

Electronic Mail

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

All district electronic mail systems are owned by the district and are intended for the purpose of conducting official district business only. District electronic mail systems are not intended for personal use by employees of the district and employees should have no expectation of privacy when using the electronic mail systems.

Users of district e-mail systems are responsible for their appropriate use and security. All illegal and improper uses of the electronic mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited. Use of the electronic mail system for which the district will incur an expense without expressed permission of a supervisor is prohibited.

Disclosure of confidential student records, including disclosure via electronic mail or other telecommunication systems, is governed by the Family Rights and Privacy Act (FERPA). Therefore, the sharing of student records or other confidential information with persons or agencies outside the school district via e-mail is prohibited without prior written consent of the student's parent/guardian, or without prior written consent if such actions are allowable under an exception to FERPA (See Board Policy JRC, Student Records/Release of Information on Students for detailed information on student records and FERPA). Student records and other confidential information may be shared with other district staff members via e-mail, as long as the staff member with whom the records are shared has a legitimate educational interest in the student and the records are shared for a legitimate educational purpose.

Any student records which are maintained on the electronic mail system are part of the student's record and, as such, are available for parent/guardian review and must be maintained in accordance with FERPA requirements. It is imperative that staff members who share confidential student information via the electronic mail system understand the correct use of the system, so that confidential records are not inadvertently sent or forwarded to the wrong party. Staff members who use e-mail to disclose student records or other confidential student information in a manner inconsistent with FERPA requirements may be subject to disciplinary action. Care should be taken when forwarding an electronic mail message. If the sender of an electronic mail message does not intend for the mail to be forwarded, the sender should mark the message "Do Not Forward."

Policy: EGA

The district retains the right to review, store, and disclose all information sent over the district electronic mail systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation, and to access district information in the employee's absence. In order to insure compliance with this policy the district retains the right to periodically and randomly select and review employee e-mail.

Except as provided herein, district employees are prohibited from accessing another employee's electronic mail without the expressed consent of the employee. All district employees should be aware that electronic mail messages can be retrieved even if they have been deleted and that statements made in electronic mail communications may have legal consequences.

Electronic mail sent or received by the Board, the district, or the district's employees may be considered a public record subject to public disclosure or inspection under the Colorado Open Records Act. A public record is any writing, including electronic mail messages, made, maintained or kept by the school district for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds.

Under provisions of the Open Meetings Law, electronic communications used by elected officials to discuss school district business may be deemed a meeting subject to the provisions of the Open Meetings Law.

District employees will be subject to disciplinary action for violation of this policy and regulation.

Revised: November 11, 2002

Approved: December 9, 2002

LEGAL REFS.: CRS 24-6-401 et seq. (Colorado Sunshine Act)
CRS 24-72-201 et seq. (Colorado Open Records Act)
CRS 24-80-101 et seq. (State Archives and Public Records)