



**Guidelines for Separated Employees Electronic
Communications Records
CSUSB Information Technology Services**

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1.0 Introduction

For security reasons, all network and access to electronic communications ceases upon official separation from the University and Information Technology Services (ITS) deactivate user accounts upon receipt of separation notification based on the following.

Account Holder Affiliation	Separation Date	Account Access
Contract Faculty and Staff		Access discontinued unless pre-approved
Emeriti or Retirees		Access may continue with approval
FERP Faculty		Access may continue with approval
Full-time and Part-time Faculty		Access discontinued after 12 months
Staff or Student Employee		Access discontinued unless pre-approved
Student and Graduated Student		1 year after last eligible-to-enroll term

Except for subpoenas or search warrants, access without the account holder’s consent must be authorized in advance and in writing by the responsible authorizing officials. ITS is not authorized to reinstate any separated employee’s network and email access without written approval from the appropriate authorities. Information is retained based on the CSUSB Information Retention Schedule.

Acceptable Use Policy for Electronic Communications applies to all separated employee’s accounts.

2.0 Definition

Contract Faculty and Staff - Any faculty or staff who are formally hired by the University or University Enterprise Corporation for a specific work assignment and/or for a specified time period as outlined in a negotiated, approved contract or agreement.

Retirees - Any staff employees who are retired after meeting CalPERS eligibility and granted the rights, privileges, and benefits of retiree status with approval from the Vice President for Human Resources.

Emeritus - Any retired professor granted the rights, privileges, and benefits of emeritus status with approval from the college dean, the Provost and Vice President for Academic Affairs, and the President.

FERP Faculty - Tenured faculty members and librarians, eligible for service retirement, who participate in the Faculty Early Retirement Program and continue limited part-time teaching beyond their retirement date. FERP eligibility is five years.

Laid-off Employee - Any faculty or staff who is formally separated from the University due to lack of funds or lack of work.

Part-time Faculty - Any bargaining unit employee who is serving in a less than full-time appointment or at a less than full-time basis.

Separated Employee - Any faculty, staff, or student employee who severs employment with the University by choice, mutual agreement, end of temporary appointment, or is dismissed for reasons under Education Code 89535.

Electronic Communication Records - Any electronic communication system provided by the university, including but not limited to: Email, cloud-based storage (e.g. OneDrive, Sharepoint, Google Drive), network-based storage.

3.0 Authorizing Official

Account Holder Affiliation	Authorizing Official	Authorizes the following
Staff, Student Employee or Retirees	Vice President, Human Resources	Department/Unit Head or Dean
Full-time and Part-time, or Contract Faculty	Associate Provost, Faculty Affairs & Development	Department Chair or Dean
FERP and Emeriti Faculty	Associate Provost, Faculty Affairs & Development	Department Chair or Dean

Authorization shall be limited to the least perusal of contents and the least action necessary to resolve the situation.

4.0 Guidelines

Prior to departing the campus, separating employees should use the "Out of Office" feature to redirect incoming emails to the department office or other designee for action.

Department administrators, in preparation for an employee's separation, should coordinate with the employee to ensure continuity of business operations by

- a) Determining a department mailbox or designee to receive any future incoming messages that might require department action. Have the separating employee use the "Out of Office" feature to refer incoming business messages to the new designated mailbox.
- b) Obtaining written approval to access e-mail records prior to an employee's departure if the contents are vital to the department's operation and cannot be moved to another mailbox before departure.

In the absence of written approval, exceptions are granted only when information or correspondence vital to the department's operation is contained in a separated employee's mailbox. Exceptions are not granted for general review of mailbox contents.

4.1 Access to a Separated Employee's Mailbox

- a) For security reasons, all separated employee's network access and email accounts are deactivated based on the schedule in Section 1.0.
- b) Once separation occurs, an employee may not use their email account to conduct University business or act in any manner that portrays that the employee remains a representative of the University. This includes accessing email accounts to retrieve any messages or information and responding to messages or requests received after the separation date.
- c) In the absence of written approval to access email records, deans, department chairs, or unit administrators must obtain authorization from the appropriate Authorizing Official stating the mailbox name in which access is needed, name(s) of the individual to be given temporary access, duration that access is required, and the reason for access. Requests shall be authorized by the Authorizing Official and reviewed and approved by the Chief Information Security Officer and/or University Counsel, as appropriate.
- d) Under no circumstances will temporary access be granted for longer than 30 days. Departments are responsible for moving vital communications from the separated employee's mailbox to a new location in a quick and secure manner. Departments can use the "Out of Office" to redirect incoming messages to another mailbox.

4.2 Email Account Extensions for Separated Employees

- a) In rare situations, an extension may be granted for separated employees to access emails and files for a brief period beyond separation:
 - i) The department administrator must request an extension of access beyond the separation date through Human Resources or Faculty Affairs & Development
 - ii) The separated employee agrees to abide by all confidentiality agreement conditions of their employment
 - iii) The duration of the request may be granted for up to 14 days

- b) Exceptions must be requested by the department administrator and approved by the appropriate Authorizing Official.

4.3 Email Accounts for FERP Faculty

- a) Email accounts for FERP faculty will remain available during the entire period that the faculty is employed, including any terms during which the faculty isn't physically on campus. FERP faculty may still be conducting University business during off-campus terms.

4.4 Email Accounts for Emeriti Faculty

- a) Emeriti may retain the privilege to continue to use their email account upon approval from the college dean and the Associate Provost for Faculty Affairs and Development. The privilege shall be renewed on an annual basis.
- b) Upon request, retirees may receive a newly generated mailbox as their retiree email account.
- c) Department chairs, associate deans, or deans are responsible for notifying ITS when an existing emeritus account is no longer desired or needed.

4.5 Email Accounts for Retirees

- a) Retirees may retain the privilege to continue to use their email account upon retirement with the approval of Human Resources. The privilege shall be renewed on an annual basis.
- b) Retirees shall cooperate with department administrators to transition duties and to ensure continuity of business operations.
- c) Upon separation, retirees will receive a newly generated mailbox as their retiree email account. Retirees may request access to their previous mailbox for up to 30 days when feasible.
- d) Retirees or department administrators are responsible for notifying ITS when an existing retiree account is no longer desired or needed.

5.0 Terms, Conditions, and/or Sanctions

Separated employees granted extended use of their email account must agree to and abide by the following:

- a) The separated employee assumes all legal liability for their email messages, including but not limited to damages for defamation, negligent misrepresentation, intentional misrepresentation, and interference with business relations or contracts, as well as attorney's fees.
- b) The separated employee shall personally indemnify the State of California, the Trustees of California State University, California State University, California State University, San Bernardino, and their officers, employees, volunteers, and agents for any and all claims,

liabilities, losses, damages, costs, and expenses arising from or related to access to or use of email, as well as attorney's fees.

- c) The separated employee shall not affirmatively represent to any email recipient that they are an employee of the University, has a University title, has access to a University phone number, or has access to a University address for mail receipt.
- d) There is no right to privacy on any email account.
- e) The University maintains its right to monitor email accounts. University email accounts are subject to internal monitoring if suspicion arises that its usage violates University policy or if monitoring could be useful in an authorized investigation. Email messages may be subject to FOIA requests or subpoena.