

New York Institute of Technology Faculty and Staff Email Retention Policy

November 2013

I. PURPOSE

As electronic mail (email) has become the primary form of communication at NYIT and throughout the world, the volume of messages continues to rise exponentially. This creates a severe burden on NYIT's email servers and networks and has other collateral effects including exposing a growing volume of information to potential security breaches and large court litigation costs resulting from the requirement that litigants search and review electronic data as part of the discovery process. Email remains an important communication tool, but it should not serve as a filing or record retention management system.

This NYIT Faculty and Staff Email Retention Policy brings the institution into compliance with legal and regulatory requirements, while improving NYIT's operational efficiency and effectiveness.

II. SCOPE

This policy applies to all email accounts on NYIT email servers, including NYIT faculty and staff at all NYIT campuses worldwide. Any faculty or staff member found to have violated this policy may be subject to disciplinary action, up to and including termination.

III. POLICY

This NYIT Faculty and Staff Email Retention Policy establishes a maximum one-year retention period for email stored on NYIT email servers. The only exception is for email accounts which are subject to litigation hold notices issued by the Office of the General Counsel.

Messages and/or attachments that need to be preserved, either pursuant to [NYIT's Record Retention](#)

[Policy \[https://my.nyit.edu/group/policies-and-procedures/internal-audit-and-process-reengineering \]](https://my.nyit.edu/group/policies-and-procedures/internal-audit-and-process-reengineering) or for other reasons, must be retained outside the email system.

IV. PROCEDURE

A. Automated Deletion of Emails

Commencing on Tuesday, Jan. 17, 2014, NYIT email systems will automatically and permanently delete messages older than one year on active email servers. The deletion will be done daily on a rolling basis. This means that on Jan.17, 2014, all emails dated on or prior to Jan. 17, 2013 will be deleted, on Jan.18, 2014, emails dated Jan. 18, 2013 will be deleted, and so on. This automatic deletion policy applies to messages within all folders (inbox, sent, drafts, located in all Outlook folders, etc.) on NYIT faculty and staff email servers.

B. Email Retention

Emails and/or attachments that need to be retained for longer than one year should be archived to file folders on an NYIT central file server (X: or Z: drives). They may also be printed and retained in paper form, but this is not encouraged. Electronic storage on network drives has the added advantage of improving access to institutional records and allowing for enhanced indexing and search functions.

The value of an email message is determined by its informational content. The length of time for which it is retained is based on its value to NYIT in conducting its business activities, complying with its legal rights and obligations, fulfilling fiscal requirements, and in some cases documenting the history of the institution. Users should refer to the current [NYIT Records Retention Policy \[https://my.nyit.edu/group/policies-and-procedures/internal-audit-and-process-reengineering\]](https://my.nyit.edu/group/policies-and-procedures/internal-audit-and-process-reengineering) for guidance on the required retention periods for particular categories of documents (including emails and email attachments).

Users are encouraged to delete messages that do not need to be preserved as quickly as possible. Under no circumstances should users save emails to local hard drives, home computers or portable media such as CDs, DVDs, or USB Drives. Forwarding emails to personal email accounts is also not acceptable. To assist in the management and enforcement of this policy, all users are expected to exclusively use their NYIT issued email address in connection with NYIT business, including academic matters.

Offline tape (backup) copies of NYIT faculty and staff email system files are kept for six months. These backups are for system restoration and disaster recovery purposes, and are not designed or intended to facilitate retrieval of deleted messages.

C. *Litigation Holds*

When litigation against NYIT or its faculty and staff is pending or reasonably expected, NYIT personnel may receive a litigation hold notice from the Office of the General Counsel instructing the addressees to preserve all documents and records relevant to the matter being litigated.

A litigation hold directive overrides this email retention policy, as well as any record retention schedules that may have otherwise called for the transfer, disposal or destruction of relevant documents, until the hold has been cleared.

No faculty or staff member who has received a litigation hold notice may alter or delete an electronic record that falls within the scope of that notice. A litigation hold may also cover other electronic records that the user has downloaded, saved, or moved to other folders or devices.

D. Roles and Responsibilities

- The Office of Information Technology and Infrastructure will:
 - Provide facilities and instructions for moving messages that users determine should be preserved to storage on Z: drive file systems
 - Provide facilities and instructions for moving email messages that users have identified as being related to departmental matters onto X: drive file systems
 - Manage technical implementations of litigation holds that are issued by the Office of the General Counsel
 - Suspend automatic deletion processes as necessary to preserve specific electronic messages, records and information that fall within the scope of the litigation hold, and that reside on active servers.
- Department heads and managers are responsible for reviewing records retention policies and providing guidance to staff and faculty within their respective units. The guidance provided must be in accordance with this policy.
- All staff and faculty are responsible for:
 - Appropriately identifying and retaining records to be preserved in accordance with this policy
 - Seeking assistance from management when unsure about how to categorize specific messages.
 - Keeping email messages for their entire retention period in accordance with the NYIT Records Retention Policy and deleting them thereafter.
 - Deleting messages that do not need to be preserved.
- NYIT faculty and staff who have been notified by the Office of the General Counsel of a litigation hold are responsible for preserving all messages, records, and information falling within the scope of the hold.
- The President is solely responsible for authorizing any waivers to this policy.

V. INQUIRIES

Direct inquiries regarding this policy, including implementation of email retention and destruction, to:

New York Institute of Technology
Information Technology and Infrastructure
Green Lodge, Suite #204
PO Box 8000
Old Westbury, NY 11568-8000
Phone: 516-686-1400

Direct inquiries regarding the content of emails to be preserved, pursuant to the NYIT Document Retention Policy or a litigation hold notice, to:

New York Institute of Technology
Office of the General Counsel
Tower House, B14
PO Box 8000
Old Westbury, NY 11568
Phone: 516-686-7792