

1 **SAN JOSE STATE UNIVERSITY**
2 **Academic Senate**
3 **Organization and Government Committee**
4 **Professional Standards Committee**
5 **April 4, 2016**
6 **First Reading**

AS 1610

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9 **POLICY**
10 **RECOMMENDATION**
11 **Amending F97-7 Modification of Policy on Electronic**
12 **Information & Communication**

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15 Resolved: That F97-7 be amended as provided on the following pages.

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17 *Rationale: The principles of privacy for electronic information and communication have*
18 *not changed since F97-7 was adopted. However, the kinds of technology involved, the*
19 *complexity of maintaining information systems, and the officers responsible for*
20 *implementation have changed. The following amendments are relatively minor updates to*
21 *keep this 19 year old policy current. The old policy continues to provide appropriate*
22 *cautionary language about assuming too much privacy when there are many legal and*
23 *technical challenges to actually securing privacy; it continues to require that SJSU will*
24 *secure as much privacy for email and electronic information as we are allowed to under*
25 *the law; it requires that individuals who must breach privacy for maintenance purposes*
26 *must maintain confidentiality to the extent possible under the law.*

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28 Approved: 2/15/16 in a different format (part of a larger package) by Organization and
29 Government

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31 Vote: 8-0-0
32 Present: Mathur, Shifflett, Beyersdorf, Becker, Romero, Laker, Curry,
33 Grosvenor
34 Absent: Gleixner

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36 Approved 3/21/16 by Professional Standards
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39 Vote: 6-0-0
40 Present: Peter, Green, White, Lee, Virick, Sandoval-Rios
41 Absent: Kauppila, Riley, Hamedi-Hagh
42 Financial Impact: No changes over the previous policy.
43 Workload Impact: No changes over the previous policy.
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Privacy of Electronic Information and Communications

The privacy of personal and professional communications and stored information is a matter of concern in an era when the speed, capacity, variety of tools, and complexity of communications and information technologies are greatly expanding. The faculty, staff, and students of San Jose State University require and deserve a reasonable degree of assurance that their e-mail, telephone calls, voice mail, or other communications, research data, academic writing, and other electronic information are transmitted and stored on University facilities with an appropriate degree of privacy and security.

No electronic system is entirely secure from unauthorized intrusions, and users are to be warned that electronic communications and information can be easily accessed by third parties. Systems administrators may inspect stored data on occasions when the integrity of the system may be jeopardized, or pursuant to legal requirements, including disclosure under the Public Records Act, discovery in civil litigation, and legal searches performed in cooperation with state and federal law enforcement authorities. In addition, for system and information security maintenance, system administrators may be required to view files and monitor content on the campus networks, equipment, or computing resources. These individuals shall maintain the confidentiality and privacy of information unless otherwise required by law or CSU/campus policy.

San Jose State University supports privacy in the use of electronic communications and information storage to the maximum extent possible under state and federal laws, consistent with computer system maintenance demands. Users of campus computing facilities are expected to use them appropriately for professional and non-commercial purposes.

In general, no third party other than the creator or designated recipient is authorized to intercept information or communications, except that inspections of electronic mail may occur for the purpose of technical problem resolution, if approved by the user or the appropriate systems administrator for the resolution of a specific technical problem or suspected misuse that is believed to endanger the integrity/security of the computer system. All electronic mail and files in authorized accounts stored on any campus computing systems shall be considered to be private and confidential, except as required by state or federal law.

The Information Security Officer shall be responsible for implementation of this policy. Campus developed standards regarding Email and Campus Communication must include guidelines that protect the privacy of electronic information and communications.

Relevant Links:

<http://www.sjsu.edu/senate/docs/F97-7.pdf>

<https://www.calstate.edu/icsuam/sections/8000/8105.0.shtml>