

**University of Virginia's College at Wise**  
**Monitoring/Review of Employee Electronic Communications or Files Policy**

**Date:** 10/12/05

**Policy ID:** UVAW-15

**Status:** Approved

**Contact Office:** Office of Information Technology

**Oversight Executive:** Director of Information Technology

**Applies to:** All employees of the College

**Reason for Policy:** Defines College policy on institutional monitoring or review of the content of employee electronic communications or employee electronic files

**Definitions:**

**Policy Statement:** The Commonwealth of Virginia's [Human Resource Policy 1.75](#) contains the following statement: "No user should have any expectation of privacy in any message, file, image or data created, sent, retrieved or received by use of the Commonwealth's equipment and/or access." The policy states that Virginia agencies, including its institutions of higher education, have "the right to monitor any and all aspects of their computer systems" and to do so "at any time, without notice, and without the user's permission." The policy applies to all state employees, including faculty and staff of the University of Virginia's College at Wise.

**Procedures:**

The College holds as core values the principles of academic freedom and free expression. In consideration of these principles, the College will not monitor the content of electronic communications of its employees in most instances, nor will it examine the content of employee electronic communications or other employee electronic files stored on its systems except under certain circumstances. In this context, "electronic communications" includes telephone communications, so-called "phone mail," e-mail, and computer files traversing the College network or stored on College equipment.

The College Office of Information Technology reserves the right to involve the Campus Police when a request is made to audit/monitor/review the contents of any computer system and/or communications on the campus network.

Examples of when monitoring and/or review may occur include, but are not limited to, the following circumstances:

- communications or files targeted by orders of a court of law or requested in accord with the Virginia Freedom of Information Act.
- supervisor and/or Internal Audit review of College telephone system long distance call records.
- electronic communications or files that have been inadvertently exposed to technical staff who are operating in good faith to resolve technical problems. When technical staff inadvertently see or hear potentially illegal content in communications or files, they are required to report what they have seen or heard to their supervisor(s) who will then make the decision on what parties need to be involved including the Campus Police. Otherwise, the College expects technical staff to treat inadvertently encountered electronic communications and files of College employees as confidential and not subject to disclosure to anyone.
- routine administrative functions, such as backing up College data files or security tests of computing systems, including password testing by system administrators to identify guessable passwords, and investigations of attempted access into systems by unauthorized persons (system administrators and other technical staff will not access employees' electronic communications or files while performing these functions).
- situations such as:
  - Situations where there is an urgent need for access to College business documents when an employee is unavailable will require review and approval of the Vice Chancellor responsible for the affected employee(s) **or** the College Chancellor.
  - Situations where there is a need for an investigation into allegations of violations of law or policy will require review and approval of the Vice Chancellor responsible for the affected employee(s) **and** the College Chancellor.

This policy does not mean that the College has lower expectations for its employees' behavior. It expects College employees to obey all applicable policies and laws in the use of computing and communications technologies.

**Related Information:** See also Appendix A - Guidance for Vice Chancellors on University of Virginia's College at Wise Policy on Monitoring/Review of Employee Electronic Communications or Files

**Background:** Reviewed by the Vice Chancellors and Approved by the Chancellor, effective 10/12/05.