



# St. Cloud Technical College Policies and Procedures Chapter S5 – Administration

## S5.1 Electronic Mail and Internet Use

*Update Revision Responsibility: Dean of Library & IT*

The State of Minnesota provides a variety of electronic tools such as telephones, computers, facsimile machines, pagers, electronic mail (email) systems, Internet access and a browser for employees whose job performance would be enhanced by the technology. The State faces the challenge of making maximum use of the benefits of such tools, meeting legal requirements for access to information, and providing adequate protection for proprietary information. This policy memorandum governs access to and the appropriate use of this technology during time periods before and after work and during break periods by State employees in the executive branch.

Employee access to and use of electronic tools such as email and the Internet is intended for business related purposes. Limited and reasonable use of these tools for occasional employee personal purpose that does not result in any additional costs of loss of time or resources for their intended business purpose is permitted.

Executive branch employees are responsible for appropriate use of email and Internet access. They are expected to adhere to the highest ethical standards when conducting State business and follow the Code of Ethics and related State statutes applicable to executive branch employees. For example:

Minnesota Statute 43A.38, Subdivision 4 provides: "Use of State Property. (a) An employee shall not use or allow the use of state time, supplies, or state owned or leased property and equipment for the employee's private interest or any other use not in the interest of the state, except as provided by law.

(b) An employee may use state time, property, or equipment to communicate electronically with other persons including, but not limited to, elected officials, the employer, or an exclusive bargaining representative under chapter 179A, provided this use, including the value of time spent, results in no incremental cost to the state or results in an incremental cost that is so small as to make accounting for it unreasonable or administratively impracticable."

Minnesota Statute 433A.39, Subdivision 2 provides: "Noncompliance. Any employee who intentionally fails to comply with the provisions of Chapter 43A shall be subject to disciplinary action and action pursuant to Chapter 609."

Managers and supervisors are responsible for ensuring the appropriate use of all electronic tools, including email and Internet access through training, supervising, coaching and taking disciplinary action, when necessary.

Each agency is responsible for establishing internal policies regarding password management, encryption, data practices, monitoring access, records retention, and the like, and for communicating those policies to staff. Each agency will ensure that the responsible authorities within their agencies know who can access what, using what technology, and under what conditions.

Appropriate Use: State employees need to use good judgment in Internet access and email use. They are expected to ensure that email messages are appropriate in both the types of email messages created and the tone and content of those messages. Employee use of email and the Internet must be able to withstand public scrutiny without embarrassment to the agency or the State of Minnesota.

Examples of inappropriate use include, but are not limited to:

Illegal activities

Wagering, betting, or selling

Harassment and illegal discrimination

Fund raising for any purpose unless agency sanctioned

Commercial activities, e.g., personal for-profit business activities

Promotion of political or religious positions or activities

Receipt, storage or transmission of offensive, racist, sexist, obscene or pornographic information

Downloading software (including games, wallpaper, and screen savers) from the Internet unless agency sanctioned

Non-state employee use

The traditional communication rules of reasonableness, respect, courtesy, common sense, and legal requirements also apply to electronic communication. For example, actions that are considered illegal such as gambling and harassment are not up to the discretion of the individual agencies or individual managers or supervisors: These actions break the law whether the behavior is conducted on email or by another means of communication, and they may subject the employee to disciplinary action up to and including discharge.

Employees should be aware that they might receive inappropriate and unsolicited email messages. Any such messages should be reported immediately to the employee's supervisor and any other designated official within the employee's agency.

While employees may make personal use of State technology such as email and Internet access, the amount of use during working hours is expected to be limited to incidental use or emergency situations. Excessive time spent on such personal activities during working hours will subject the employee to disciplinary action.

Union use: In the interest of maintaining effective labor-management relationships and efficient use of State time and resources, State email systems may be used by employee

representatives of the union for certain union activities. Approved uses include posting of meeting notices, investigation and administration of grievances, contract interpretation questions, union election results, and notification of arbitration and unit determination decisions.

State owned property or services including the email system may not be used for political activities, fund raising, campaigning for union office, union organizing activities, or solicitation of employees for union membership.

Union use of electronic communication technology is subject to the same conditions as employee use of such technology, as set forth in this policy memorandum. This includes the conditions set for in the paragraph below entitled, "Monitoring."

Monitoring: Electronic communication devices such as telephones, facsimile machines, pagers, State email systems and Internet access are State property. Like other State resources, they are intended to be used for State business and other agency sanctioned activities. The State reserves the right to monitor all use of email and Internet resources at the time of use, during routine post-use audits, and during investigations.

Data that agencies maintain electronically are government data and, as such, are subject to classification and access under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. Employees should understand that electronic data are not completely secure. For example, email messages can be altered by a recipient and re-transmitted as if from the original sender, or data can be illegally accessed. They should also understand that email messages and Internet transactions, including those they delete or erase from their own files, may be backed up or recorded and stored centrally for system security and investigative purposes. They may be retrieved and viewed by someone else with proper authority at a later date. It is the user's responsibility to use care in communicating information not meant for public viewing.

Because the email and Internet systems are not secure, employees should not send any data classified as not public (private or confidential data on individuals or nonpublic or protected nonpublic data not on individuals) over the email or Internet systems unless the data are encrypted or encoded.

**Policy and Guidelines for use of the Mass E-mail Feature on the SCTC E-mail System:**

***Policy***

***In addition to distribution lists, there is a mass broadcast E-mail feature on the SCTC E-mail system that sends electronic messages to all account owners. It is one vehicle for alerting the entire campus community to events and important information that needs to be conveyed quickly. It is to be used on a limited basis so as not to become a nuisance to E-mail account owners. Mass E-mail announcements must be preapproved at the Dean's level or higher before they can be transmitted.***

**Guidelines**

***In order to be approved, a broadcast E-mail message must meet one of the criteria below. The message must:***

- Be related to the operation of the SCTC E-mail/Internet/Network systems (outages, changes, service levels, etc.).***
- Be related to campus physical plant conditions or activities for which short notice is required and most members of the campus community are affected.***
- Be of an urgent nature and affect most members of the campus community.***
- Be related to notices of special events or training sessions open to all account holders in a specific group, and for which other avenues of communication are not available or appropriate.***
- Be an official message from the College administration to alert the college community to substantial changes in governance, policy, or practice.***

Record Retention Schedules: Record retention schedules are the same regardless of the medium used to create or store the record. See M.S. 138.17. As a result, some email messages may be official records of the agency and must be retained in accordance with the agency's record retention schedule appropriate for the type, nature and content of the record. Improper disposal may subject the employee and the agency to legal sanctions and other administrative or legal consequences.

For additional policies see the MnSCU Employee Code of Conduct <http://www.mnscu.edu/board/procedure/1c0p1.html> , MnSCU Board Policy 5.22 Acceptable Use of Computers and Information Technology Resources <http://www.mnscu.edu/board/policy/522.html> and MnSCU Procedure 5.22.1 Acceptable Use of Computers and Information Technology Resources <http://www.mnscu.edu/board/procedure/522p1.html> . (For Minnesota State Colleges and Universities (MnSCU) policies and procedures, go to [www.mnscu.edu/Policies/PolicyIndex.html](http://www.mnscu.edu/Policies/PolicyIndex.html)).

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Faculty Senate President or AASC Chair: *Aaron Schlicht* Date: *11/12/08*

College President:  Date: *11/14/08*

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