



Origination:	04/2004
Last Approved:	04/2019
Last Revised:	04/2019
Next Review:	04/2025
Owner:	Luke Bixler
Policy Area:	Chapter 3 General Institution
References:	Legally Required

AP 3920 Electronic Mail

From current SBCCD AP 3730 titled Electronic Mail

A. Right of Access/Disclosure

The District reserves the right of access to and disclosure of electronic mail messages sent or received by employees with the use of the District electronic mail system.

B. Personal/Private Messages

The District will attempt to honor the privacy or private messages unless it has reasonable grounds to access them. If an employee sends, receives, or stores personal or private messages of an incidental nature, the employee must take special steps to protect the privacy of such messages through such means as designation of the message as private or by storing them in a special area.

C. Snooping

Employees are prohibited from the use of the electronic mail and computer systems for the purpose of satisfying idle curiosity about the affairs of others, with no substantial business purpose for obtaining access to the files or communications of others. Violators are subject to appropriate disciplinary measures.

D. Miscellaneous Special Uses

Employees shall not use the District electronic mail system for any of the following uses:

1. Chain letters.
2. Copies of documents in violation of copyright laws.
3. Forwarding of electronic mail messages without a legitimate business purpose under circumstances likely to lead to embarrassment of the sender or to violate clearly expressed desire of the sender to restrict additional dissemination.
4. Use in violation of rules applicable to Electronic Data Interchange systems.
5. Use of electronic mail for "moonlighting" or job searches.
6. Use of electronic mail to send messages, access to which is restricted by government security laws or regulations.

E. Monitoring for Security Violations

The District will not monitor electronic mail messages as a routine matter. The District will respond to legal process and fulfill its obligations to third parties. The District will inspect the contents of electronic mail messages in the course of an investigation triggered by indications of impropriety or as necessary to locate substantive information that is not more readily available by some other less intrusive means. The District may review the electronic mail communications of an employee to determine whether there have been any breaches of security, violations of company policy, or defalcations of duty on the part of the employees.

F. Targeted Access

The District recognizes the employees have an interest of privacy with regard to the electronic mail messages they send or receive. The District reserves the right to access and disclose the contents of employee electronic mail messages, but will do so only when it has a legitimate business need to do so and the urgency of the need is sufficiently strong to offset the District's commitment to honor the employee's interest in privacy.

G. Disclosure

The contents of electronic mail, properly obtained for legitimate business purposes, may be disclosed without the permission of the employee. Any disclosure without the consent of the employee who sent the message shall be limited to those employees who have a legitimate need to know.

The District will attempt to refrain from disclosure of particular messages, based on objections on the ground that publication of the message will create personal embarrassment for the employee who sent the message, unless such disclosure is required to serve a legitimate business purpose or satisfy a legal obligation.

The District may use information regarding the number, sender, recipient and address of messages sent over the electronic mail system for any proper business purpose.

H. Disclosure to Law Enforcement Officials

Reasonable effort will be made to notify an employee when law enforcement officials seek access to messages addressed to the employee or under the employee's control unless law enforcement officials obtain orders prohibiting such notice. Such notification is not necessary if the law enforcement activity relates to the possibility that the District may be the victim of a crime.

I. Approval of Access and/or Disclosure

The Chancellor or College President must approve any request for access to the contents of electronic mail to be made without the consent of a sender or recipient. The Chancellor or College President must approve the use or disclosure of information obtained from inspection or monitoring of electronic mail.

Reference:

No references

Attachments

[AP 3920 Electronic Mail - Comments](#)
[AP 3920 Electronic Mail - Legal Citations](#)
[AP3920-OLD.pdf](#)

Approval Signatures

Step Description	Approver	Date
	Policy Stat	04/2019
	Policy Stat	04/2019
	Policy Stat	04/2019
	Policy Stat	04/2019
	Policy Stat	04/2019
	Policy Stat	04/2019

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