GOUCHER | college

Electronic Communications Policy Questions

1. **What is the purpose of the electronic communications policy?**

   The purpose of this policy is to:

   a. Establish electronic mail (email) as an official means of communication within the campus community.

   b. Establish guidelines relating to the permissible use of the college's electronic communications systems.

   c. Define the privacy rights of the campus community.

   d. Delineate the college's right of access to electronic communications.

   e. Describe the intellectual property rights of individuals using electronic communication systems.

   f. Establish the college's policy for the retention of electronic communications.

   g. Provide enforcement mechanisms for this electronic communications policy.

2. **Why should the campus community trust the college administration in its access to electronic communications?**

   Goucher College supports a climate of trust and respect, and values the privacy of individuals. For this reason, the college DOES NOT:

   a. Make a copy of all incoming and outgoing e-mails.

   b. Retain a copy of every incoming and outgoing e-mail on campus

   c. Ordinarily screen or monitor e-mails.

   d. Search ingoing and outgoing e-mails for certain words or phrases.

   e. Access electronic communications, except for the purposes enumerated in the Electronic Communications Policy.

   f. Tolerate inappropriate access to electronic communications.

   The Electronic Communications Policy further states that "[c]ollege 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."

3. **In what situations can the college have access to my electronic communications?**

   The Electronic Communications Policy states that the college can gain access to electronic communications for the following reasons:

   a. To obtain information related to the health or safety of people or property such as a suicide threat, imminent threat to harm or harass others, etc.

b. To conduct system maintenance.

c. To be compliant with legal requests and demands, search warrants, subpoenas, discovery requests, legislative audits, and other requests for information to which the college is required by law to respond.

d. To perform internal investigations required by federal, state, or local law.

e. To perform internal investigations outlined in college policies.

f. To obtain information related to legal actions brought against the college such as a breach of contract claim or a discrimination claim.

g. To obtain information related to legal actions brought on behalf of the college such as a dispute with an outside contractor.

h. To delete communications in connection with an individual's separation from the college. NOTE: It is the policy of the college to deactivate faculty and staff email accounts on the last day of employment at the college.

4. Who makes the determination to access personal electronic communications?

The General Counsel's Office is responsible for granting access to electronic communications in the circumstances outlined above. In cases of an immediate risk to the health or safety of people or property, the Office of Campus Safety may access such communications without first obtaining the General Counsel's permission.

College employees who improperly authorize access to e-mail (or other data), files, or records are subject to disciplinary action, including dismissal.

5. What type of evidence must be provided in order for the college to access personal electronic communications?

Electronic communications may be accessed for the reasons described above. The college may act upon a variety of information, including (but not limited to) evidence from students or staff about harassing e-mails, evidence from individuals on- or off-campus that a member of the community is using electronic resources for illegal purposes, or evidence that a member of the community has attempted to disrupt or "crash" systems or networks.

6. How is access to electronic communications documented?

The Office of Information Technology documents all instances in which access to electronic communications occurs by recording the date, the name of the person whose e-mail or files are being accessed, the information to be accessed, and the person authorizing the access.

7. Under what conditions are individuals informed that their personal electronic communications are being accessed by the college?

Students will generally be notified in advance of access to their personal electronic communications, in accordance with the Family Educational Rights and Privacy Act (FERPA).

Faculty, staff, and students will not be notified in advance of college access to their electronic communications in cases where an investigation is underway and advance notification may cause the

author of the communication to delete information that is necessary for the investigation. In these cases, the Office of General Counsel or, in cases of emergency, the Office of Campus Safety will first determine that it is permissible under college policy and applicable laws to access such communications without providing advance notice.

In some cases federal law (e.g., Patriot Act) may prevent the college from providing any notification of access.

If advance notification was not provided to the individual, the Office of General Counsel will provide the individual with information about the access at the conclusion of the investigation.

The time limit for investigations is outlined in college policies.

8. What mechanism is in place for a systematic review of cases involving access to personal electronic communications?

The Board of Trustees' Audit Committee oversees the review of college practices in this regard. Each year, external auditors conduct an examination of the college's information technology operations and procedures. This annual audit includes the systematic review of college computer policies, computer procedures, computer accounts, computer access rights, access to electronic files and data, and information technology security practices.

9. Will this policy require all students, faculty, and staff to read e-mail?

The Electronic Communications Policy states that 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.

10. How frequently can students expect that instructors will be checking their e-mail?

Faculty should discuss with their classes how e-mail will be used. It is highly recommended that e-mail requirements and expectations be specified in the course syllabus.

11. Will this mean that all instructors will accept assignments and documents electronically?

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 and the use of the college's learning management system be specified in the course syllabus.