

## **X-15.09-INTERIM POLICY ON USE OF E-MAIL BY STATE EMPLOYEES**

This electronic mail policy is drafted by the Office of Information Technology at Bowie State University in accordance with the State of Maryland, Department of Budget and Management, Office of Information Technology, Policy 1: Electronic Mail (e-mail use by State Employees). The State Policy's Scope applies as follows:

- To all Maryland State Agencies, all users of State systems, including State employees, designated contractors and sub-contractors,
- To all Internet activity, including inter-Agency, State, and Internet e-mail uses,
- To all e-mail and Internet records in the possession of State employees or other e-mail users of electronic mail services provided by the State.

BSU's policy will be promulgated by OIT. Users shall positively acknowledge receipt and understanding of the policy (consent) each time they sign on to BSU e-mail, as well as when they register or sign an employment agreement. The Bowie State University's Vice President for Administration and Chief Information Officer shall be responsible for the authorization of actions in support of this policy. This e-mail policy is intended to insure the electronic mail and the Internet will be used by the University community in an ethical and considerate manner in compliance with applicable law and policies, including policies established by the University and its operating units, and with respect for the public trust through which these facilities have been provided.

### Applicability

The individual's signature on a student registration or employee contract automatically serves as signed agreement to BSU's e-mail policies, as well as serving to apply for an e-mail account at the University. Student and employee orientations shall include an introduction to this policy. Students, faculty, staff, and some third party contractors, to accomplish tasks related to and consistent with the University's mission, once granted an e-mail account and password by the Office of Information Technology, may use electronic mail services. Current registered students, as well as faculty and staff, and from time to time others under contract with the University, from the date of appointment until the date of separation are eligible. A Department head must sign for and is responsible for any e-mail account opened to serve as a general mailbox for a department, sub-unit, or function.

### Acceptable Use of E-Mail

Bowie State University e-mail may be used for carrying out the mission, goals and objectives of the University in instruction, research, and public service. E-mail at BSU is not a right, but a privilege. Any e-mail addresses or accounts assigned by the University to individuals, sub-units, or functions of the University, are the property of the University. A Bowie State University mailbox is not intended for private correspondence, but to serve the communication needs of the campus community. As such, all communications on BSU computer systems, whether personal or business-related, are the property of Bowie State University. E-mail users are required to comply with state and federal law, University policies, and normal standards of professional and personal courtesy and conduct. Unacceptable uses of e-mail and Internet include, but are not necessarily limited to, the following:

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1. Use for any purposes which violate a U.S. or State of Maryland law or Maryland Administrative Code;
2. Use for any commercial activities, including commercial advertising, unless specific to the charter, mission, or duties of Bowie State University;
3. Use to publish, post, distribute, disseminate or link to any: (a) inappropriate, profane defamatory, infringing, obscene, indecent, harassing or unlawful topic, name, material or information; (b) software or other material protected by intellectual property laws, rights of privacy or publicity, or other proprietary rights, unless the individual owns/controls such rights or has received all necessary consents for the use of such software and other materials; (c) software or other material that contains viruses, corrupted files, or that may or are intended to damage the operation of another's computer.
4. Use to gather or otherwise collect information about others for commercial or private use, including e-mail addresses, without the express consent of the individuals;
5. Use for fund raising, political campaign activities, or public relations activities not specifically related to Bowie State University activities;
6. Use to conduct or forward illegal contests, pyramid schemes or chain letters, or to spam;
7. Use to sell access to the Internet;
8. Use to conduct any activity which adversely affects the availability, confidentiality or integrity of BSU's office technology;
9. Use to benefit personal or financial interests of any employee or student.

E-mail users shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the University or any unit of the University unless expressly authorized to do so. Where appropriate, the following explicit disclaimer shall be included: "The opinions or statements expressed herein are my own and should not be taken as a position, opinion, or endorsement by Bowie State University."

Sanctions for Misuse

Access to Bowie State University's e-mail and Internet services are a privilege that may be wholly or partially restricted by the University without prior notice and without the consent of the user when required by and consistent with State law. This may occur when there is probable cause or a substantiated reason to believe that violations of policy or law have taken place, or in exceptional cases, when required to meet time-dependent, critical operational needs. Any employee or student who abuses the privilege of University-facilitated access to the Internet and e-mail may be subject to disciplinary action up to and including termination or expulsion. If necessary, the University also reserves the right to advise appropriate legal officials of any violations, and institute legal proceedings against violators of this policy. Any policy violations should be reported to [abuse@bowiestate.edu](mailto:abuse@bowiestate.edu). Acts of retaliation for reporting instances of abuse are prohibited

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under State and Federal law. Reporting instances of abuse cannot be made anonymously, due to the ability of the system to track the originator of any electronic communications.

### Guidelines on Restriction of E-Mail Privileges in Response to Resource Limitations, Administrative Procedures, or Policy Violations

The technical staff of Bowie State University reserves the right

- To set the amount of disk space available for mailboxes, and
- From time-to-time, may impose greater limitations on the use of e-mail due to technical necessities, and/or
- May require purges of information stored on the University servers to preserve the integrity of the system.

Users are responsible for retaining records and therefore are advised to keep back-up copies of important documents on their hard-drives or appropriate back-up media, and to regularly archive their e-mail messages.

### Systematic Monitoring

Bowie State University is not obligated to monitor the content of e-mail. The University may not engage in individual monitoring of Internet activity, including e-mail messages or other electronic files created by employees or students, unless the following conditions of the State of Maryland are met:

- Prior consent has been obtained in writing from the employee and/or student. Consent is given when an individual signs his/her contract or registration. Any employee or student who refuses consent may be denied access to the Internet and electronic mail.
- Monitoring is necessary for valid business purposes, including employee and student supervision, and probable cause for monitoring has been demonstrated.

### Access and Disclosure without Consent in Specific Cases

Bowie State University will, as a courtesy, normally try to inform e-mail users prior to any inspection, monitoring, or disclosure of e-mail records, except when such notification would be detrimental to an investigation of possible violation of law and/or University policy. Users are required to comply with University requests for access to and copies of e-mail records when access or disclosure is required or allowed by applicable law or policy, regardless whether such records reside on a computer housed or owned by the University. Failure to comply with such requests can lead to disciplinary or other legal action pursuant to applicable law or policy, including, but not limited to, appropriate University personnel policies or Codes of Conduct.

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In summary, Bowie State University shall only permit the inspection, monitoring, or disclosure of electronic mail without the consent of the holder of such e-mail

- When required by and consistent with law;
- When there is probable cause or substantiated reason to believe that violations of law or of Bowie State University or State policies have taken place;
- When there are compelling circumstances; and/or
- Under time-dependant, critical operational circumstances.

### Indemnification of the University

Users agree by virtue of access to the University's computing and e-mail systems, to indemnify, defend and hold harmless the University for any suits, claims, losses, expenses or damages, including but limited to litigation costs and attorney's fees, arising from or related to the user's access to or use of University e-mail and computing systems, services or facilities.

### Security

E-mail is a public record, is subject to the Freedom of Information Act and to subpoena by a court of law. Please be aware that any information submitted via e-mail is not confidential and could be observed by a third party while it is in transit. Encryption only encourages the false belief that privacy can be guaranteed. Please keep in mind that users should never put anything in an e-mail message that must be kept confidential. E-mail must be treated the same way cellular or cordless phones are treated using the assumption that anyone could accidentally or intentionally overhear.

E-mail security is a joint responsibility of Bowie State University technical staff and e-mail users. The University will provide the best security the currently used software will provide, as well as use a "firewall" to prevent unauthorized access to the mail server. Users must take all reasonable precautions, including safeguarding and changing passwords, to prevent the use of the account by unauthorized individuals. Users may not divulge passwords for Bowie State University accounts(s) to any other person or allow other persons use of their Bowie State University account(s) for any reason.

### Archiving and Retention

The Office of Information Technology does not archive documents. Bowie State University records communicated using e-mail or the Internet need to be identified, managed, protected, and retained as long as they are needed to meet operational, legal audit, research, or other requirements. Each Department chairperson or unit director is required to comply with approved records retention schedules or to set standards to retain, manage, and make accessible in an existing filing system, outside the e-mail system, records needed to support program functions in accordance with Bowie State University's standard practices.

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Regulations and Procedures on Actions to be Taken Once an E-mail User's Affiliation with BSU is Ended

Students are eligible for e-mail privileges as long as the student is officially registered at Bowie State University.

Faculty and Staff e-mail privileges start on the date employment begins and OIT issues an ID number and password, and end on midnight of the date of employment termination. The contents of the mailbox on the date of termination will be turned over to the head of the departing employee's department. The technical staff at Bowie State University may, under its sole discretion, attempt to redirect e-mail for a reasonable period of time as determined by the University for purposes consistent with this Policy and the University's mission. The University may elect to terminate the individual's e-mail account or continue the account, subject to approval by appropriate University supervisory and systems operational authority.

The Department chairperson or unit director is responsible for notifying OIT of the date of employment termination.

Revised Date: 08/31/2000