




EMAIL & IM RETENTION POLICY

SUBJECT:	Email & IM Retention Policy
RESPONSIBLE UNIT:	Information Technology Service (ITS)
REFER QUESTIONS TO:	Information Security Office
EFFECTIVE DATE:	January 31, 2009
APPROVED BY:	 President, CSU East Bay
DISTRIBUTED TO:	Users of CSUEB Staff and Faculty Email & IM Systems

I. PURPOSE

Electronic mail (email) and instant messages (IM) have become ubiquitous services that greatly enhance communication, both internally within the CSUEB community and externally to clients, including prospective students, current students, alumni and the public at large.

This policy establishes the default retention periods for email and instant messages retained on active servers. It also confirms roles and responsibilities for implementation, including management of litigation holds.

The 2006 amendments to the [Federal Rules of Civil Procedure](#) addressing the discovery of electronically stored information, and [CSU Executive Order 1031](#), Systemwide Records/Information Retention and Disposition Schedules Implementation require institutions to establish email and IM retention policies.

II. SCOPE

This retention policy applies to:

1. All email and IM systems provided or funded (in part or in whole) by CSUEB;
2. All users and account holders of CSUEB email and IM accounts; and
3. All email and instant messages sent or received using CSUEB email and IM systems.

III. POLICY

Transitory Messages

Most email and usually all instant messaging records are created primarily for routine communication or information exchange, i.e., not university records as defined by CSU Executive Order 1031. These messages should be considered **transitory** messages that do not have **lasting value** (defined below) and should be:

1. Read and promptly deleted; or
2. Read and retained on the active server for no longer than the **default retention period** (defined below) or until their usefulness has ended (whichever occurs first), and then promptly deleted; or
3. Read and moved off the active server when job requirements necessitate retention for periods longer than the **default retention period**, and then promptly deleted when their usefulness has ended.

Examples of **transitory** messages:

- Notices about meetings or events
- Internal requests for information
- An inquiry about department course offerings or scheduling issues
- Announcements, etc.

Lasting Value Messages

When the contents of an email or instant message exhibits one or more of the following characteristics, it should be classified as having **lasting value**:

- Has **operational** value (required by a department to perform its primary function)
 - Administrative actions taken or planned
 - Reports or recommendations
 - Policies, procedures, guidelines, rubrics, or templates
- Has **legal** or evidential value (required to be kept by law)
 - Falls within a litigation hold or internal investigation (see "Litigation Holds" below)
- Has **fiscal** value (related to the financial transactions of the campus)
 - Required for financial reporting and audits
- Has **historical** significance (of long-term value to document past events)
 - May arise from exceptional age and/or some significant historical event
- Has **vital** value (critical to maintain to ensure operational continuity after a disruption or disaster)
 - Vital records or information may fall into any one of the above value categories

Messages, records, and information with **lasting value** must be retained in accordance with CSU Executive Order 1031, Systemwide Records/Information Retention and Disposition Schedules Implementation. Current retention schedules can be found at the Records/Information Retention and Disposition website (<http://www.calstate.edu/recordsretention/>).

Since email and instant messaging systems are not designed to be records retention or document management systems, email and instant messages that have **lasting value** should:

1. Be moved to dedicated storage on departmental/office networked file systems (the equivalent of an electronic filing cabinet) with pre-assigned retention periods; and
2. **Not** be stored within individual users' email or instant messaging folders/files.

Responsibility for Retention of Messages with Lasting Value

The burden of determining whether a specific message has **lasting value** should fall to the department responsible for that particular class or series of records – typically the originator or custodian of those records. Other recipients should not retain messages longer than required for their respective job purposes. When that need no longer exists, the information should be destroyed. In other words, only the department responsible for retention of a specific type of information or record shall store and control the disposition of information, including that which is in electronic form.

Questions about the proper classification (**transitory** or **lasting value**) of a specific message, record, or piece of information should be directed to the employee's unit head, manager, or department chair.

Default Retention Period

CSUEB email systems will be configured to **automatically delete** messages retained for more than **120 days** on active email servers. This auto-delete policy applies to messages within all folders (inbox folders, sent file folders, draft file folders, etc.) stored on active email servers.

CSUEB email systems will also be configured to automatically delete messages that have been marked for deletion by users but are still sitting in their "deleted items" folders for more than **7 days** on active email servers.

CSUEB IM systems will be configured to **prevent** the storage of instant messages on the servers.

All CSUEB email and IM system users are expected to:

1. Regularly check for new messages;
2. Routinely move messages with **lasting value** to dedicated storage on departmental/office networked file system; and to
3. Delete **transitory** messages as quickly as possible.

Backup Files

Backup copies of CSUEB email and IM system files will be kept for no more than 5 weeks. These backups are for system restoration and disaster recovery purposes, and are not designed to facilitate retrieval of deleted messages.

Litigation Holds

When [litigation](#) is pending or threatened against the University or its employees, the law imposes a duty upon the University to preserve all documents and records that pertain to the issues. A **litigation hold** directive must be issued to the legal custodians of those documents.

A **litigation hold** directive overrides this email and IM retention policy, as well as any records retention schedules that may have otherwise called for the transfer, disposal or destruction of relevant documents, until the hold has been cleared.

Email and accounts of separated employees that have been placed on **litigation hold** status must be maintained by the Information Technology Services (ITS) Division until the hold is released.

No employee who has received a **litigation hold** directive may alter or delete an electronic record that falls within the scope of that hold. Those employees are required to provide access to or copies of any electronic records that they have downloaded and saved, or moved to some other storage account or device.

IV. ROLES & RESPONSIBILITIES

- **Information Technology Services (ITS) Division** will:
 - Establish and publish standards for email and IM account administration, storage allocations, and automatic archiving of messages (that must be retained for periods longer than the **default retention period**) to users' local computer folders/files;
 - Provide facilities and instructions for moving messages with **lasting value** to dedicated storage on departmental/office networked file systems;
 - Provide the required end user training and helpdesk support;

- o Manage server implementations of **litigation holds** that are issued by University Counsel; and
 - o Suspend automatic deletion processes, as necessary to preserve specific electronic messages, records and information that fall within the scope of the **litigation hold**, and that reside on active servers.
- **Department heads and unit managers** are responsible for providing records retention guidance to staff and faculty within their respective units. The guidance provided must be in accordance with this policy and CSU Executive Order 1031, Systemwide Records/Information Retention and Disposition Schedules Implementation.
 - **Originators and custodians** of electronic messages, records, and information that have **lasting value** are responsible for:
 - o Appropriately identifying and retaining such records in accordance with this policy and CSU Executive Order 1031, Systemwide Records/Information Retention and Disposition Schedules Implementation; and
 - o Seeking assistance from their respective unit managers or department heads when unsure about how to categorize specific types of messages.
 - University **employees** who have been notified by management of a **litigation hold** are responsible for preserving all messages, records, and information that fall within the scope of the hold that they have downloaded and/or stored locally.

V. RELATED INFORMATION

For information about the Federal Rules of Civil Procedure, visit http://www.uscourts.gov/rules/EDiscovery_w_Notes.pdf .

For information about CSU Executive Order 1031, Systemwide Records/Information Retention and Disposition Schedules Implementation, visit <http://www.calstate.edu/EO/EO-1031.html> .

For information about Litigation Holds, see CSU General Counsel's Office presentation at http://www.calstate.edu/risk_management/events/documents/ftpt_presentations/SS07-3.pdf .

For information about configuring CSUEB's Outlook email client software for AutoArchive, visit <http://www.csueastbay.edu/its/exchange> .

For information about CSUEB's SharePoint document management system, visit <http://www.csueastbay.edu/its/training/sharepoint/home.html> .

VI. REVISION HISTORY

This policy is subject to revision in response to changes in technology or CSUEB operational initiatives.

Issue/Revision Date	Approving Committee/Official
Issue date of draft: May 12, 2007	University Information Technology (UIT) Advisory Committee
Legal Review: October 13, 2007	University Counsel (Eunice Chan)
Administrative Reviews: October 29, 2007	Cabinet & Provost Council
Shared Governance Review: November 6, 2007	ExComm & Academic Senate
Revision by Task Force: April 18, 2008	Email Retention Policy Task Force
Legal Review: April 30, 2008	University Counsel (Christine Helwick)
Review of Task Force Report: May 8,	UIT, ExComm, & Provost Council

2008	
Review of Task Force Report: May 13, 2008	Academic Senate
Final Administrative Review: May 19, 2008	Cabinet
Approved: May 19, 2008	Mohammad H. Qayoumi President, CSU East Bay