

# Procedure: 3.3.13p. (II.C.13)

## Business Email Archiving, Retention and Investigation Procedure

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### I. PURPOSE:

Business email archiving and retention involves storing in an unalterable format for a specified amount of time all electronic messages processed by any TCSG or college email system used for employee business email communications. This procedure sets a standardized searchable storage system for retention and retrieval of all electronic correspondence to, from, or within TCSG/college business email systems in a manner that is consistent with federal requirements.

### II. RELATED AUTHORITY:

O.C.G.A. § 20-4-11 – Powers of the Board

O.C.G.A. § 20-4-14 – TCSG Powers and Duties

### III. APPLICABILITY:

All work units and technical colleges associated with the Technical College System of Georgia.

### IV. DEFINITIONS: N/A

### V. ATTACHMENTS: N/A

### VI. PROCEDURE:

#### A. Retention and retrieval system:

1. To meet retention guidelines and comply with e-Discovery requirements, every TCSG entity which operates a business email system will implement a TCSG-approved searchable email retention and retrieval system which stores unalterable copies of all email correspondence processed by their business email systems.
2. All employee business email correspondence must utilize the TCSG, Quick Start or college Microsoft Exchange email system. This includes all correspondence with students with the exception of broadcast messages to classes sent via an online classroom format.
3. Archived messages will be transported and stored in an encrypted format readable only by TCSG, the college or their designees.
4. The archiving system will allow selected mailboxes to be marked for legal holds providing for storage for an indefinite period of time during legal proceedings (see VI.C. below).
5. The retention period for all email messages not subject to legal holds will be 60 months.

6. All archived messages will be accessible for retrieval for the full retention period, after which they will be purged from the archive.
7. PST file storage and POP3 mail access will be disabled.

B. Investigations involving archived messages:

1. Access to messages of other employees for investigative purposes will be achieved by the following:
  - a. Request must be submitted via email to the appropriate Information Security Administrator by a member of the college's senior management team or the System office executive committee. The request must contain the name of the requesting party, the subject and purpose of the investigation.
  - b. If the requesting party is not the Commissioner or College President the ISA will obtain approval via email from the Commissioner/President or his/her designee prior to providing the information.
  - c. The ISA will notify the local HR Director and the TCSG Information Security Officer that an investigation is underway, the name of the mailbox being investigated, the name of the requestor and the reason for the investigation. The TCSG ISO will notify the TCSG Director of Human Resources.
  - d. The HR Director at the college or TCSG will notify the subject of the investigation that the contents of his/her email account will be investigated.
  - e. A temporary access account will be created with access to the mailbox under investigation. The temporary access account will be deleted once the investigation is completed.

C. Litigation holds:

1. Where TCSG or the college is the subject of litigation, there are special requirements related to electronic document retention (including emails).
2. Upon receipt of an ante litem notice, summons, complaint or other notice that TCSG or the college may be the subject of litigation, the receiving party is to contact the TCSG Legal Office.
3. The TCSG Legal Office will then issue a Litigation Hold Notice to the party of the lawsuit instructing the college to retain all documents which might be relevant to the lawsuit in their original state. Printing out and retaining only paper documents is not sufficient.
4. The archiving system discussed herein allows certain mailboxes to be marked for legal holds.
5. At the completion of litigation, the TCSG Legal Office will issue a letter indicating that the Litigation Hold on these documents has been lifted and the documents will return to their ordinary retention schedule.

**VII. RECORD RETENTION:**

Litigation Hold Notice – retained for 2 years after the completion of the litigation.