

	FGCU POLICY 3.021	Responsible Unit: Information Technology Services
	University Email System	

A. POLICY STATEMENT

Email communications are a vital way in which members of the Florida Gulf Coast University community conduct University business. All University business email communications, including all email communications from University faculty and staff to students, must be conducted using University-issued mail accounts and originate from University Email Systems. It is the goal of the University to ensure email communications are being created, maintained, and retained consistent with University Policy and applicable law.

B. REASON FOR POLICY

The purpose of this Policy is to inform Users of the University Email System that electronic communications originating in the University Email System, University-issued email accounts, or emails discussing University business regardless of the email system, are not private or confidential and are subject to disclosure pursuant to Florida Public Records laws. Moreover, this Policy provides guidance to Users on the appropriate and inappropriate use of the University Email System, as well as provide information on the records retention requirements for University Email.

C. APPLICABILITY AND/OR ACCOUNTABILITY

This Policy applies to all Users of the University Email System, as well as those using private email systems to conduct University business. This Policy does not apply to student email accounts.

D. DEFINITION OF TERMS

1. *Public Record*: All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. The content of an email or its attachment, regardless of whether or not it is on the University Email System, is a Public Record when it meets this definition.
2. *University Email System*: The email system is a process offered and controlled by the University by which digital information (i.e. electronic mail) can be composed, sent, received, forwarded, and stored. The University Email System is used by University employees and others to communicate University business.

3. *University Email*: An electronic communication that perpetuates University business, regardless of the computer or email account through which the electronic communication is created.
4. *User*: Any person or entity assigned an email account on the University Email System (e.g. an account ending in “@fgcu.edu”). Students using student email accounts (e.g., an account ending in “@eagle.fgcu.edu”) are not Users under this definition.

E. PROCEDURES

1. User Email Accounts

a. Access

The University Email System and a University-issued email account are made available to each User in order to conduct University business. All University Email created, delivered, or received through the University Email System, including those messages of a personal nature, are the property of the University. Consequently, University Email may be accessed, copied, deleted, or reviewed by the University at any time without the consent of the person creating or receiving the email.

b. Privacy and Personal Use

Users of the University Email System should understand they have no right to privacy as to any information or messages created, received, or maintained through the University Email System. Notwithstanding, a User’s personal email and personal information contained in University Email will be afforded privacy when such University Email does not interfere with job performance, is not illegal, entails no risk of liability to the University, or is otherwise exempt from disclosure under Florida’s Public Records laws. Incidental personal use of the University Email System is permitted, to the extent that it does not interfere with work duties. However, federal and Florida law, as well as University regulations which govern the content of emails (i.e. copies of written documents, trade secrets, etc.), will be applied.

c. Email Signature Block Standards

- 1) An email signature block for use in University Email communications will contain University-related contact information only. The signature block should include:
 - a) Your Name;
 - b) Current title(s) or position(s);

- c) Department/Office name and college or division name;
 - d) FGCU mailing address and office phone number(s); and
 - e) University-related web address(es) or social media links.
- 2) Email signature block templates and instructions regarding their use may be found on the University marketing and Communications website under the Resources and Services tab. The signature block template and instructions include guidance on how to organize and present the information in consistent way and also provide approved FGCU logos and official social media account links that may be included.

3) Use of Images and Logos

Except for the FGCU logo, the FGCU Athletics Logo, the WFCU logo, University-approved department logos, and department social media icons, the use of images within the University Email signature block is not allowed.

4) Links to Third-Party Social Media Websites and Web Addresses

- a) An email signature block may contain links to the primary University social media accounts on Facebook (facebook.com/FloridaGulfCoastUniversity), Instagram (instagram.com/fgcu), Twitter (twitter.com/fgcu), and LinkedIn (linkedin.com/school/florida-gulf-coast-university) and may include up to three (3) additional links to sanctioned department social media accounts. Such social media accounts must be compliant and consistent with FGCU Policy 5.001, Social Media.
- b) Personal social media links are prohibited in your University Email signature block.
- c) The inclusion of the FGCU web address in all University Email signature blocks should be included. A second web address specific to a department or program may be added to the University Email signature block.

5) Additional Material

The University Email signature block should not include personal statements, messages, images, or links, including, but not limited to, spiritual, political, philosophical, religious, poetic, or other personal statements, messages, images, or links. Personal statements, links to professional associations or affiliations, or other non-university related programs may be included in the body of an

University Email.

2. Standard University Privacy Notice

The following notice must appear in a conspicuous place on the University's website:

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to the University. Instead, contact the University by phone or in writing.

3. Storage and Retention of University Email as a Public Record

Emails created in the course of University business are subject to Florida's Public Records laws. Each User of the University Email System is responsible for the storage, retention, and destruction of their individual emails. University Email must be stored and retained in accordance with Florida's Public Records laws and FGCU Policy 3.032, Records Management. The University's Records Management Liaison Officer (RMLO) will assist Users on the retention and destruction of emails on the University Email System. Information Technology Services (ITS) will assist Users on maintaining email archives within the University Email System.

4. Closing of University-Issued Email Accounts

- a. Each User of the University Email System, upon giving notice of their intent to leave their position, shall be responsible for preparing their University-issued email account to be retained by the University. ITS shall assist the employee in retaining the contents of their University-issued email account.
- b. Upon an employee's separation from employment with the University, the separating employee's University-issued email account is retained. ITS shall assist the supervisor in storing and retaining the contents of the separating employee's University-issued email account.
- c. A separating employee's University-issued email account will be deleted by ITS thirty (30) days following the date of separation, unless required to be held otherwise.

5. Improper Use

The following are inappropriate uses of the University Email System. Items of this nature should not be sent. This list is not exhaustive, but contains key items that will be deemed inappropriate use of the University Email System:

- a. Use of materials that contains explicit sexual content that are not necessary for University business, including academic instruction and research.

- b. Use which is illegal, contrary to the University's best interest, or which violates or conflicts with the University's regulations and policies on non-discrimination or anti-harassment.
- c. Use designed to create revenue for the sender which is not related to University business and is for personal or pecuniary gain.
- d. Use designed to send an email transmission whether inside or outside of the University Email System, such that it induces others to transmit email messages which consequently bombard the University Email System or any other email system (e.g., bombardment).
- e. Use of Internet sites, which may damage or interfere with the University's computer network, including use that generates the delivery of "junk" electronic mail.
- f. Use that misrepresents the sender or attempts to mislead the recipient to the identity of the sender (e.g., false identification).
- g. Sending a message in such a manner as to induce the sending of an increasing number of email messages (e.g., chain letters, virus hoaxes, etc.).
- h. Use intended to gather personal identification information for reasons not related to University business (e.g., "Phishing" or "Spear Phishing").
- i. Sending a message that includes or directs recipients to computer viruses, worms, or other harmful software.
- j. Activity of a partisan nature or political activity not related to the employee's authorized University duties and responsibilities.

6. Access to University-Issued Email Accounts

- a. Sharing of individual University-issued email accounts (including access password) is prohibited. A User who shares their University-issued email account will be responsible for all activity sent or received from their account.
- b. In order for a User to request access to another University-issued email account, the User must make that request to the division Vice President of the User. That Vice President will determine whether the request is necessary for University business and if so, arrange with ITS to gain access to that University-issued email account. Notwithstanding, the Chief Legal Officer, the Chief Audit Executive, and the Chief Compliance Officer may access a University-issued email account without request to or permission from any Vice President when required in furtherance of their individual duties as well as the statutory and regulatory requirements of their

respective positions.

- c. When related to an investigation, the failure to allow access to a User's University-issued email account may be grounds for disciplinary action.

7. Emails for University-wide Distribution

A User must be authorized to send University-wide emails through the All University Faculty and Staff, All Staff (A&P, SP), All Faculty, and All Adjunct email lists. A request to be authorized to access the All University Faculty and Staff, All Staff (A&P, SP), All Faculty, or All Adjunct list must be made through ITS. Notwithstanding, in the case of critical University computing system messages, ITS is authorized to send University-wide emails to any all-employee email list.

8. Computer Crimes

Unauthorized or improper use of the University Email System can be a crime under the Florida Computer Crimes Act, the federal Computer Fraud and Abuse Act, and may violate the laws concerning libel, privacy, copyright, trademark, obscenity, and child pornography. Users must comply with all applicable laws when using the University Email System.

9. Violations

Alleged violations of this Policy may be addressed through University disciplinary procedures applicable to the User. The University may also refer alleged or suspected violations of applicable law to appropriate law enforcement agencies.

Authority

Section 668.6076, Florida Statutes

BOG Regulation 1.001, University Board of Trustees Powers and Duties

BOG Regulation 4.002, State University System Chief Audit Executives

BOG Regulation 4.003, State University Compliance and Ethics Programs

FGCU Regulation 5.016, Disciplinary Actions

History of Policy

New 01/30/06; Amended 09/03/09; Amended 09/18/15; Amended 02/19/21; Amended 03/28/23

APPROVED

 *s/Michael V. Martin
Michael V. Martin, President

 March 28, 2023
Date