SAN JOSE STATE
UNIVERSITY

A campus of The California State University

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F97-7

At its meeting of December 1, 1997, the Academic Senate approved the following policy recommendation presented by David McNeil for the Professional Standards Committee.

POLICY RECOMMENDATION
PRIVACY OF ELECTRONIC INFORMATION AND COMMUNICATIONS

WHEREAS: San Jose State University, along with its faculty, staff, and students, relies heavily on the electronic transmission of communications and storage of data; and

WHEREAS: The nature of electronic information and communications technology is such that questions of privacy and security are associated with its use; therefore, be it

RESOLVED: That the following policy be implemented.

ACTION BY THE UNIVERSITY PRESIDENT

Approved
12-17-97

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, 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. Because of uncertainty about who may inspect electronic files and under what circumstances, principles concerning approved access to electronic information need to be adopted as policy and distributed to all campus users of electronic communication and information storage.

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, communications and other information transmitted or stored on campus computing facilities are the property of their authors and intended recipients, and no third party other than the creator or designated recipient is authorized to intercept such 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 computer affairs administrator or supervisor for the resolution of a specific technical problem or suspected misuse that is believed to endanger the integrity 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 Chief Information Officer shall be responsible for implementation of this policy. Each systems administrator for each campus electronic information or communications system should, in coordination with the Chief Information Officer, create guidelines for the privacy of electronic information and communications.