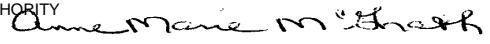
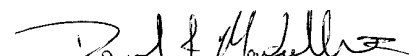
 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Use of Electronic Mail (E-Mail)</b>		NO. 2824
			DATE 07/25/2017
SUPERSEDES DIR# 2824 Dtd. 05/12/2015	DISTRIBUTION A	PAGES PAGE 1 OF 6	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directive #2011, #2810 ITS Policy No. NYS-P14-001; Executive Orders 2 and 7	APPROVING AUTHORITY  		

- I. **PURPOSE AND GOALS:** E-mail is one of the Department’s core internal and external communication methods. The purpose of this policy is to ensure that e-mail systems used by Department staff support Agency business functions to their fullest capacity. This policy advises staff and management of their responsibilities and provides guidance in managing information communicated by e-mail.
  
- II. **ACCESS TO E-MAIL SERVICES:** E-mail services are requested by the direct supervisor for a new or current employee by contacting the Computer Security Coordinator (CSC) responsible for reviewing and authorizing this access. The supervisor may request internal DOCCS mail access and/or, if appropriate, e-mail access that allows for outside communications via the ITS NYSE-mail system.  
  
 Requests that are processed by the CSC and approved by the Facility Superintendent, Department Head, or Area Supervisor will be forwarded to Central Office Information Technology Services (ITS) Account Access Services (AAS) Unit for final review and processing. Additional information and guidelines relating to the access of all available DOCCS computer resources is available by referencing Directive #2810, “Information Security Policy” and ITS policy No: NYS-P14-001 “Acceptable Use of Information Technology Resources” which may be found at [www.its.ny.gov](http://www.its.ny.gov).
  
- III. **USE OF E-MAIL**
  - A. E-mail services, like other means of communication, are to be used to support Departmental business. Staff may use e-mail to communicate informally with others in the Department so long as the communication meets professional standards of conduct. Authorized staff may use e-mail to communicate outside of the Department when such communications are related to legitimate business activities and are within their job assignments or responsibilities and the employee has been authorized for network e-mail access that allows outside communications. Staff will not use e-mail for illegal, disruptive, unethical, or unprofessional activities for personal gain, or for any purpose that would jeopardize the legitimate interests of the State.  
  
 Pursuant to Governor Cuomo’s Executive Order No. 2, “Review, Continuation and Expiration of Prior Executive Orders,” one of the Executive Orders issued by former Governor David A. Patterson that is being continued is Executive Order No. 7, issued June 18, 2008, “Prohibition against Personal Use of State Property and Campaign Contributions to the Governor,” employees should make themselves familiar with this mandate, in particular, the section pertaining to the personal use of State property as contained in Section B, “Prohibition Against the Personal Use of State Property;” paragraph (d), which states;

*“State computers shall be used only for official business, except that state computers may be used for incidental and necessary personal purposes, such as sending personal electronic messages, provided that such use is in a limited amount and duration and does not conflict with the proper exercise of the duties of the State employee.”*

- B. E-mail may be used for limited communications between local union representatives for general union business such as scheduling membership meetings, informing the Union membership of upcoming meetings between labor and management as well as what topics will be on the agenda for said meetings. Furthermore e-mail may also be used for local union representatives to communicate with management about issues related to the labor management process, provided they have an existing e-mail account. E-mail may not be used to promote union issues or for union campaign purposes. E-mail accounts are established to meet Agency operational needs. E-mail accounts will not be established to facilitate union representative communications. The use of e-mail to promote, advertise or solicit for any political party, entity, or cause is strictly prohibited.
- C. E-mail may not be addressed and transmitted to all correctional facilities (other than job postings and directive distributions) unless it has been reviewed and approved by the appropriate Central Office Executive Staff member.
- D. All employees with e-mail access should check for incoming messages on a regular basis. Outlook e-mail accounts, maintained by the Office of Information Technology Services (ITS), are considered “stale” when an e-mail has not been sent from the account for 30 days. Mailboxes are inactivated when an e-mail is not sent within 59 days. Facility Superintendents and Community Supervision Bureau Chiefs will be notified on a bi-weekly basis of “stale” mailboxes and provided instructions for retaining mailboxes if necessary.
- E. All e-mail communication will be in Arial font, size 12, color black.

#### **IV. UNACCEPTABLE USES OF INFORMATION TECHNOLOGY RESOURCES<sup>1</sup>**

- A. Using state information technology resources to circulate unauthorized solicitations or advertisements for non-state purposes including religious, political, or not-for-profit entities;
- B. Using state information technology resources for commercial or purposes in support of “for-profit” activities or in support of other outside employment or business activity (e.g., consulting for pay, business transactions);
- C. Propagating chain letters, fraudulent mass mailings, spam, or other types of undesirable and unwanted email content using state information technology resources.

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<sup>1</sup> Information Technology Resources are defined as “equipment or services used to input, store, process, transmit, and output information, including, but not limited to, desktops, laptops, mobile devices, servers, telephones, fax machines, copiers, printers, internet, email, and social media sites.”

## V. OCCASIONAL OR INCIDENTAL PERSONAL USE

- A. Occasional or incidental personal use of information technology resources is permitted, provided such use is otherwise consistent with this policy and the requirements of Executive Order No. 7<sup>2</sup>, is limited in amount and duration, and does not impede the ability of the individual or other users to fulfill the State Entity's responsibilities and duties, including but not limited to, extensive bandwidth, resource or storage utilization. State Entity may revoke or limit this privilege at any time.
- B. For example, users may make occasional and incidental personal use of information technology resources to schedule a lunch date, cancel a sports practice, check their bank accounts or other personal investment, or to communicate with a volunteer charity organization.
- C. Your judgment regarding incidental and occasional personal use is important. While this policy does not attempt to articulate all required or proscribed behavior, it does seek to assist in the exercise of good judgment by providing the above guidelines. If you are unclear about the acceptable "personal" use of a state-provided resource, seek authorization from your immediate supervisor.

**VI. GUIDELINES FOR PERSONAL USE OF SOCIAL MEDIA:** Staff should be sensitive to the fact that information posted on social media sites clearly reflects on the individual and may also reflect on the individual's professional life. Consequently, staff should use discretion when posting information on these sites and be conscious of the potential perceptions of and responses to the information. It is important to remember that once information is posted on a social media site, it can be captured and used in ways not originally intended. It is nearly impossible to restrict, as it often lives on in copies, archives, back-ups, and memory cache.

## VII. ELECTRONIC E-MAIL SIGNATURE

- A. An employee signature is not required for all e-mail communication;
- B. All employees with e-mail access who choose to utilize an electronic signature will create a signature that will be identical in format as other account holders;
- C. E-mail signatures will contain the employee's name, title, agency, division (optional), facility, area office, address, contacts and website address.

**Sample: Central Office/Division/Facility/Area Office/Board of Parole**

**Name (Arial, bold, size 12, color black)**

Title (Arial, regular, size 10, color black)

Department of Corrections and Community Supervision (Arial, bold, size 10, Grey 93/126/149)

Division Name/Facility/Area Office/Board of Parole (Arial, regular, size 10, color black)

Address (one line) (Arial, regular, size 10, color black)

Phone Number 1 Phone Number 2 | E-mail Address (Arial, regular, size 10, color black)

[www.doccs.ny.gov](http://www.doccs.ny.gov) (Arial, regular, size 10, Grey 93/126/149)

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<sup>2</sup> Executive Order No. 7 **Prohibitions Against Personal Use of State Property and Campaign Contributions to the Governor** states, among other things, that: State computers shall be used only for official business, except that state computers may be used for incidental and necessary personal purposes.

**VIII. VIOLATIONS OF E-MAIL USE:** Non-compliance with this policy may result in a violation of the Department's Employee's Manual and/or other related directives. Staff should report any misuse of the Department's e-mail system or violations of this policy to their Supervisor or appropriate Department staff.

**IX. PRIVACY, CONFIDENTIALITY, AND ACCESS**

- A. E-mail messages are not personal and private. The Department can neither assure the privacy nor the confidentiality of e-mail messages that may be created, sent, or stored. E-mail system administrators will not routinely monitor individual staff member's e-mail and will take reasonable precautions to protect the privacy of e-mail. However, program managers and technical staff may access an employee's e-mail:
1. For a legitimate business purpose (e.g., the need to access information when an employee is absent for an extended period of time);
  2. To diagnose and resolve technical problems involving system hardware, software, or communications; or
  3. To investigate possible misuse of e-mail when a reasonable suspicion of abuse exists or in conjunction with an approved investigation.
- B. A staff member is prohibited from accessing another user's e-mail without his or her permission.
- C. E-mail messages sent or received in conjunction with Agency business may:
1. Be releasable to the public under the Freedom of Information Law (FOIL); and
  2. Require special measures to comply with the Personal Privacy Protection Law.
- D. All e-mail messages including personal communications may be subject to discovery proceedings in legal actions.

**X. SECURITY:** E-mail security is a joint responsibility of technical staff and e-mail users. Users must take all reasonable precautions, including safeguarding passwords, to prevent the use of the account by unauthorized individuals.

**MANAGEMENT AND RETENTION OF E-MAIL COMMUNICATION:** Applicable to records communicated via e-mail: E-mail created in the normal course of official business and retained as evidence of official policies, actions, decisions, or transactions are records subject to records management under the Arts and Cultural Affairs Law and specific program requirements and may be subject to disclosure under NYS FOIL Law. See Directive #2011, "Disposition of Departmental Records."

Mainframe e-mail is not archived and the retrieval of deleted messages from this system is a costly and unreliable process. Therefore, any user of the mainframe e-mail system is required to print and retain any e-mail that is to be included as part of an official record. Such e-mails include policies/directives, official correspondence, work schedules and assignments, meeting agendas, drafts circulated for review, and final reports/recommendations.

## XI. RECORD RETENTION

- A. Any e-mail message (mainframe or IP-based) that is needed to meet operational, legal, audit, research, or other requirements shall be printed and filed with related paper records and other documentary materials. Such e-mail records shall be retained and managed in an existing, accessible filing system, outside the e-mail system, in accordance with the appropriate program unit's standard practices.
- B. Records communicated via e-mail will be disposed of within the recordkeeping system in which they have been filed in accordance with a Records Disposition Authorization (RDA) approved by State Archives and Records Administration (SARA). Program managers should consult with the Agency Records Management Officer concerning RDA's applicable to their program's records. See Directive #2011, "Disposition of Departmental Records."

Users should:

1. Dispose of copies of records in e-mail after they have been filed in a recordkeeping system;
2. Delete records of transitory or little value that are not normally retained in recordkeeping systems as evidence of Agency activity.

E-mail is not archived. Any user of the system is required to print and retain any e-mails that are required to be included as part of an official record including policies/directives, official correspondence, work schedules and assignments, meeting agendas, drafts circulated for review, and final reports/recommendations.

## XII. ROLES AND RESPONSIBILITIES

- A. Agency Executive Management: Will ensure that policies are implemented by program unit management and unit supervisors. Program unit managers and supervisors will develop and/or publicize recordkeeping practices in their area of responsibility including the routing and format of records communicated via e-mail. They will train staff in appropriate use and be responsible for ensuring the security of physical devices, passwords, and proper usage.
- B. State Office for Information Technology Services: Are responsible for e-mail security, backup, and disaster recovery.
- C. Superintendent, Division Heads, or Area Supervisor: Are responsible for notifying the CSC when an employee leaves (transfers, retires, resigns, etc.) and no longer requires e-mail access at their particular facility or office. The CSC is then responsible for notifying ITS.
- D. All E-mail Users Should:
  1. Be courteous and follow accepted standards of etiquette;
  2. Protect others' privacy and confidentiality;
  3. Protect their passwords;
  4. Remove personal messages, transient records, and reference copies in a timely manner; and
  5. Comply with Agency and unit policies, procedures, and standards regarding Departmental communications.

**XIII. POLICY REVIEW AND UPDATE:** The Deputy Commissioner for Administrative Services and the Associate Commissioner for Population Management will periodically review and update this policy as new technologies and organizational changes are planned and implemented. Questions concerning this policy should be directed to the Deputy Commissioner for Administrative Services.

Statewide technology policies, standards, and guidelines may be found at the following website:

<http://www.its.ny.gov/tables/technologypolicyindex>