



University Operating Procedure

Stored Communications

Overview

This University Operating Procedure is intended to facilitate prompt and appropriate institutional response to requests or demands to UVM e-mail or network server administrators for stored e-mail messages and other stored electronic communications. Most e-mail messages sent or received by University faculty and staff are public records under the Vermont Public Records Act, and members of the University community should not presume that their stored communications are private. There nonetheless remains the need to ensure the prompt review of messages that may contain protected information.

Procedures

Requests or demands for access to, or copies of, stored communications, from whatever source, internal or external, must be referred immediately to the Vice President for Executive Operations. That officer or his/her designee, with the advice of the General Counsel's Office, will oversee the response to all requests for stored communications.

The Vice President for Executive Operations will consult with the Chief Information Officer or her/his designee to arrange for the retrieval of those messages that are appropriate for disclosure. Questions about retrieval or disclosure will be resolved by the Chief Privacy Officer, subject to the final approval of the Provost.

These same procedures will apply to requests to "freeze" the contents of an e-mail account or to preserve a snapshot of the contents of e-mail folders.

This University Operating Procedure is not intended to govern internal requests that are directed to unit or central business managers or to the account holder who has sent or received the requested message.

If there is any question as to whether a request or demand calls for a "stored communication" as defined below, the request should nonetheless be directed to the Vice President for Executive Operations or to the General Counsel's Office.

Definitions

Stored communications: for the purposes of this University Operating Procedure, “stored communications” refers principally to

- (a) e-mail messages, and their attachments, sent to or from a University e-mail account;
- (b) phone-mail messages stored on media maintained by, and available to, the University’s Telecommunications and Network Services;
- (c) phone-mail messages stored as e-mail attachments, or text messages transmitted by phone and stored centrally; and
- (d) generally, all messages that are stored on and retrievable from University-owned or -managed systems or services.

Contacts/Responsible Official

Questions related to the daily operational interpretation of this University Operating Procedure should be directed to:

Vice President for Executive Operations
348 Waterman Building
Burlington, VT 05405
(802) 656-8937

or

Chief Information Officer
Dean’s Office, Bailey-Howe Library, University of Vermont
Burlington, VT 05405
(802) 656-2020

The Chief Privacy Officer is the official responsible for the interpretation and administration of this policy.

Forms

None

Related Documents/Policies

Computer, Communication, and Network Technology Acceptable Use Policy

<http://www.uvm.edu/policies/cit/compuse.pdf>

Records and Documents Requests Policy

http://www.uvm.edu/policies/general_html/records_request.pdf

Subpoenas, Complaints, Warrants, and other Legal Documents Procedure
http://www.uvm.edu/policies/general_html/subpoenas.pdf

Effective Date

Approved by the Chief Privacy Officer July 22, 2014