

Book	Policy Manual
Section	Tech III
Title	REPLACEMENT POLICY - SPECIAL UPDATE - INFO & TECH COLL. - PHASE III - DISTRICT- ISSUED STAFF E-MAIL ACCOUNT
Number	po7540.05jn
Status	
Adopted	October 28, 2008
Last Revised	September 23, 2014
Last Reviewed	October 17, 2018

### **REPLACEMENT POLICY - SPECIAL UPDATE - INFO & TECH COLL. - PHASE III**

#### **7540.05 - DISTRICT-ISSUED STAFF E-MAIL ACCOUNT**

The School Board is committed to the effective use of electronic mail ("e-mail") by all District staff and Board members in the conduct of their official duties. This policy and any corresponding procedures are intended to establish a framework for the proper use of e-mail for conducting official business and communicating with colleagues, students, parents, and community members.

As required by State law, the following statement shall be posted in a conspicuous location on the District's website:

"Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail regarding official business to the District or any of its employees. Instead, contact the District or individual employee by phone or in writing."

The District complies with all Federal and State laws pertaining to electronic mail. State and Federal law exempts certain documents and information within documents from disclosure, no matter what their form. Before electronic mail is released pursuant to a public records request, all exempt information in it must be redacted.

When available, the District's e-mail system must be used by employees for any official District e-mail communications. **(x)** Personal e-mail accounts on providers other than the District's e-mail system

(x) may be blocked at any time

( ) shall be blocked

if concerns for network security, SPAM, or virus protection arise. District staff members are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the District's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

District staff members shall not send or forward mass e-mails, even if the e-mails concern District business, without prior approval of the

( ) Director of Technology.

(x) site administrator.

( ) \_\_\_\_\_ [other].

~~District staff members may join list serves or other e-mail services (e.g., RSS feeds) that pertain to their responsibilities in the District. ( ) provided these list serves or other e-mail services do not exceed the staff member's e-mail storage allotment. ( ) If a staff member is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her building principal or the District's ( ) Director of Technology ( ) IT staff. The~~

☐ Director of Technology

☐ site administrator

☐ \_\_\_\_\_ (other)

~~is authorized to block e-mail from list serves or e-mail services if the e-mails received by the staff member(s) ☐ become excessive ☐ regularly exceed \_\_\_\_\_ megabytes.~~

Staff members are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages, appropriately saving e-mails that constitute a public record or student record and e-mails that are subject to a litigation hold (see Policy 8315 – Information Management), and purging all other e-mails that have been read. If the staff member is concerned that his/her e-mail storage allotment is not sufficient, s/he should contact the District's ~~☐ Director of Technology ☐ IF~~ Instructional Technology staff.

## Public Records

The District complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to District staff members and Board members may be public records if their content concerns District business or education records if their content includes personally identifiable information about a student. E-mails that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. E-mails that are student records must be maintained pursuant to Policy 8330 – Student Records. Finally e-mails may constitute electronically stored information ("ESI") that may be subject to a litigation hold pursuant to Policy 8315 – Information Management.

State and Federal law exempt certain documents and information within documents from disclosure, no matter what their form. Therefore, certain e-mails may be exempt from disclosure or it may be necessary to redact certain content in the e-mails before the e-mails are released pursuant to a public records request, the request of a parent or eligible student to review education records, or a duly served discovery request involving ESI.

E-mails written by or sent to District staff members and Board members by means of their private e-mail account may be public records if the content of the e-mails concerns District business or education records if their content includes personally identifiable information about a student. Consequently, staff members shall comply with a District request to produce copies of e-mail in their possession that are either public records or education records, or that constitute ESI that is subject to a litigation hold, even if such records reside on a computer owned by an individual staff member, or are accessed through an e-mail account not controlled by the District.

## Retention

Pursuant to State and Federal law, e-mails that are public records or education records and e-mails that are subject to a litigation hold shall be retained.

~~☐ E-mail retention is the responsibility of the individual e-mail user. Users must comply with District procedures for properly saving/archiving e-mails that are public records, student education records, and/or subject to a litigation hold. E-mails sent or received using the District's e-mail service ☒ are automatically retained ☐ may only be retained for a minimum of three (3) years on the server. This retention is for disaster recovery and not to provide for future record retrieval. The District does not maintain a central or distributed e-mail archive of e-mail sent and/or received. Any questions concerning e-mail retention should be directed to the ☒ Director of Technology or ☐ site administrator ☒ Record Custodian (other).~~

☒ The District maintains archives of all e-mails sent and/or received by users of the District's e-mail service. Staff members are required to forward copies of any e-mails received in their personal e-mail account(s) not affiliated with the District server to their District e-mail account so that these records are also archived for future retrieval, if necessary.

## Unauthorized E-mail

The Board does not authorize the use of its technology resources, including its computer network ("network"), to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail.

The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or

send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

Further, the Board prohibits adults from knowingly distributing to minors any material that is obscene and harmful to minors, as defined in F.S. 847.012, in any format through e-mail sent, or caused to be sent, to or through the District's network. An adult who knowingly distributes any such material to a minor through e-mail sent, or caused to be sent, to or through the District's network also commits a felony under State law, and is subject to disciplinary action to and including termination.

**Authorized Use and Training**

Pursuant to Policy 7540.04, staff members and Board members using the District's e-mail system shall acknowledge their review of, and intent to comply with, the District's policy on acceptable use and safety by signing and submitting Form 7540.04 F1 ( **x** ) annually.

Furthermore, staff members ( **x** ) and Board members using the District's e-mail system shall satisfactorily complete training ( **x** ), pursuant to Policy 7540.04, regarding the proper use and retention of e-mail ( **x** ) annually.

**© Neola 2017**

Legal	F.S. 119.011
	F.S. 257.05
	F.S. 668.60 et seq.
	F.S. 668.701 et seq.
	F.S. 847.012
Cross References	ap7540.05 - PROPER USE OF E-MAIL ACCOUNT

Last Modified by Patrick Lefere on October 17, 2018