



Electronic Mail Policies

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I. **Purpose**

Electronic mail (email) has become a preferred means of communication both internally and externally for the Wilkes community.

The purpose of this policy is to clarify the applicability of law and describe the appropriate use of University email, associated responsibilities, concepts of privacy and security, and rights of all Users of Wilkes University email facilities.

The University recognizes that principles of academic freedom and shared governance, freedom of speech, and privacy of information hold important implications for email and email services. The University affords email privacy protections comparable to that which it traditionally affords paper mail and telephone communications. This policy reflects these firmly held principles within the context of the University's legal and other obligations.

II. **Applicability**

This policy applies to all electronic email systems (including Google Mail, Desire2Learn, and MyWilkes (Luminis) Portal) and services managed for or owned by Wilkes University (@wilkes.edu), all users, and all University email records in the possession of University employees or other users of electronic mail services provided by the University.

Electronic mail messages, in either their electronic or printed forms, are subject to records management policies, including provisions of those policies regarding retention and disclosure.

The policy applies equally to transactional information (such as email headers, summaries, addresses, and addressees) associated with email records as it does to the contents of those records.

III. **Policy**

Electronic mail, like postal mail, is an official means for communicating Wilkes University business. All students, faculty and staff are expected to read, and shall be presumed to have received and read, all official University email announcements and messages sent to their official Wilkes email accounts (@wilkes.edu).

Policies and regulations that apply to other forms of communications and the use of technology resources also apply to email facilities. In addition, the following specific actions and uses of University email facilities are improper. It is improper when an email:

- Interferes with normal University email operations
- Conceals or misrepresents names or affiliations in email messages
- Alters the source or destination address of email
- Is used for activity not related to the mission of the University
- Is used to harass or threaten other individuals

Users whose actions violate this policy or any other University policy or regulation may be subject to immediate revocation or limitation of email privileges as well as other disciplinary actions as determined by appropriate University authorities.

The University respects the privacy of its email users. It does not routinely inspect, monitor, or disclose email. Nonetheless, subject to the requirements for authorization, notification, and other conditions specified in this Policy, the University may deny access to its email services and may inspect, monitor, or disclose email:

- (a) when required by and consistent with law;
- (b) when there is substantiated reason (reliable evidence indicating that violation of law or of policies probably has occurred) to believe that violations of law or of University policies have taken place;
- (c) when there are compelling circumstances where failure to act may result in significant bodily harm, significant property loss or damage, loss of significant evidence of one or more violations of law or of University policy, or significant liability to the University or to member of the University community; or
- (d) under time-dependent, critical operational circumstances where failure to act could seriously hamper the ability of the University to function administratively or to meet its teaching obligations.

whether or not created or stored on University equipment, email may constitute a University record subject to disclosure under the Pennsylvania Open Records Laws (Sunshine Act and the Right-to-Know Law), or other laws, or as a result of

litigation. However, the University does not automatically comply with all requests for disclosure, but evaluates all such requests against the precise provisions of the Act, other laws concerning disclosure and privacy, or other applicable law.

Destruction of such records is governed by the University's records retention policies.

IV. **Responsibilities**

The author of any email on the University system assumes the responsibility for assuring that messages do not violate any University policies, regulations, or procedures. Users should be aware that disclaimers of confidentiality included in email do not guarantee the sender that confidential information in an email will not be shared or disclosed inappropriately.

The University cannot protect users from receiving email they may find offensive. Members of the University community, however, are strongly encouraged to use the same personal and professional courtesies and considerations in email as they would in other forms of communication.

V. **Information Privacy and Right of University Access**

While the University will make every attempt to keep email messages secure, privacy is not guaranteed and users should have no general expectation of privacy in email messages sent through a University Email Account or through a Gmail Account. Users have no personal interest or expectation of privacy pertaining to electronic files and data created, sent, received, or stored on computers and other IT Resources owned, leased, administered, or otherwise under the custody of the University. Files and Data may be accessed as needed for purposes of system administration and maintenance, for resolution of technical problems, for compliance with federal, state and local subpoenas, court orders, litigation holds or other written authorizations, to perform audits, or to otherwise conduct the business of Wilkes University, and in the case of Gmail Accounts, violations of Google's Acceptable Use Policy or the University's contract with Google.

Google Privacy Policy: <http://www.google.com/intl/en/policies/privacy/>

Google Terms of Service: <http://www.google.com/intl/en/policies/terms/>