

Definitions

Compelling Circumstances are circumstances in which failure to act might result in significant bodily harm, significant property loss or damage, loss of significant evidence of one or more violations of law or of University policies listed in [ECP Appendix C, Policies Relating to Access Without Consent](#), or significant liability to the University or to members of the University community.

Electronic Communications means any transfer of signals, writings, images, sounds, data or intelligence that is, created, sent, forwarded, replied to, transmitted, distributed, broadcast, stored, held, copied, downloaded, displayed, viewed, read, or printed by one or several Electronic Communications Systems. For purposes of this Policy, an electronic file that has not been transmitted is not an Electronic Communication.

Electronic Communications Records are the contents of Electronic Communications created, sent, forwarded, replied to, transmitted, distributed, broadcast, stored, held, copied, downloaded, displayed, viewed, read, or printed by one or several Electronic Communications Systems or Services. This definition of Electronic Communications Records applies equally to attachments to such records and Transactional Information associated with such records.

Electronic Communications Resources are telecommunications equipment, transmission devices, electronic video and audio equipment, encoding or decoding equipment, computers and computer time, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, and related computer records, programs, software, and documentation that supports Electronic Communications Services.

Electronic Communications Service Provider means any unit, organization, or staff with responsibility for managing the operation of and controlling individual user access to any part of the University's electronic communications systems and services.

Electronic Communications Systems or Services are any messaging, collaboration, publishing, broadcast, or distribution system that depends on Electronic Communications Resources to create, send, forward, reply to, transmit, distribute, broadcast, store, hold, copy, download, display, view, read, or print electronic records for purposes of communication across Electronic Communications network systems between or among individuals or groups, that is either explicitly denoted as a system for Electronic Communications or is implicitly used for such purposes.

Emergency Circumstances means circumstances in which time is of the essence and there is a high probability that delaying action would almost certainly result in Compelling Circumstances.

Faculty means a member of the academic community defined as Faculty by Academic Personnel Manual, APM 110-4 (15).

Holder of an Electronic Communications Record or **Electronic Communications Holder (Holder)** means an Electronic Communications user who, at a given point in time, is in Possession (see definition below) or receipt of a particular Electronic Communications Record, whether or not that Electronic Communications user is the original creator or a recipient of the content of the record.

Except for UCLA Emeritus faculty and UCLA Emeritus staff, and Registered Students, or unless pursuant to an agreement for continuing provision of an Electronic Communications Service ([including eligibility for Google Apps for UCLA services](#)), employees who have separated from the University of California are no longer the Holders of Electronic Communications Records. For students who also are employees, if they use an email account supplied by the University, once they separate from employment, the student maintains Holder status of the account while they are a registered student.

Possession of Electronic Communications Record means an individual is in Possession of an Electronic Communications Record, whether the original record or a copy or modification of the original record, when that individual has effective control over the location of its storage or access to its content. Thus, an Electronic Communications Record that resides on an Electronic Communications server awaiting download to an addressee is deemed, for purposes of this Policy, to be in the Possession of that addressee. Systems administrators and other

operators of University Electronic Communications Services are excluded from this definition of Possession with regard to Electronic Communications not specifically created by or addressed to them.

Electronic Communications users are not responsible for Electronic Communications Records in their possession when they have no knowledge of the existence or contents of such records.

Public Record means a Record as defined in [Business and Finance Bulletin RMP-1, University Records Management Program](#), any writing, regardless of physical form or characteristics, containing information relating to the conduct of the public's business prepared, owned, used, or maintained by an operating unit or employee of the university. Except for certain defined situations, such records are subject to disclosure under the California Public Records Act.

Substantiated Reason means reliable evidence indicating that violation of law or of University policies listed in the ECP Appendix C, Policies Relating to Access Without Consent, probably has occurred, as distinguished from rumor, gossip, or other unreliable evidence.

Time-dependent, Critical Operational Circumstances means circumstances in which failure to act could seriously hamper the ability of the University to function administratively or to meet its teaching obligations, but excluding circumstances pertaining to personal or professional activities, or to faculty research or matters of shared governance.

Transactional Information is information, including electronically gathered information, needed either to complete or to identify an electronic communication. Examples include but are not limited to: electronic mail headers, summaries, addresses and addressees; records of telephone calls; and IP address logs.

UCLA Authorizing Official is the UCLA administrator identified in Table 1 (Section IV.1) with the authority to approve access to a UCLA Electronic Communications user's Electronic Communications Records without the consent of the user under certain circumstances.

UCLA Emeritus is a retired UCLA employee, either member of the faculty or staff, upon whom has been conferred formal emeriti status under Regents Policy 1203, Policy on Emerita/Emeritus Title Suffix.

UCLA Health includes Ronald Reagan and Santa Monica Medical Centers, Mattel's Children's Hospital, Resnick Neuropsychiatric Hospital, UCLA Health Clinics, UCLA Faculty Group and David Geffen School of Medicine.

University Electronic Communications Record refers to a Public Record in the form of an electronic communications record, whether or not any of the electronic communications resources utilized to create, send, forward, reply to, transmit, distribute, broadcast, store, hold, copy, download, display, view, read, or print the electronic communications record are owned by the University. This implies that the location of the record, or the location of its creation or use, does not change its nature (i) as a University Electronic Communications Record for purposes of this or other University policy, and (ii) as having potential for disclosure under the California Public Records Act.

- Until determined otherwise or unless it is clear from the context, any Electronic Communications Record residing on university-owned or controlled telecommunications, video, audio, and computing facilities will be deemed to be a University Electronic Communications Record for purposes of this Policy. This *would* include personal electronic communications. Consistent with the principles of least perusal and least action necessary and of legal compliance, the University must make a good faith a priori effort to distinguish University Electronic Communications Records from personal communications in situations relevant to disclosures under the California Public Records Act and other laws, or for other applicable provisions of this Policy.

University Electronic Communications Systems or Services are Electronic Communications Systems or Services owned or operated by the University or any of its sub-units or provided through contracts with the University.