

March 20, 2019

MEMORANDUM

TO: State Board of Regents

FROM: David L. Buhler

SUBJECT: Adoption of Board of Regents Policy R840, *Institutional Business Communications*

Issue

Institutions are often finding employees conducting institutional business using private email services such as Gmail. This practice exposes institutions to several security and legal challenges. This policy will ensure USHE institutions collect and maintain all business email communications in the institutions' enterprise email systems for security, auditability, records management, document preservation, personnel actions, archiving and destruction, and other purposes as appropriate.

Background

Employees conducting institutional business sometimes find conveniences or other advantages of using a private email service rather than their respective institution's enterprise email service. That practice, however, can create several challenges for institutions, such as difficulty in appropriately maintaining and archiving records, responding to records requests, engaging in litigation, or maintaining strong cyber security.

This proposed policy establishes uniform controls over email business communications throughout the system, directing Institutional employees to use only the institution's enterprise email service for institutional business email communication.

Commissioner's Recommendation

The Commissioner recommends the Regents approve R840, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/KLH
Attachments

R840-1. Purpose: To ensure USHE institutions collect and maintain all business email communications in the institutions' enterprise email systems for security, auditability, records management, document preservation, personnel actions, archiving and destruction, and other purposes as appropriate.

R840-2. References

- 2.1. Utah Code §53B-1-103(2)
- 2.2. Regent Policy R121

R840-3. Definitions

- 3.1. **"Enterprise Email Service"** means the email system by which the institution engages in official business, such as @snow.edu, @uvu.edu or @utah.edu. Enterprise email service does not include a separate, affiliated email service the institution offers to alumni or other groups.
- 3.2. **"Institutional Business Email Communications"** means an email communication that an employee, officer, volunteer or other designated individual has sent as part of his or her duties on behalf of the institution, and other email communications the institution has designated as business communications.

R840-4. Policy

- 4.1. Institutions shall establish a policy that requires its employees, officers, or other designated individuals to use only the institution's enterprise email system when conducting institutional business by email.
- 4.2. The policy must specifically prohibit employees from using any private or non-enterprise email service for institutional email business.
- 4.3. Institutional employees shall maintain institutional business email communications in compliance with records retention regulations, records management regulation, or any applicable law or policy.

¹ Approved