping purposes, in part because of the difficulty of guaranteeing that e-mail can continue to be read in the face of changing formats and technologies, and in part because of the changing nature of e-mail systems.

E-mail users and those in possession of college records in the form of e-mail are cautioned, therefore, to be prudent in their reliance on e-mail for purposes of maintaining a lasting record. E-mail should be transferred to a more permanent medium when required by college or departmental record retention policies.

G. Enforcement

The use of electronic communications for illegal or unethical purposes, for abusive and harassing activities (or similar violations of the rights of others), or for purposes inconsistent with college policy or regulation, may result in:

1. Administrative Action

Violations may result in the revocation or restriction of electronic communications access.

2. Disciplinary Action

Violations may result in disciplinary action outlined in the Student Code of Conduct, the *Campus Handbook*, and college policies and procedures.

3. Dismissal

Violations may result in dismissal from the college.

4. Legal Action

Alleged violations may also be referred to local, state, and/or federal authorities.

Suspected violations of this policy by students should be reported to the dean of students. Alleged violations by faculty and staff should be reported to one's immediate supervisor.

Contact

Questions about this policy should be directed to the chief technology officer.

Policy Effective Date

- This policy was approved by the President and became effective on November 1, 2004.
- This policy was revised on August 5, 2008.