



Policy Type: Board

Category: Information Technology

Policy Name: E-Mail Policy - Board Policy 3.36

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3.36 E-MAIL POLICY (Adopted 4-10-01)

Purpose of Policy

This policy addresses access to and the disclosure of information created, transmitted, received and stored via the County's e-mail systems. Access to e-mail is provided to employees and occasionally to other persons such as authorized contractors or volunteers (collectively referred to as "employees" in this policy), to assist them to perform their work, and their use of e-mail must not jeopardize operation of the County's information systems or the reputation and integrity of the County. This policy is intended to ensure that County employees know their rights and responsibilities in using e-mail, and to ensure the appropriate, cost effective, and efficient use of County e-mail systems.

Use of the County's information systems must withstand public scrutiny. The California Public Records Act (CPRA), Government Code Section 6250, et. seq., requires the County to make all public records available for inspection and to provide copies upon request. A public record is any writing, including electronic documents, relating to the conduct of the people's business. Any information sent via e-mail may be subject to disclosure under the CPRA or requested in the process of litigation discovery. In addition, no use of licensed or copyrighted material should be made without permission from the holder of the license or copyright.



3.36.1 Appropriate Use of E-Mail

E-mail is provided as a business tool, however, its reasonable, incidental use for personal purposes is acceptable, so long as such use does not interfere with performance of work duties nor with the operation of the County's information systems.

- (A) No employee may use e-mail for inappropriate purposes, such as, but not limited to the following:
 - (1) Personal profit, including commercial solicitation or conducting or pursuing their own business interests or those of another organization.
 - (2) Unlawful or illegal activities.
 - (3) Creation or dissemination of harassing or demeaning statements toward any individual or group for any reason, including on the basis of sex, age, race, color, national origin, creed, disability, political beliefs, organizational affiliation, or sexual orientation.
 - (4) The dissemination of hoaxes, chain letters, or advertisements.
 - (5) The knowing propagation or downloading of viruses or other contaminants.
- (B) Employees should not create, send, forward, or reply to distribution lists concerning non-County business. Employees should consider the impact on the County's networks when creating and using large, work-related distribution lists.

3.36.2 Access to Messages

- (A) Employees should have no expectation of privacy in any messages sent via e-mail over the County's networks; employees should not use the system



for any messages that they wish to remain private. Any electronic information transported across the County's networks is potentially subject to access by technical support staff, and review, monitoring, and disclosure by an audit authority designated by an employee's department head (or by the County Executive with respect to usage by department and agency heads). All computer applications, programs, and work-related information created or stored by employees on the County's information systems are County property. If employees make incidental use of the e-mail system to transmit personal messages, such messages will be treated no differently from other messages.

- (B) The use of employee passwords and other message protection measures, other than those specifically authorized by the County, are prohibited. The County's authorization to use a password or other data protection measure shall not constitute consent by the County to maintain the messages as private.
- (C) This policy does not supplant the legal protections available to shield confidential, internal County communications from third party requests, such as information exempt from disclosure under the CPRA, shielded by attorney-client privilege, or subject to state law mandating confidentiality for specific subject matter.

3.36.3 Retention Policy

E-mail that is not necessary to the ordinary course of business should be routinely deleted.

3.36.4 Enforcement

Any violation of the County's e-mail policy may result in appropriate disciplinary action up to and including termination. Any improper e-mail will not be disclosed by the County to others except to the extent necessary



to consider and to implement discipline, for other employment related purposes, or to respond to litigation requests. Potential criminal conduct which is revealed by improper e-mail will be referred to the appropriate law enforcement authorities.

This section of the Board Policy Manual, in its original format, can be found at <http://www.sccgov.org/sites/bos/Legislation/BOS-Policy-Manual/Documents/BOSPolicyCHAP3.pdf>.

Related Policies

- Information Technology User Responsibility Statement - <https://iservices.sccgov.org/sccurds>
- Information Security Policies - <https://www.sccgov.org/sites/scc/gov/CountyPolicies/Information-Technology-Security-Policies.pdf>

Related Forms and Information

- Email Record Compliance – Record Retention & Destruction - [\[url\]/sites/policies/FormsrelatedtoPolicies/Email-Retention-Email-Compliance.pdf](#)
- Email Retention Tutorial Videos - <https://sccconnect.sharepoint.com/sites/techinn/pp/Pages/Email-Retention-Tutorials.pdf>

History

Date	Changes Made
10/5/2018	Links updated. (David Bruno)



County of Santa Clara

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10/5/2017	Links updated. (David Bruno)
1/29/2014	Policy uploaded. (John Myers)
4/10/2001	Policy adopted. View legislative file.