UCEAP UNIVERSITY OF CALIFORNIA EDUCATION ABROAD PROGRAM

EMAIL COMMUNICATION POLICY and BEST PRACTICES

Created: 3/13/2007; rev 2016

Introduction

The University of California encourages the use of electronic communications to share information and knowledge in support of the University's mission of education, research and public service and to conduct the University's business.

The University of California's Electronic Mail Policy applies to (1) all electronic mail services provided by the University, (2) all users and uses of such services, and (3) all University records in the form of electronic mail, whether in the possession of University employees, those acting on behalf of the University, or other users of electronic mail services provided by the University.

All University of California employees, and parties acting on behalf of the University of California, are individually responsible for handling and maintaining records (including University email and other electronic records) in accordance with University policy and requirements.

As a user of University of California electronic information resources, you must become knowledgeable about relevant security requirements and guidelines and protect the resources under your control, especially sensitive data (such as passwords and confidential information). You are also responsible for familiarizing yourself with and complying with all university policies, procedures, and best practices relating to email communication.

The University of California System, Education Abroad Program (UCEAP), as mandated by UC policy, and Federal and State laws, requires UCEAP officials, and those acting on behalf of UCEAP, to take necessary precautions to protect the privacy of personal information encountered in the performance of their duties.

UCEAP strenuously attempts to protect student privacy in all communications with/about students and exercises extreme caution in using email to communicate confidential or sensitive matters among Study Centers, partner institutions, campus EAP offices, and UCEAP.

The nature of electronic mail and the public character of UCEAP's business make electronic mail less private than users may anticipate.

University of California policies indicate that email, whether or not created or stored on University equipment, may constitute a University record subject to disclosure under the California Public Records Act or other laws, or as a result of litigation. For the University's complete policy regarding email, please see: http://policy.ucop.edu/doc/7000470/ElectronicCommunications

SCOPE

The Policy and Guidelines apply to:

1. All electronic communications resources owned or managed by the University;
2. All electronic communications resources provided by the University through contracts and other agreements with the University;
3. All users and uses of University electronic communications resources; and
4. All University electronic communication records in the possession of University employees or of other users of electronic communications resources provided by the University.

OWNERSHIP

Electronic communications records pertaining to the administrative business of the University are considered public University Records, whether or not the University owns the electronic communications resources, systems or services used to create, send, forward, reply to, transmit, store, hold, copy, download, display, view, read, print, or otherwise record them. Other records, although not owned by The Regents, may also be subject to disclosure as public University Records under the California Public Records Act if they pertain to the business of the University. The California Public Records Act requires the University to disclose specified public records. In response to requests for such disclosure, it may be necessary to examine electronic communications records that users consider to be personal to determine whether they are public records that are subject to disclosure.

University of California email services may not be used to give the impression that the user represents, gives opinions, or otherwise makes statements on behalf of the University or any unit of the University, unless appropriately authorized to do so.

PRIVACY PROTECTIONS AND LIMITS

Federal and California law provide privacy protections for some information that personally identifies an individual.

The privacy of electronic communications at the University OF California is limited by: i) laws that protect the public's right to know about the public business; ii) policies that require UC faculty/staff to comply with management requests for University records in their possession; and iii) technical requirements for efficient operation of University electronic communications. Privacy and confidentiality might also be compromised by unintended redistribution or by the inadequacy of current technologies to protect against unauthorized access. Therefore, users should exercise extreme caution in using electronic communications to transmit confidential or sensitive matters.

The University recognizes that principles of academic freedom and shared governance, freedom of speech, and privacy hold important implications for the use of electronic communications. This Policy reflects these firmly-held principles within the context of the University’s legal and other obligations. The University respects the privacy of electronic communications in the same way that it respects the privacy of paper correspondence and telephone conversations, while seeking to ensure that University administrative records are accessible for the conduct of the University's business.

Users of electronic communications systems and services shall not disclose information about students in violation of the federal Family Educational Rights and Privacy Act of 1974 (FERPA), and the University policies that provide guidance in meeting FERPA requirements.

The University does not examine or disclose electronic communications records without the holder's consent. Nonetheless, subject to the requirements for authorization, notification, and other conditions specified in this Policy, the University may examine or disclose electronic communications under very limited circumstances.

University policy requires that its employees take necessary precautions to protect the confidentiality of personal information encountered either in the performance of their duties or otherwise.

PUBLIC RECORDS

Users of University electronic communications services should be aware that the California Public Records Act and other similar laws make it impossible for the University to guarantee complete protection of an individual's personal electronic communications records resident on University facilities.

The University does not automatically comply with all requests for disclosure, but evaluates all such requests against the precise provisions of the California Public Records Act, other laws concerning disclosure and privacy, and other applicable law.

UCEAP EMAIL POLICY and BEST PRACTICES

Given that so much information (both confidential and non-confidential) about students and UCEAP business circulates within UCEAP, the campus EAP offices, the Study Centers, partner institutions, and other UC campus offices (OGC, Student Health Services, Counseling and Psychological Services, Students with Disabilities, etc.), UCEAP has instituted the following policy to help protect the privacy and confidentiality of UCEAP communications.

The use of the subject line and the addition of confidentiality footer within the text of email communication

Subject Line Guidelines:

1. <u>Subject Line when the discussion in the email is not a confidential matter</u>:
   In these cases, the Subject Line should be structured as follows: [Name of student] – [Program Name]. For example, Subject Line: "John Smith – France, Lyon Year"
2. <u>Subject Line when the discussion relates to confidential matters, such as health or discipline</u>:
   In these cases, the name of the student should not be included in the subject line but it can be used in the body of the email. In these confidential cases, the Subject Line should be structured as follows: CONFIDENTIAL – [Topic]. For example, Subject Line: "CONFIDENTIAL – Letter of Reprimand, Student at HKU Fall 1213", or "CONFIDENTIAL – Psychotropic Information."

Confidentiality footer:

The use of an email confidentiality footer serves an educational/reminder function by reflecting that UCEAP values the privacy of email communication as much as the privacy of a telephone call or other correspondence. It also serves a practical purpose if there were ever a legal records request for these emails, by identifying them as potentially containing private information. Therefore, all UCEAP email

should include confidentiality footers, regardless of whether or not the UCEAP official defines the communication as confidential. This footer should read:

> ****Email Confidentiality Notice****
>
> *"This e-mail and any files transmitted with it may contain privileged and confidential information subject to privacy regulations. This information is intended solely for the use of the individual or entity to which it is addressed. If you have received this message in error, please notify us and remove it from your system."*

If you must send an email containing particularly sensitive, confidential, or privileged information, including personal remarks about a specific situation (because phone communication is inaccessible), consider manually appending notice below–usually at the top rather than the bottom of the email.

CONFIDENTIAL DOCUMENT subject to UCEAP and UC officials, and parties acting on behalf of UCEAP, privilege and work-product privilege. It is intended only for the use of the individual(s) to whom it was addressed. It must not be shown to anyone not employed by the University of California, or acting on behalf of the University of California, and must be shown to University employees on a need-to-know basis exclusively.

SUGGESTED BEST PRACTICES

Due to the high volume of e-mail communication and our dependence on its reliable delivery, it is important to follow best practices to ensure effective use of e-mail in a way that benefits the UCEAP community, from both the technical and personal aspects. Note: The University of California may access or disclose your email under specified circumstances described in the UC Email Policy.

1. **Be concise**
   Do not make an e-mail longer than it needs to be. Reading an e-mail is harder than reading printed communications. Long e-mails can be very discouraging to read.

2. **Group emails**
   When sending an email to a group of students or to parents, do not use the To: field. There are two drawbacks to this practice, as follows.

   a. The recipient knows that you have sent the same message to a large number of recipients, and

   b. You are publicizing someone else's email address without their permission.

   Use the blind carbon copy (bc) field to address messages to a group of students or parents. You can also ask permission from individuals to display their email addresses in the "To" field.

3. **Consider other modes of communication**
   Before creating an email message, consider whether it needs to be created. Can other modes of communication be more effective? E.g., telephone, in person, etc.

   a. The security and confidentiality of email cannot be guaranteed Password protections are not foolproof.

   b. Personal communications records stored on UC facilities might be treated as University records unless it is obvious that they are not.

4. **Be objective and factual. Limit personal observations and/or assumptions about others or specific situations**.
    a. Email is subject to public information requests and may be accessed during litigation or audits according to U.S. law.
    b. Do not finger point on email.
    c. Be mindful about comments made on email messages whether any other UC unit acted appropriately when advising, accepting, clearing, or sharing information about a student.
    d. Email may be subject to disclosure under the California Public Records Act.
    e. University of California could be liable if it could be easily proven that UC staff/faculty is stating, internally, that it made a mistake.
    f. Email messages are records, which may contain evidence of official University actions, decisions, approvals, or transactions.
5. **Any recipient can forward your email without your knowledge or consent**.
   The contents of forwarded messages can be changed from the original. Members of the UCEAP community are strongly encouraged to use the same personal and professional courtesies and considerations in electronic communications as they would in other forms of communication. Email messages to others should be treated with the same respect as a UC letter or memo on letterhead. Civility makes a difference on how your message is received.
6. Ask for permission from the author before sharing an email addressed to you with others.
7. Always read e-mails sent to you before questioning or assuming intentions. This may avoid misunderstandings.
8. If you can, fill in the "TO" and any "CC" email addresses last to prevent sending an unfinished message.
    a. Review your message before pressing send: Do not send messages without verifying the accuracy of your information.
    b. Always make sure that you have the correct recipient's email address before pressing send to minimize misdirected messages.
9. Do not overuse Reply to All.
10. Do not forward chain letters. It is against UC policy.

Revised: 1/2016