

### **Cautions in the Use of Email**

Users of Email Services should be aware of the following:

#### **1. Privacy Limitations**

Both the nature of Electronic Mail and the public character of the University make Electronic Mail less private than users may anticipate. For example, Electronic Mail intended for one person sometimes may be widely distributed because of the ease with which recipients can forward it to others. A reply to an Electronic Mail message posted on an electronic bulletin board or "listserver" intended only for the originator of the message may be distributed to all subscribers to the listserver. Furthermore, even after a user deletes an Electronic Mail Record from a computer or Electronic Mail account it may persist on backup facilities, and thus be subject to disclosure under the provisions of Section V of this Policy. The University cannot routinely protect users against such eventualities.

#### **2. Record Disclosure Requirements**

Electronic Mail, 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. However, the University does not automatically comply with all requests for disclosure, but evaluates all such requests against the precise provisions of the Act, other laws concerning disclosure and privacy, or other applicable law. Users of University Electronic Mail Services also should be aware that the California Public Records Act and other similar laws jeopardize the ability of the University to guarantee complete protection of personal Electronic Mail resident on University facilities. The California Public Records Act does not, in general, apply to students except in their capacity, if any, as employees or agents of the University. This exemption does not, however, exclude student Email from other aspects of this Policy.

#### **3. Email Content**

The University, in general, cannot and does not wish to be the arbiter of the contents of Electronic Mail. Neither can the University, in general, protect users from receiving Electronic Mail they may find offensive. Members of the University community, however, are strongly encouraged to use the same personal and professional courtesies and considerations in Electronic Mail as they would in other forms of communication.

#### **4. Validating Authenticity**

There is no guarantee, unless "authenticated" mail systems are in use, that Electronic Mail received was in fact sent by the purported sender, since it is relatively straightforward, although a violation of this Policy, for senders to disguise their identity. Furthermore, Electronic Mail that is forwarded may also be modified. Authentication technology is not widely and systematically in use at the University as of the date of this Policy. As with print documents, in case of doubt receivers of Electronic Mail messages should check with the purported sender to validate authorship or authenticity.

#### **5. Encryption of Electronic Mail**

Encryption of Electronic Mail is another emerging technology that is not in widespread use as of the date of this Policy. This technology enables the encoding of Electronic Mail so that for all practical purposes it cannot be read by anyone who does not possess the right key. The answers to questions raised by the growing use of these technologies are not now sufficiently understood to warrant the formulation of University policy at this time. Users and Operators of Electronic Mail Facilities should be aware, however, that these technologies will become generally available and probably will be increasingly used by members of the community.