
ELECTRONIC COMMUNICATION

AP 8052

It is the administrative procedure of the Southwestern Oregon Community College to encourage the responsible use of electronic communication to facilitate learning, teaching, research, and other College business in support of the College mission. Strong communication allows the College to achieve its mission of promoting student success and community enrichment through commitment to our institutional priorities, specifically strengthening internal connections.

This procedure governs the use of, access to, and disclosure of electronic communications to assist in ensuring that the College's resources serve those purposes.

ALLOWABLE USE

Southwestern electronic communication systems are to be used for college business to support the College's mission. Electronic communication at Southwestern is not a right, but a privilege. All electronic communications on Southwestern Oregon Community College equipment, including but not limited to telephone, computing or networking systems, as well as any electronic communication addresses, mailboxes, voice mailboxes, or accounts assigned by the College, are the property of the College and are subject to public records laws.

Remember that your college email is never private. Any college business conducted via a personal account or device may be subjecting that account or device to a Legal discovery request or may be creating a privacy issue that violates federal FERPA requirements. Consider this scenario: John Doe, an instructor at SWOCC with the email address `doej@socc.edu`, automatically forwards email to his personal address (`john.doe@example.com`). A student emails the instructor specific questions about her last test grade and includes personally identifiable information so that the instructor can contact her. In this situation, John has potentially created a FERPA violation by forwarding that email to his `example.com` account, since he has provided protected information to a third party who can now read that email. Additionally, since John's `example.com` email address has been used to conduct public business, John's personal email and devices are now discoverable in a lawsuit and he may need to produce emails from his personal account in response to a public records request.

Electronic communications users are required to use the systems in an ethical and responsible manner and comply with all state and federal laws, and College policies. College employees must use their college assigned email for college business email communications.

Forwarding of General Employee Electronic Communication:

There may be instances in which a College employee must take an extended leave of absence which requires the forwarding of their College-operated electronic communications, including but not limited to telephone, computing or networking systems, as well as any electronic communication addresses, mailboxes, voice mailboxes, or accounts to their immediate supervisor to ensure continued operations for the department. In such cases, an Access Request should be submitted to ITS in accordance with standard practice which specifies the person or position's mailbox to be forwarded, and the immediate supervisor it should be forwarded to, as well as the expected duration of time (start and end dates) that said forwarding should occur for.

In some such instances, the employee in question may be a member of a college approved list-serv,

associated with a campus recognized bargaining unit. In these cases, the College shall notify the currently designated listserv manager as well as one other designated member. This notification should include the name and position of the employee whose mailbox will be forwarded to a supervisor, as well as the forwarding start and ends dates specified in the accompanying Access Request. In these cases, once the notification of forwarding has been received, the listserv manager shall be solely responsible the temporary removal of the employee from the listserv, as well as its restoration upon the end date of the forwarding request. Should circumstances change, the College will provide the listserv manager with an update.

PROHIBITED USE

Unacceptable uses of electronic communication systems include, but are not necessarily limited to, the following:

1. The use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses, humiliates, or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identify;
2. Disrupting or preventing a safe and positive educational or working environment.
3. Disrupting orderly operation of the college.
4. Conducting unlawful activities.
5. Sending offensive or abusive messages.
6. Downloading or sending material of a discriminatory or pornographic nature or in violation of the Board policies regarding harassment.
7. Political advocacy or campaigning activities in violation of ORS 260.432
8. Conducting any commercial activities.
9. Gathering or otherwise collecting information about others for commercial or private use.
10. Engaging in wasteful and/or disruptive practices such as conducting or forwarding illegal contests, pyramid schemes or chain letters, spamming, or overloading the system.
11. Reselling access to the Internet.
12. Forging electronic communications.
13. Intentionally transmitting computer viruses.
14. Conducting any activity which adversely affects the availability, confidentiality, or integrity of Southwestern Oregon Community College's technology.

PRIVACY AND SECURITY

Employees should know that the College will treat all messages or other information sent, received, or stored on college equipment as business messages and/or information, which the College is entitled to review, monitor, and disclose. Employees who make incidental use of the College systems to transmit personal messages should be aware that these messages will be treated no differently than business messages. Therefore, employees should not place any correspondence or information they consider to be of a personal or confidential nature on college equipment, including but not limited to disks, recorders, transmitters, computers, telephones, or other such equipment. The College may, at any time, inspect and/or retrieve all data and information stored on any equipment owned and/or operated by the College. Employees who choose to place information of a personal or confidential nature on college equipment cannot expect that the information will be kept private or confidential. Furthermore, by using the College's electronic communications systems, employees acknowledge that they are aware of and are covered by this policy.

Southwestern Oregon Community College attempts to provide secure and reliable electronic

communication services. However, secure, and reliable services do not in any way guarantee confidentiality or privacy of electronic communication, which is the electronic equivalent of sending a postcard. Confidentiality may be compromised by applicability of law or policy, unintended redistribution, network 'sniffing' and interception, or inadequacy of current technologies to protect against unauthorized access. All users should be aware of the following:

1. You should not assume confidentiality or privacy of electronic communications. It is recommended that you not send confidential College communications (as determined by law, policy, etc.) via electronic communications.
2. In the course of routine systems maintenance, troubleshooting and mail delivery problem resolution, ITS Technical Staff may inadvertently see the content of electronic mail messages. Technical Staff shall not intentionally search for electronic communication records or transactional information for violations of law or policy. However, they shall report any violations discovered in the course of their duties.
3. Electronic communication may be subject to disclosure under law. Backup copies may be retained for periods of time and in locations unknown to senders and/or recipients, even if you have deleted it from your account or PC.
4. Messages can be easily forwarded without your permission, or knowledge, to individuals or groups, even though it may violate copyright law.
5. Messages can be intercepted while in transit through the network by hackers.
6. Forwarded messages can be altered from the original.
7. Once a message is received on a machine outside of Southwestern Oregon Community College, all of the above concerns continue to apply.
8. Electronic communication is not confidential.

SYSTEM PROTECTION AND RESOURCE LIMITATIONS

The ITS technical staff at Southwestern Oregon Community College reserves the right to:

- set the amount of disk space available for electronic communications mailboxes.
- carry out necessary purges of information stored on the servers to preserve the integrity of the system.
- run virus scans and quarantine electronic communications that contain viruses.

Users are responsible for retaining their own records and therefore are advised to keep back-up copies of important documents, distribution lists, calendars, voice mail, on their hard-drives or appropriate backup media.

College employees are expected to comply with college requests for copies of records in their possession, or those for which disclosure is required to comply with applicable laws, regardless of whether such records reside on college electronic communications resources.

EMAIL RETENTION STANDARD

This standard is intended to help employees determine what information sent or received by email should be retained and for how long. The information covered in these guidelines applies to, but is not limited to, information that is either stored or shared via electronic mail or instant messaging technologies.

Retention Requirements

Email is subject to the same records and retention rules that apply to other documents and must be retained in accordance with [OAR 166-450-0000](#).

Email is one of the many methods of communicating information and does not in and of itself constitute a public record under the Public Records Act. However, information transmitted by business email may become a public record if it is made or received in the transaction of public business by a state agency.

If information transmitted by email meets the definition of a “public record”, then it may not be deleted or otherwise disposed of except in accordance with [OAR 166-450-0000](#). The retention requirement associated with any document is determined by its content, not the method of delivery. All Employees are required to follow the retention schedule for Community Colleges codified in [OAR 166-450-0000](#), as well as any applicable federal regulations.

For retention purposes, email messages generally fall into the following two categories:

Email of limited or transitory value

For example, a message seeking dates for a meeting has little or no value after the meeting. Retaining such messages serves no purpose and takes up space. Messages of limited or transitory value may be deleted when they no longer serve an administrative purpose. Other examples of transitory messages are charity campaigns, listserv messages, meeting reminders, reading or reference materials, or FYI email.

Email containing information having lasting value

Email is sometimes used to transmit records having lasting value. For example, email about interpretations of a department’s standards may be the only record of that subject matter. Such records should be transferred to another medium and appropriately filed, thus permitting email records to be purged. Examples of public records are policies and directives, correspondence related to official business, work schedules, agendas, drafts of documents that are circulated for approval, or any document that initiates, authorizes, or completes a business transaction.

Retention Methods

While methods for reviewing, storing, or deleting email may vary, compliance with the retention requirements of Oregon records requirements may be accomplished by doing one of the following:

Retention of Hard Copy: Print the email and store the hard copy in the relevant subject matter file as would be done with any other hard copy communication.

Electronic Storage of Email: Integrated Technology Services technical staff electronically store emails for seven years.

Data owners may electronically store the email in the college document imaging system so that it may be maintained and stored according to its content definition under [OAR 166-450-0000](#).

Email Backup and Recovery

Backups do not replace records retention; they are a function of Disaster Recovery. Each department must make provisions to retain documents and messages in accordance with their

departmental records procedures and applicable law.

COLLEGE PROVIDED EMAIL LISTSERVS

A *Listserv* is designed to provide an easy way to create and maintain large e-mail mailing lists. These lists can be used for the one-way distribution of information, ~~for e-mail-based discussion~~, questions and answers, etc. All listservs as with your college supplied email are not private and are subject to public records requests in accordance with state and federal law. This procedure is intended to provide guidance for all college approved listservs.

Lists are created by Integrated Technology Services (ITS) but are "managed" by an e-mail user who manages and maintains the Listserv membership list. Approved listservs will have a designated "owner" and that owner shall manage the listserv in accordance with all college policies and procedures. If the listserv is created for a campus-based organization (i.e., ASG), college department, college affiliated union represented group of employees, an *individual* within the group must be designated as the list owner. All lists "owned" by a Southwestern employee and stored on or utilizing College computers must be approved by the ITS Department's Listserv administrator prior to creation.

In the event that the College-provided listserv must be transferred from one manager to another, an Access Request form shall be submitted to ITS on behalf of the mailing list's new manager, which shall include the name of the mailing list to transfer, the name and position of the previous person who managed the mailing list, and the name and position of the newly designated mailing list manager.

In cases where the mailing list is operated by a College employee and is used directly for college business, the Access Request form shall be submitted by the person's or position's immediate supervisor in accordance with standard practice. In cases where the mailing list is hosted by the College on behalf of campus-based organization, department or college affiliated union represented group of employees (i.e., an exclusive representative employee Union) s, the Access Request shall be submitted by the manager whom is leaving the role.

Access Requests for transitions of management for College-approved listservs should be submitted two weeks prior to the date they requested to be fulfilled, or at the earliest date it is known that such transition is needed if two weeks is not possible, to ensure the ITS department has sufficient time to process the request online with standard practice for all other types of Access Request forms.

At times, a person or position who manages a college-approved listserv may experience an extended leave of absence. In the event that a temporary transition of management of a listserv is required in these instances, the existing process of submitting an Access Request for the transition of management of the listserv shall be observed, along with a notation inside the Access Request which specifies the expected duration of time (start and end dates) that such temporary transition of management to the new person or position shall be required. At the end of the specified duration the management of the mailing list shall be reverted to its original designated manager.

College Business Listservs

Several email listservs have been created and are maintained by the ITS Department. These listservs are designed to facilitate timely and cost-effective distribution of information to the campus community and are considered to be the main channels for overarching, official college news, and business.

It is the expectation that *every* employee will regularly read messages sent on college business listservs to stay current on issues impacting the college.

Approved College Business Listservs:

1. general-announce
2. MASSC-announce
3. faculty-announce
4. ptfac-announce
5. classified-announce

Goals of College Provided Business Listservs:

- By reading any of the above, a SWOCC employee will be aware of current College projects and priorities, significant policy changes, and broad-based initiatives and how to access more detailed information.
- By reading any of the above, employees will be aware of necessary, time-sensitive information that could potentially impact the individual, their Office, and/or students.
- By reading any of the above, employees will be made aware of more directed, departmental changes, updates, and efforts narrower in scope.
- By reading any of the above, employees will learn of opportunities on how to become more involved in the SWOCC community.
- By reading any of the above, employees will learn of student resources, events, student success initiatives, etc.
- By reading any of the above, employees will be informed on key issues and feel empowered to articulate the College's position.

In order for these lists to remain a reliable means of communication, it is important that members of the College community abide by a few guidelines. These guidelines are not designed to limit free speech but are intended to keep your mail volume at a reasonable level.

The College Provided Business Listservs are intended only for:

- News and updates that impact the entire College
- Emergency notification
- Announcement of deadlines
- Human Resources, Information Technology Services announcements that impact the ENTIRE College
- Announcement of changes in campus policies, procedures,
- Notification of changes in the availability of college services and/or facilities
- Board agendas/summaries
- Grant required announcements
- College-wide assessment surveys
- Closure notification

College Provided Business Listservs **are not intended** for messages of a personal nature and shall comply with ORS 244.040 (1). Examples of inappropriate use include, but are not limited to:

1. Personal opinion, public debate, or campaigning;
2. Soliciting support (financial or otherwise) for charity or special causes not connected with a sanctioned College effort;
3. Union business;

4. Giveaways, items for sale, or requests (personal property such as furniture, tickets, equipment, books, etc.);
5. Unverified "public service" announcements (such as virus alerts, unsafe products);
6. Chain letters;
7. Services offered or services sought (except for College-related services);
8. Lost and found (except when it is Southwestern property or involves time sensitive property such as keys or animals).

For all ListServ messages, the sender's audience should be considered carefully (e.g., do not send an email to all employees if you only need to reach classified staff). As with all e-mail, messages posted to listservs should be treated like a message posted to a bulletin board and not regarded as private or confidential.

Recognize that emails sent to large groups can sometimes result in multiple replies sent via "Reply All," and that this can cause inconvenience or even difficulty for some members of the college community. Employees should consider using the BCC field for messages sent to large groups. In the academic tradition of free and open discussion, employees using the BCC field for large group mailings are expected to include a statement that identifies the recipient groups (e.g., division faculty, department staff, manager group, etc.).

Non-College Business Provided Listservs

Approved College approved listservs for non-college business:

- a. Socctalk
- b. Union-announce for classified union members only (those that are paying union dues)

SOCctalk

The College provides a listserv for college employees to use to communicate non-college related items to other employees as long as the posts comply with ORS 244.040(1). Socctalk is a "catch-all" for announcements not directly related to the College. Employees are not required to read Socctalk, and an employee may request removal from socctalk by submitting an access request form to ITS through myLakerLink.

All employees have posting authority to SOCctalk. It is everyone's responsibility to keep SOCctalk an effective communication tool by using good judgment for appropriate postings. Posts that contain content that may violate college policy or procedure will be removed.

Employees should also avoid posts which violate Oregon State ethics laws for public officials. According to [ORS 244.040\(1\)](#), "a public official may not use or attempt to use official position or office to obtain financial gain or avoidance of financial detriment for the public official, a relative or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the public official's holding of the official position or office."

Because SOCctalk is only available to SWOCC employees and is a college provided listserv, it is a violation of ORS 244.040(1) to post about the following topics:

- Items for sale where financial proceeds from the sale would benefit yourself, a relative, a household member, and/or a business with which you are affiliated.
- Fundraising for an organization with which you, a relative, and/or a household member are affiliated.

- Personal opinion and public debate for relevant educational purposes. Discussions should not demean, harass, or bully.
- Campaigning.
- Union business.
- Posting cartoons, jokes, etc. that could be perceived as offensive.

Examples of appropriate SOCCtalk posts:

- Recommendations for repair services, medical providers, etc.
- Appropriate memes/jokes/amusing stories
- Information about events not related to the College such as cultural events and educational opportunities in the surrounding college community.
- Fundraisers for events or organizations with which you, a relative, and/or household member are not affiliated.

Union-announce

Union-announce has been provided to campus-based union membership through mutual agreement and in accordance with any applicable bargaining agreement. It is subject to all the same policies and procedures as any college approved listserv and is not to be considered private. It may also be subject to public records requests as it is on college-owned equipment.

The goal of union-announce is to provide a space for union members to easily access information pertaining to their union membership. Union-announce may be used to communicate announcements of events related to union members.

References:

BP5052
 FERPA
 ORS 192
 ORS 244
 ORS160-450
 ORS 260

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