

AUP - Privacy and Confidentiality

Acceptable Use Policy – Privacy and Confidentiality

Confidentiality of Accounts and Communication

Valparaiso University provides computers, networks, network connections, and other telecommunication services to support the work of teaching and learning, conducting research, completing University tasks, and conducting the affairs of the University. The University reserves the right to access, review, and monitor electronic communications, computer files, and computer usage in any case where there is cause to believe these resources are being used for activity that is illegal or in violation of the Valparaiso University Honor Code ("Honor Code") or the Valparaiso University Appropriate Use Guidelines ("Appropriate Use Guidelines").

IT staff members will not gratuitously scan others' communications, files, or usage; and the University specifically disclaims responsibility for the content of any individual's communications and files that are not manifestly related to University business.

In the normal course of managing computer and network resources, an IT staff member may incidentally become aware of content of certain communications or files, or of certain usage patterns. In the event an IT staff member becomes aware of any information that suggests activity that is illegal or in violation of the Honor Code or the Appropriate Use Guidelines, that staff member is honor bound to report it to proper authority.

University employees must understand that University computing and communication accounts (including, but not necessarily limited to file spaces, e-mail accounts, and voice mail accounts) are presumed to be used for University business. In situations where an employee leaves the employ of the university, that employee's accounts and any information remaining therein shall be considered the property of the University as of the departure date of that employee.

In addition, in circumstances where university business requires immediate access to information known to exist in an employee's account, and that employee is not available, access to the employee's accounts may be granted for the sole purpose of gaining access to the needed information. For the purposes of this paragraph, "not available" shall be taken to mean that the employee cannot be contacted via normal means of communication sufficiently soon to enable the University to protect the health, safety, or legal interests of the University or persons associated with the University, as determined by appropriate authority and agreed by the Provost's Office and/or the President's office.

IT staff will also provide access to centrally-stored communications and files at the written request of duly constituted authority having jurisdiction over any investigation of activity that is illegal or in violation of the Honor Code or Appropriate Use Guidelines. All members of the University community should be aware that the University has the capability of retrieving computer information, including but not limited to electronic mail messages, files, and information about Internet sites visited.

When sources outside the University request an inspection and/or examination of any University owned or operated communications system, computing resource, and/or files or information contained therein, the University will treat information as confidential unless any one or more of the following conditions exist:

- When approved by the appropriate University official(s) or the head of the Department to which the request is directed
- When authorized by the owner(s) of the information
- When required by federal, state, or local law
- When required by a valid subpoena or court order

Note: When notice is required by law, court order, or subpoena, computer users will receive prior notice of such disclosures.

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