NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
124

EMAIL MANAGEMENT

Supersedes: AR 124 (Temporary, 11/04/14)
Effective Date: 8/19/15

AUTHORITY

NRS 239; NRS 378; NRS 209.131

RESPONSIBILITY

The Director is responsible for review and approval of a policy relative to use of the Department's electronic mail (email) system, and potential transmittal of public records within the Department's email system so as to comply with approved retention schedules, and established Records Management practices.

All users of the Department's email system are responsible for compliance with the policy for dealing with the Department's email system.

124.01 DEPARTMENTAL EMAIL TRANSMITTAL OF INFORMATION

1. Email in itself is not a public record, but merely a means of transmission of information.

2. The Department does not have the information technology resources to maintain, store, or migrate email in accordance with the various records retention schedules the Nevada State Library and Archives (NSLA) assigned to Department records.

3. Department email users will not create or maintain electronic versions of emails as public records. Department email users will identify public record emails within the parameters of this regulation.

4. The Department's electronic email retention file will be purged every ninety (90) days.

124.02 DEPARTMENTAL EMAIL TRANSMITTAL OF POTENTIAL PUBLIC RECORDS

1. Department email users will be responsible for identifying emails which potentially constitute or contain public records.

2. Department email users that determine that an email contains a public record, must determine if they as the sender/receiver have the official record copy.

3. Department email users that determine emails sent or received contain public records, and that have the official copy, will print out such emails to be maintained in the Department's public records files pursuant to the appropriate NSLA record retention schedule.

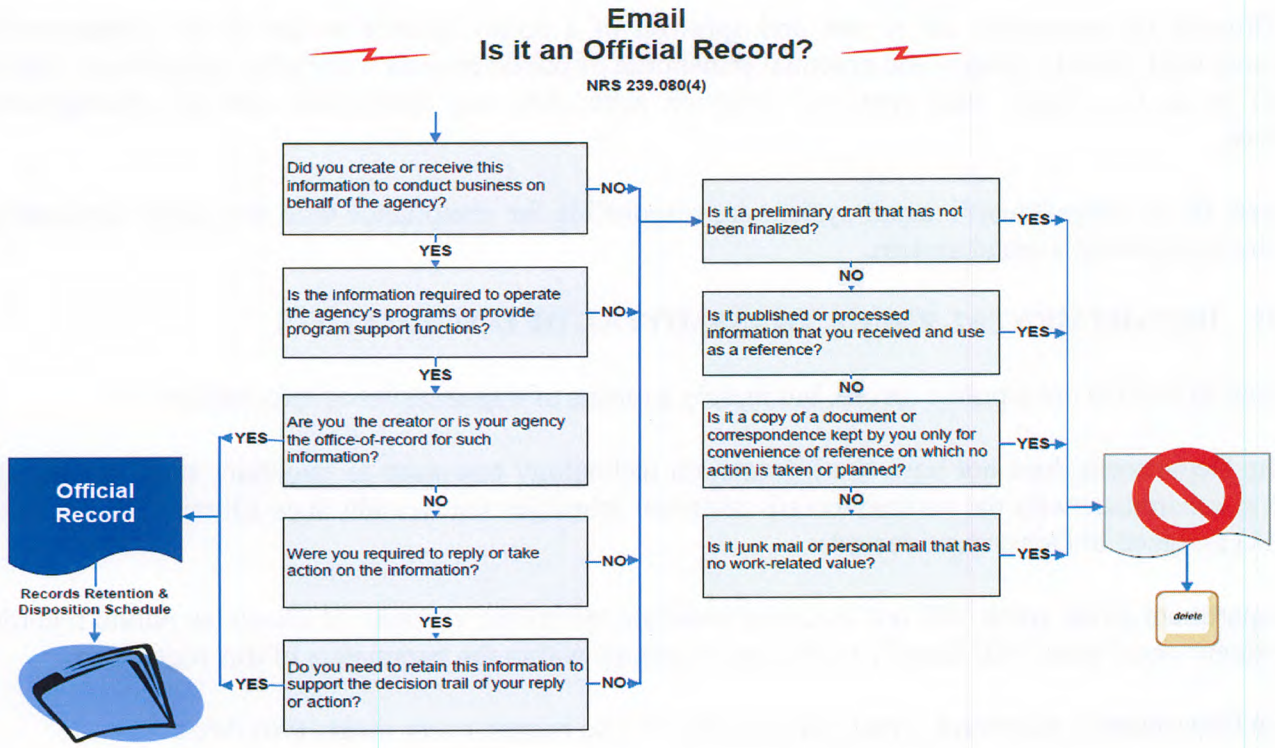
124.03 GUIDANCE ON IDENTIFICATION OF PUBLIC RECORDS WITHIN EMAILS

1. Specific guidance and training on identification of public records potentially contained within emails, is contained within the State Records Program "*Guidelines for Developing a Policy for Managing Email*" attached.

2. An electronic version may be downloaded from: *http://nsla.nv.gov/Records/Resources/Resources_Main/*

124.04 DETERMINING THE CONTENT OF AN EMAIL

1. Use the following chart to determine if an email potentially contains a public record:



124.05 USE OF THE DEPARTMENT'S EMAIL SYTEM

1. The Department's email system should be restricted to current communications and should not be used as a repository for old messages.

2. All Department email users will include the disclaimer below to the closing section of their emails:

"This message, including any attachments, is the property of the Nevada Department of Corrections and is solely for the use of the individual or entity intended to receive it. It may

contain confidential and proprietary information and any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient(s) or if you have received this message in error, please contact the sender by reply email and permanently delete it."

3. Department employees should not conduct any Department business on private email accounts, e.g. Gmail, Yahoo, AOL, or any other private internet provider accounts. Any correspondence and/or documents created or received in private email accounts could potentially be accessible, i.e., subject to public records requests and/or discovery. Print and file official communications received in or sent from a private email account that contain public records must meet NSLA retention requirements.

4. Division or institution wide emails must be authorized by the respective Division Administrator or Warden. If approved, the Division Administrator or Warden will forward the email to the help desk for distribution to that division or institution.

5. Department-wide emails must have prior approval for distribution from a Deputy Director or Director. If approved, the Deputy Director or Director approving the email (or support staff) will forward the email to the help desk for distribution department-wide.

APPLICABILITY

1. This Administrative Regulation does not require an operational procedure.

2. This Administrative Regulation does not require an audit.

REFERENCE

Nevada State Library and Archives publication "*Guidelines for Developing a Policy for Managing Email*"

Director

8/19/15
Date