

## Purpose

Fitchburg State University (hereafter referred to as “FSU”) recognizes that principles of academic freedom and shared governance, freedom of speech, and privacy of information hold important implications for electronic mail services (hereafter referred to as “email”). This policy reflects these principles within the context of FSU’s legal, operational and administrative obligations.

## Scope

This policy applies to all email services belonging to Fitchburg State University (any that end with a .fitchburgstate.edu suffix).

## Policy

FSU encourages the use of email services to share information, improve communication and to exchange ideas in furtherance of FSU’s mission within the parameters of the following principles and rules of conduct:

- a. Communication. Your Fitchburg State University provided email account is the primary means of sending information to faculty, staff and students. Accordingly, you are expected to check this account frequently and regularly to ensure you are current with all necessary communications from the University. Users having difficulty accessing their email are expected to contact the helpdesk to remedy any issues.
- b. Identification. Your University provided email account helps identify you to others and includes security designed to help prevent attacks. When dealing with internal departments or other users, you should use your University provided account to ensure identity and compliance with State retention laws.
- c. Privacy. FSU Information Technology (IT) does not routinely inspect, monitor or disclose email messages without the holder’s consent or the presence of special circumstances as explained below. Individuals are prohibited from gaining access to the email account of another individual except in the limited circumstances where such access is authorized by this policy.
- d. Public Record. Email may constitute a public record under Massachusetts’ Public Records Act or be subjected to mandatory disclosure under other laws, including laws compelling disclosure during the course of litigation. Users of FSU’s email services should be aware that Massachusetts’ Public Records Act and similar laws prevent FSU from guaranteeing complete protection of even personal email utilizing FSU accounts.
- e. Responsible Use. Those who use FSU email services are expected to do so responsibly. Users are expected to comply with commonwealth and federal laws, with all FSU policies and within normal standards of professional and personal courtesy and conduct.
- f. Access Restrictions. Access to FSU email services, when provided, is a privilege that may be wholly or partially restricted without prior notice and without the consent of the user when there is reason to believe that violations of law or FSU policy have occurred, or in other urgent or compelling circumstances.
- g. University property. Any email addresses or accounts associated with FSU are the property of Fitchburg State University.
- h. Authorized access and disclosure. FSU may inspect, monitor, or disclose email without the consent of the holder of such electronic correspondence in special circumstances, such as:
  - a. When required by law
  - b. When required by University policy
  - c. There is reason to believe that violations of law or policy may have occurred or be occurring
  - d. Troubleshooting of the email system requires access
  - e. Upon termination to facilitate continued University operations

In the event inspection, monitoring or disclosure of email is required, FSU shall notify the affected individual(s) of the action(s) taken.

i. Approved communications. Email is the official method of communication for FSU. Only mailboxes with “.fitchburgstate.edu” suffixes are supported.

### **Permitted Use**

- a. Users. Authorized users of FSU email services are limited to alumni and active FSU students, faculty, staff and others affiliated with the University.
- b. Non-competition. FSU email services shall not be provided in competition with commercial services to individuals or organizations outside FSU.
- c. Restrictions. FSU mail services shall not be used for: unlawful activities, commercial purposes not under the auspices of or for the benefit of FSU, personal financial gain or for purposes that violate this or other FSU policies.
- d. Representation. Users of FSU email services shall not give the impression they are representing or making statements on behalf of FSU or any unit of FSU unless authorized to do so. Where appropriate, an explicit disclaimer shall be included unless it is clear from the context that the author is not representing the University.
- e. False Identity. Users of FSU electronic mail services shall not employ false identities nor send email on behalf of other users unless specifically approved.
- f. Interference. FSU email shall not be used for purposes that could reasonably be expected to cause, directly or indirectly, strain on computing systems or unwarranted or unsolicited interference with another’s use of email services. Such prohibited use includes, but is not limited to, the following:
1. Sending or forwarding chain letters
  2. Using list servers or similar broadcast systems to accomplish the widespread distribution of unsolicited email (AKA “spam”)
  3. Resending the same electronic mail repeatedly to one or more recipients to interfere with the recipient’s use of email services (AKA “letter bombing”)
- j. Personal use. FSU email services may be used for incidental personal purposes provided that, in addition to the foregoing constraints and conditions, such use does not burden FSU with noticeable incremental cost(s) or interfere with the user’s employment or other obligations to FSU.
- k. Ownership. Use of the FSU email system to receive or transmit documents implies and acceptance that these messages are the exclusive property of the University unless otherwise agreed upon in writing.

### **Security, Privacy and Confidentiality**

- a. Confidentiality. FSU attempts to provide secure and reliable email services. However, confidentiality of email cannot be assured. Expectations of confidentiality may be compromised by numerous sources such as:
1. As applicable under this policy
  2. Technical problems or human error resulting in the unintended distribution of email
  3. Compromised passwords used for unauthorized access
  4. Interception of transmission of messages across the internet

Therefore, users of FSU email services should exercise extreme caution with using email services to communicate confidential or sensitive matters. Users should always employ whatever protections (such as password protecting files, encrypting messages, etc.) that are available to them.

- b. Unauthorized disclosure. State and federal law and FSU policy require that certain records, including but not limited to, student records, peer review records and certain personnel information are confidential. Therefore, users of FSU email services are prohibited from transmitting, seeking out, using or disclosing confidential information without written authorization and without taking appropriate precautions, including the use of encrypting technologies or password protecting files to protect the integrity of the confidential information encountered in the performance of duties or otherwise.
- c. Incidental IT disclosure. During the performance of their duties, information technology personnel may need to observe transaction addressing information or messages to ensure proper functioning of the email or support systems. Except for these purposes as stated, information technology personnel activities are limited to the least invasive level of inspection necessary to perform assigned duties.
- d. Encryption. You may send encrypted Gmail messages to other users and should follow the guidance contained in the "FSU Encryption Policy" before doing so. Instructions on how to enable this for a message can be found at: <https://bit.ly/3JWRoWq> (scroll down to the "Send & Open Confidential Emails" section.)

### **Retention**

- a. Beginning on May 1, 2009, email correspondence involving all faculty and staff users (those that use a username. fitchburgstate.edu address) shall be retained indefinitely. Correspondence prior to that is limited to whatever existed on the mail server on that date.
  - b. Student email shall not be archived and retrieval is limited to whatever the system is currently storing.
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## **Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including loss of access rights and/or termination of employment under adherence to their respective collective bargaining agreement. Students found to have violated this policy may have their access removed and may have additional actions taken as directed by the Student Code of Conduct.

**Security Level**    Public