POLICY STATEMENT:

Introduction

This policy establishes the protocols for requesting access to digital content or an analysis of digital content associated with electronic accounts without the permission of the user assigned to oversee that electronic account.

Electronic accounts may include, but are not limited to e-mail accounts, electronic file storage, desktop computers, phone records, other electronic systems that store digital content on computers and other related systems associated with the Division of Information Technology. Electronic accounts and the associated content of those electronic accounts are the property of the State and may be subject to disclosure under the California Public Records Act.

This policy deals only with requests for access to digital content or an analysis of digital content not related to requests for information based on the California Public Records Act (PRA).

Applicable policies and laws

The current Appropriate Use Policy for Information Technology applies to all IT Requests for Electronic Data.

http://www.cpp.edu/~policies/information_technology/Appropriate_Use.html

Scope

Requests for access to digital content or an analysis of digital content associated with electronic accounts must be made in writing to the Vice President/Chief Information Officer (CIO). A request for this information must be authorized by one of the following:

- The University President or designee;
The Vice President/Chief Information Officer (CIO) and the account holder’s Vice President or designee; or
  o (I.E. Vice President of Administrative Affairs; Vice President of Student Affairs, Provost/Vice President of Academic Affairs)
• The California State University Chancellor or Designee

Electronic accounts are essential to conducting University business. The University will grant access to digital content or permit an analysis of digital content to be conducted without the consent of the holder of the electronic account when (1) required by and consistent with the law; (2) when there is substantial reason to believe that violations of law or University policy have taken place; (3) when there are compelling circumstances such as:
  (3 a.) under time---dependent, critical operational circumstances; or
  (3 b.) to preserve records or information consistent with a litigation hold.

A Vice President, Dean, or other management employee may request to temporarily access an employee’s Cal Poly Pomona electronic account as long as that request meets one of three criteria listed above. Access may be granted by the Vice President/CIO or designee, if it has also been authorized by the employee’s Vice President or the President, for a limited time or until the employee returns to work. If this access is granted due to compelling circumstances, the employee will be notified of the access by the Vice President/CIO or a designee. All account passwords accessed under these circumstances will be immediately reset on the return of the employee to work or when necessary.

If an electronic account holder is no longer employed by the university and if that employee is no longer expected to access their electronic account, the electronic account holder’s Vice President or the President may designate an individual to temporarily access the electronic account(s) of the former employee. This access will be granted by the Vice President/CIO or the Vice President/CIO’s designee for a period of 6 months or until the electronic account is no longer required.

**Responsibility and Implementation**

The responsibility for implementing and interpreting this Policy resides with the Vice President of Information Technology/Chief Information Officer and authorized designees.

**Definition of Selected Terms**

**California Public Records Act**: Californians have the right under the state Public Records Act and the California Constitution to access public information maintained

**Compelling Circumstances:** Circumstances in which failure to act might result in significant bodily harm, significant property loss or damage, loss of significant evidence, or significant liability to the University or to members of the University community.

**Time-dependent, Critical Operational Circumstances:** Circumstances in which failure to act could seriously hamper the ability of the University to function administratively or to meet its teaching obligations.

**APPROVED:**

President Soraya Coley, Ph. D.  
California State Polytechnic University, Pomona

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Date