

UNIVERSITY POLICIES & PROCEDURES

POLICY NAME: ELECTRONIC MAIL TRANSMISSION REGULATION	TEMPORARY REVIEW NUMBER: NA
CLASSIFICATION: INFORMATION TECHNOLOGY SERVICES DIVISION	SUPERSEDES:
AUTHOR: DAVID COWAN	LAST REVIEW:
AUTHORITY:	NEXT REVIEW:
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Background and Rationale

The explosion in email use on Minnesota State's campus continues with thousands of MSU students and employees having access to electronic mail. This policy was implemented in January, 1996 at a time when "global" emails were prevalent, too many of which dealt with chain letters, cookie recipes, garage sales invites, etc. An enormous amount of time was spent by email users in deleting these non-MSU related messages and far too much sever space was occupied by this type of email.

This policy established certain standards expected of those who elect to use MSU's email system. This policy was presented to student leaders and representatives of MSU's many employee bargaining units. An Email Oversight Team is now in place which is restricted to reviewing email practices, procedures and polices, and making recommendations for improvement.

The Email Oversight Team welcomes any recommendations for change at auxiliary-services@mnsu.edu

Policy Statement

Article I. Objective

To ensure that electronic mail transmissions between and among MSU authorized "email" users are consistent with state statutes limiting the use of state services and equipment to state business purposes only. This effort is consistent with existing practices governing other forms of communication on campus including telephone calls, bulletin board postings, the mass distribution of promotional flyers, and the use of intra-campus mail services.

Minnesota Statutes Chapter 43A.38, Subd. 4 - Use of State Property

An employee shall not use or allow the use of state time, supplies or state owned or leased property and equipment for the employee's private interests or any other use not in the interest of the state, except as provided by law.

Minnesota Statutes Chapter 43A.39, Subd. 2 - Noncompliance

Any employee who intentionally fails to comply with the provisions of Chapter 43A shall be subject to disciplinary action and action pursuant to Chapter 609. An appointing authority shall report in writing to

the legislative auditor when there is probable cause to believe that a substantial violation has occurred. Any person convicted of a crime based on violations of this chapter shall be ineligible for appointment in the civil service for three years following conviction.

Minnesota Statutes Chapter 609.87 thru 609.8911 - Computer Crime

[Statute deals with definitions; destructive computer programs; intentional damage to computers, computer systems, computer networks, computer software, etc.; theft of services and equipment; unauthorized computer access; gross misdemeanor and misdemeanor criminal penalties; and reporting violations.]

University Facilities and Services - Restricted Use

Faculty and staff are to use University facilities and services for University business only. Minnesota State University's services and facilities exist to support the University mission. As such, the services and facilities are to be used for educational and residential purposes. Individuals using these facilities are to use them for University business only. Similar language is contained in the IFO Labor Agreement and in the MSUAASF Agreement.

Students, who are not already on-campus part-time employees covered by the above statute citations, shall adhere to all email policies and regulations contained herein. This Campus Email Policy covers all email users within the campus community. Including email capable machines or servers connected in any way to MSU networks.

Article II. Regulation

The electronic mailing privilege is provided to members of the University community to enhance their ability to quickly and conveniently send and receive written communications and documents for the purpose of conducting University business. Use of the privileges for personal gain and for non-University related business is prohibited. (The University continues to invest significant amounts of its budget in the maintenance and improvement of electronic transmission capability, in addition to the enormous past outlays which have been made for computer hardware, software, and cabling.)

Section 1. For Profit Use Prohibited : Nonprofit Use Require Prior Approval

For profit organizations are strictly prohibited from the use of University electronic mail services. (University contract vendors like Barnes & Noble Bookstore and the Chartwell's food service shall be provided access to the University electronic mail system only upon agreement to pay MSU for these state provided services.) Nonprofit organizations may be allowed access only if the transmission has been approved in advance by the Vice President for Information Technology Services (or designee). Authorization for such access by a nonprofit organization will hinge on how closely it relates to the "state business use" standard and the organization's traditional or direct tie to the University (e.g., Minnesota State University Foundation, United Way, etc.).

Section 2. Academic Freedom Principles Apply

Commonly understood principles of academic freedom shall be applied to the administration of information transmitted by email.

Section 3. External Transmissions to MSU Email Users

The ability of the University to monitor and regulate incoming Internet transmissions is almost impossible. If unsolicited or unwanted Internet transmissions are received, email users may contact their

mail system manager so that an effort can be made to ensure that such transmissions do not reoccur from the same source.

Section 4. Political Use of Email Prohibited

Political transmissions are prohibited. This includes transmissions which advocate the election of particular candidates for public office at either the federal, state, or local level. Also banned are those messages that advocate support of, or opposition, to any particular referendum proposal that will be decided by the voters during a general or special election affecting the public at large.

Section 5. Collective Bargaining Units, Recognized Student Groups - Email Transmissions Allowed

This policy is not to be interpreted as prohibiting transmissions protected by existing employee collective bargaining agreement provisions dealing with mailing privileges nor shall it be used to deny access to Recognized Student Organizations and related student service departments who wish to announce upcoming events that may be of interest to members of the University community.

Section 6. General Standards and Guidelines

1. Personal uses of email which are prohibited include, but are not limited to: chain letters; recipes; "garage sale" announcements; solicitations or requests for contributions (e.g. needy family, special relief efforts, etc.); commercial advertisements; and advertisements for events or items for sale or rent that result in personal gain or revenue for non-University departments and programs or unapproved organizations as prohibited by provisions in Article II, Section 1 of this policy.
2. Email users are asked to take care in directing their messages to large audiences and to avoid sending repeats of the same messages as "reminders." Electronic messages sent to all MSU email users can be better targeted to smaller groups.
3. Email transmissions shall not be used in any way which violate MnSCU Board of Trustees or University policies regarding harassment. The University is not responsible for transmissions which are libelous or defamatory.
4. A user's password is the key to the email network and as such users are advised that they are responsible for the security of their respective password. There are major risks when a user's password is known to others. Transmissions made using that password are assumed to be initiated by the password's user, though managers of email systems who investigate complaints shall not automatically assume that the author of an offending transmission is the password's user.
5. Private communications between and among individuals and/or groups shall not be infringed. This includes any attempt by the University to monitor or read private communications including those that are generated from or directed to collective bargaining unit members, their representatives, and/or business agents. Exceptions are identified in Article V on "Confidentiality and/or Privacy" for specific instances where the University may exercise its responsibility to ensure the integrity of the email systems and uphold MnSCU rules, and/or state and federal laws.
6. Email managers and network system administrators are expected to treat the contents of electronic files as private and confidential. Any inspection of electronic files, and any action based upon such inspection, shall be governed by applicable federal and state laws and by University policies.

Article III. Sanctions for Violations

Complaints by any user receiving electronic transmissions through MSU machines may be submitted to any manager of a major email system or directly to the Office of the Vice President for Information Technology Services. An Email manager will investigate the complaint and make a determination on its validity. If a violation did occur the email manager shall inform the employee's immediate supervisor and make a recommendation to implement one of the following sanctions. Severity of the sanction is dependent on the nature of the violation and history, if any, of past violations. The employee's supervisor has five work days in which to approve, and or modify, the email system manager's recommendation. If no action occurs the email manager's recommendation is forwarded to the Vice President for Information Technology Services for disposition.

Section 1. Sanctions - Dependent on Severity of Violation and/or History of Past Violations

- Verbal warning.
- Discipline pursuant to appropriate collective bargaining or other employment regulations; discipline pursuant to appropriate student conduct codes.
- Warning letter to the violator formally notifying of additional sanctions if violations continue.
- Suspension of electronic mail privileges for five work days. The user would continue to receive electronic mail but would not be able to read it until after the suspension of privileges is lifted and a new electronic mail password is issued by the appropriate email manager.
- Penalty consistent with federal or state law and/or employee collective bargaining agreements. (Could involve referral of matter to criminal authorities.)

Section 2. Appeals

- Applicable appeal procedures may be implemented consistent with employee bargaining unit contracts or student conduct codes.

Article IV. Electronic Mail Oversight Team

The "Electronic Mail Oversight Team" shall review email practices, procedures and policies and may make recommendations for improvement to the Vice President for Information Technology Services. The oversight team includes the managers of major email systems and others as determined by the Vice President for Information Technology.

The team shall be convened at least twice annually and chaired by a member elected by and from among the panel members.

Article V. Confidentiality and/or Privacy

Users are advised that the privacy of data stored or sent on the system cannot be guaranteed; furthermore, there are a number of circumstances in which data stored on the system will be accessed by authorized individuals. Those circumstances include, but are not limited, to the following:

- Performing administrative tasks, such as: identifying and pursuing breaches of security mechanisms; maintaining the integrity or operational state of the email and related systems; collecting aggregate data; etc. The individual authorizing any search of a user's data must have reasonable grounds for suspecting that the search will reveal evidence that the user has violated a specific University, MnSCU Board of Trustees policy, state or federal law, or has

committed work related misconduct. The search of a user's data must be reasonably related in scope to the suspicion which generated this search.

- Monitoring use of the email and related computer systems to determine whether the policies of the University, MnSCU Board of Trustees, and/or state or federal law have been broken.
- Monitoring use of the email and related computer systems when it is necessary so that the University can provide its services or protect the rights or property of the University.

Complaint Box

An email complaint referral box has been established by the Email Oversight Team. Feel free to email your complaints or suggestions to:

[IT Services Website](#)

Policy Approval

Campus Email Policy approved 1/31/96 by President Richard R. Rush.