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### 1.0 PURPOSE AND SCOPE

It is the policy of the State University of New York College at Old Westbury (the College) to establish guidelines for the use of its Email system by students, faculty and staff. This policy identifies employees' responsibilities, legal risks and legal requirements associated with Email, and covers personal use of the College's Email system.

### 2.0 RESPONSIBILITIES

All students, faculty and staff members are expected to comply with this policy. Each Vice President and Division Head is responsible for implementing control procedures and monitoring adherence to this policy within his/her division. The College's Internal Control Officer will periodically perform reviews to determine compliance with this policy and applicable College standards and procedures.

### 3.0 DEFINITIONS

- 3.1 A **Vice President**, for the purpose of this policy, is considered to be any of the following: the Executive Vice President; the VP of Academic Affairs; the VP of Enrollment Management Services; the VP of Institutional Advancement; the VP of Student Affairs; the Assistant to the President for Administration; and the Chief Financial Officer.
- 3.2 A **Department Head**, for the purpose of this policy, is considered to be any of the following: the Director of Public & Media Relations; the Chief of University Police; and the Chief Information Officer.
- 3.3 The **Internal Control Officer** is the College official responsible for reviewing and reporting on the College's program of internal controls, including policies and procedures, in accordance with the NYS Governmental Accountability, Audit and Internal Control Act.
- 3.4 The **Internet Security Officer** is the College official who oversees and coordinates the implementation of policies governing security and privacy on Internet and Email-related matters.
- 3.4 The **Chief Information Officer** is the College official responsible for providing computing, telecommunications technology and information technology services to the campus.
- 3.5 **College Standards and Procedures** are those policies, standards and procedures that currently exist or may be adopted in the future, as the same may be modified, amended or supplemented.
- 3.6 **Computer Resources** are all computers, including laptops and other portable computing devices and all related peripheral equipment, servers, data storage devices, communications networks, and software owned by, contracted for, or under the control of the College at any location.

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**4.0 PROCEDURE**

**4.1 LEGAL RISKS**

The College considers Email an important means of communication for the entire campus community. Therefore students, faculty, administrative personnel and other employees are obliged to use this tool in a responsible, effective and lawful manner. Although Email seems to be less formal than other written communication, users should be aware of the following legal risks associated with Email:

- a) If you send Emails with any libelous, defamatory, offensive, sexist, racist or obscene remarks, you and the College can be held liable.
- b) If you unlawfully forward confidential information, you and the College can be held liable.
- c) If you unlawfully forward or copy published articles or excerpts without the author's or publisher's permission, you and the College can be held liable for copyright infringement.
- d) If you intentionally send an attachment that contains a virus, you and the College can be held liable.

**4.2 LEGAL REQUIREMENTS**

The following rules, although not all-inclusive, are required by law and are to be strictly adhered to. It is prohibited to:

- a) Send or forward Email containing libelous, defamatory, offensive, sexist, racist or obscene remarks. If you receive an Email of this nature, you must promptly notify your supervisor who should contact the Internet Security Officer. The Internet Security Officer will contact the respective departmental Vice President or the Chief Information Officer if necessary.
- b) Send unsolicited Email SPAM messages.
- c) Forge or attempt to forge Email messages.
- d) Disguise or attempt to disguise your identity when sending Email.
- e) Send Email messages using another person's Email account.
- f) Intentionally distribute a virus throughout the College's Email system.

**4.3 PERSONAL USE**

A student or employee may use the College's Email system for incidental personal use, however, personal Emails should be held to a minimum. Incidental personal use of the College's Email system is at the sole risk of the user and the College has no responsibility for technical malfunctions or damages associated therewith. Personal use of the College's Email system is prohibited if such use:

- a) Is in furtherance of a non-College business enterprise.
- b) Interferes with the user's employment obligations.
- c) Promotes products or services for personal gain and personal business use.
- d) Results in the distribution of Email chain letters, junk mail, games and related promotions, or jokes.

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- e) Transmits material that is fraudulent, obscene, threatening, defamatory or harassing.
- f) Is for purposes of solicitation or proselytizing for charitable, religious, political or other non College business purposes.
- g) Does not comply with all applicable College standards and procedures.

**4.4. NO EXPECTATION OF PRIVACY; COLLEGE RIGHTS TO MONITOR, ACCESS AND REVIEW**  
 The College can monitor Emails without prior notification. Upon written authorization by the College President, the Internet Security Officer or others working on behalf of the College President, can initiate action to monitor and review information under this policy. By using the College's Computer Resources, including its Email system, the user:

- a) Understands there is no expectation of privacy with respect to the messages, files, data or other information, including, without limitation, Email and Internet use and usage records, on or transmitted through the Computer Resources, regardless of whether such messages, files, data or other information is identified as personal, private, confidential or otherwise.
- b) Consents to the College's unconditional right in furtherance of its legitimate business purposes, without notice to the user, to monitor, access, review, inspect, copy, delete and/or disclose such messages, files, data, and other information.
- c) Understands that all Email accounts maintained on the College's Email system are property of the College, not the user.

**4.5 DISCLAIMER**  
 A message similar to the following shall be added to each outgoing Email:

*This Email and attachment(s) are intended solely for the use of the addressee(s) and may contain legally privileged or confidential information. If you have received this Email in error please notify the sender and permanently delete the original message and attachment(s).*

Contact the College's Computing Services Department for assistance in obtaining this disclaimer.

**5.0 VIOLATION**

The College reserves the right to rescind any user's Email privilege for non compliance with this policy. Individuals or groups found in violation of this policy will undergo appropriate disciplinary procedures, including campus or legal proceedings, where appropriate.

**6.0 REFERENCES**

The College at Old Westbury's Procedure C-01, Internet Security Policy was used as an authoritative reference in the preparation of this policy.

**7.0 APPROVALS**

This policy was reviewed by the Chief Information Officer, the Internal Control Officer, the Internet Security Officer, the Chief Financial Officer, the Assistant to the President for Administration and the Executive Vice President prior to approval by the President.

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