

 <b>Tucson, Arizona</b>  <b>GOVERNING BOARD POLICY</b>	POLICY TITLE: Electronic Mail
	POLICY CODE: EJC
	LEAD DEPARTMENT: Technology Telecom Services

The purpose of this policy is to establish basic guidelines for the responsible use of electronic mail (e-mail) in Tucson Unified School District (TUSD) and establish standard practices for requesting e-mail records.

**Electronic Mail or (e-mail)** is any transmission or receipt of information, including attachments and imbedded objects, across the District network by electronic means, including but not limited to commercial and electronic mail applications, operating systems, messaging capabilities and Internet mail.

**Deleted E-Mail** is any e-mail, which has been removed from an e-mail account and is awaiting completion of the approved e-mail retention cycle, where upon it will be properly purged from the e-mail system. A message’s retention cycle begins when that message is transferred to the “Deleted Items” or “Recycle” Folder.

**E-Mail Administrator** is the person(s) responsible for maintaining the organization’s electronic mail system and all associated data.

**Formal Communications** is communication of any kind pertaining to public business, which must be preserved as a public record.

**Intellectual Property** is rights and products of the mind or intellect, arising under one or more of the following bodies of law: Trade Secrets, Patents, Trademarks, Trade Dress, Copyrights, and Unfair Competition. This includes any body of work developed by an employee working on District business.

**Public Record includes:**

- A record that is made by a public official in pursuance of a duty, the immediate purpose of which is to disseminate information to the public, or to serve as a memorial of official transactions for public reference.
- A record that is required by law to be kept or necessary to be kept, in the discharge of a duty imposed by law to serve as a memorial and evidence of something written, said, or done.
- A written record of transactions of a public officer in his/her office, which is a convenient and appropriate method of discharging his/her duties, and is kept by him/her as such, whether required by express provisions of law or not.
- Few records in the possession or control of a public officer or body generally will not be “public records.” Exceptions are: “work in progress,” e.g., a work that is not yet finished, or information that is used solely as a memory aide, e.g., “post-it” notes.

**Routine E-Mail Communications include:**

- Scheduling meetings and conference calls
- Notification of legal and policy issues to be resolved in more formal communication
- Requests for information or directives to complete tasks
- Notification of employees' whereabouts (e.g., vacations, conferences, out-of-office work)
- Requests for formal advice and assistance

The contents of all e-mail messages are the property of TUSD. An employee has no personal right to privacy when utilizing the e-mail system. The District reserves the right to monitor and read any or all messages, without notice to the employee.

Electronic mail is a District-owned business tool and will be managed through the following rules:

- Employees should be aware that e-mail messages can be forwarded or read by other than the intended recipient and should edit the content of their e-mail messages appropriately.
- E-mail messages fall under the classification of Public Records, as defined in A.R.S. 39-121 through A.R.S. 39-121.04.
- E-mail messages must be developed in a professional manner with a positive reflection of the District. Signatures will only include the information as it would appear on a TUSD business card.
- No quotes or advertising not related to TUSD should be included in any e-mail.
- Technology Telecom Services will maintain methods and tools, which allow for the automatic capture and retention of electronic mail messages.
- District management, for purposes of auditing or investigating potential violations of this e-mail policy, may request access from The District's central technology department to employee e-mail messages. To insure the overall integrity of the process, such requests must be in writing and approved at the highest level of authority, and must be conducted in a manner, which minimizes disruption in the workplace. The following levels of management are authorized to request and receive these detailed records within their respective departments.
  - Superintendent
  - Administrators
- Employees are responsible for the security of the e-mail accounts that have been entrusted to them. Employees must maintain reasonable precautions to safeguard their e-mail accounts from unauthorized entry or use, and are responsible for securing e-mail communication pursuant to applicable laws.
- Temporary employees and contractors may be given access to District e-mail systems, as business necessity requires, and must abide by all TUSD policies and regulations.
- In addition to the use of e-mail in the performance of their job duties, employees may make limited, incidental personal use of e-mail under the following circumstances:

- Scheduling of personal appointments as an effective extension of one's overall time management during the workday (lunches, meetings, appointments, etc.).
- Sharing of personal events with the work unit as pre-approved by the department and planning of work-related social events where the intent is to enhance employee morale (employee birthdays, marriages, births, etc.).
- Other limited, incidental uses that do not violate District policy and are pre-approved by the department/school.
- Limited as used in this subsection means limited in number of times the e-mail system is used for such purposes, limited in content to the personal use categories specified herein, and limited as to the amount of time spent drafting and reviewing e-mails.
- Users have no personal right of privacy in the content of the message or equipment, and the district may monitor such use without prior notice.
- Unacceptable use of e-mail includes, but is not limited to:
  - Running or participating in, a private or non-District related activity.
  - Discourteous treatment of the public or fellow employees.
  - Soliciting, including charitable campaigns, except with prior approval of the Superintendent.
  - Election or campaign activities
  - Issuing or forwarding serial or "chain mail" type messages.
  - Issuing or forwarding advertisements of any commercial nature, except items relating to District Business that are approved by the department director.
  - Illegal activities, including gambling, "office pools," and violation of civil rights or harassment laws.
  - No e-mail communications shall be created, sent, or forwarded that might constitute discriminatory, harassing, intimidating, hostile, or offensive communications on the basis of gender, race, color, religion, age, national origin, sexual orientation, disability, or other grounds.
  - Embedding graphic images or adding attachments to e-mail that are not directly related to district business.
  - Using e-mail in any manner which is not above reproach or free from indiscretions.
  - Using e-mail in a manner, which may bring discredit or embarrassment to the District.
  - Any activity that violates established District policy or regulations.
- E-mail communication will be preserved pursuant to this policy.
  - Employees transmitting or receiving formal communication through e-mail shall preserve the document in the appropriate file and dispose of the document pursuant to the District's Records Retention and Disposition Schedule.
  - Employees may delete routine e-mail communication, as defined in this policy, after the e-mail has been read and the required action taken, subject to the limitations set forth below.
  - Communications subject to formal discovery in ongoing litigation must be preserved in the appropriate file or word processing system.

- All deleted e-mail messages shall remain in the “recoverable deleted items” folder for 28 days after their deletion from the “deleted items” folder, in accordance with the Districts Records Retention and Disposition Schedule. All requests to recover deleted items need to be requested through the principal or the department head. Any attempt to purge e-mail records to prevent their recovery will be considered a violation of this policy and will result in disciplinary action.
- Statutory requirements necessitate that the sender of any e-mail be uniquely identified.

### **Authority and Responsibility**

All employees (including temporary employees) and contractors performing work for TUSD are responsible for understanding and adhering to this policy.

Employees and contractors are responsible for:

- Understanding and adhering to the e-mail policy and the related policies referenced herein.
- Using common sense and good judgment in the use of e-mail.
- Sending messages that contain only ethical and polite exchanges of information.
- Managing their e-mail accounts by preserving and deleting e-mail messages from their folders as instructed by this e-mail policy. Purging of deleted messages is prohibited.
- Advising management of breaches in the e-mail policy.
- Maintaining reasonable precautions to safeguard their e-mail from unauthorized entry or use.
- Complying with TUSD Acceptable Use of District Technology Resources.
- Utilizing e-mail as an efficient communication tool.

Management is responsible for:

- Understanding the e-mail policy, and related policies and documents.
- Advising their employees about the e-mail policy and appropriate use of the e-mail system.
- Determining when circumstances warrant monitoring an employee’s e-mail.
- Establishing and maintaining e-mail applications and retention schedules in accordance with pertinent state statutes and District policies.

Adopted: 8/03/2004

Revision:

Review:

**Legal Ref:** 18 U.S.C. SS 2510-2521, 2701-2710, 3117, 3121-3126 (1988)

**Cross Ref:** EJA - Acceptable Use of Technology Resources

Replaces TUSD Policy # 1051 Computer Data Protection