

Chapter 4: PERSONNEL  
Section 7: MISCELLANEOUS

## **Email**

### Scope of Policy

This policy pertains to all employees, substitutes and contractors conducting District business via email whether on DCSD equipment or personal devices.

### Acceptable Usage

All emails using DCSD email products and services MUST pertain to DCSD business. All content may be reviewed by DCSD administration, attorneys and media through the Freedom of Information Act (FOIA).

Email is an enormous repository of information. Thousands of emails are sent and received daily with many of a confidential nature. Emails contain a wealth of information that needs to be safeguarded. Furthermore, emails are subject to the Federal Rules of Civil Procedure (FRCP) as follows:

### Federal Rules of Civil Procedure (FRCP)

*The information in emails is of such value that in December 2006, the Supreme Court in the United States made changes to the Federal Rules of Civil Procedure (FRCP), the rules that dictate what happens in federal civil cases and how discovery of information and materials relevant to civil cases is conducted. These amendments are significant; for the first time, all electronically stored information, including email, is subject to legal discovery.*

*Federal agencies, courts and attorneys may request electronically stored information that is of relevance to court litigation or forensic investigations. Failure on the part of any organization whether a business, city government, or educational institution, to provide the information, in whole or in part, could result in court sanctions, fines and loss of grants and/or federal funding.*

*Following the changes to the FRCP in 2006, educational institutions have been required to think about how and where they store digital information. As with the majority of organizations, educational institutions are ever more dependent on communication technologies for their day to day activities. Email is used to communicate with students, between members of staff, to members of various oversight committees and local, state and federal agencies and authorities.*

## Email Product and Service

As you know, DCSD migrated to a new email product (Microsoft Outlook) on January 26, 2012. Outlook is the official record for emails regarding District business. To ensure we are in legal compliance for subpoenas and e-discovery requests for various subjects, DCSD must only use Microsoft Outlook as of July 1. The history of emails on the old email system will be retained per retention policies.

Adopted: August 13, 2012

Legal Reference:  
Federal Rules of Civil Procedure