COMMONWEALTH OFFICE OF TECHNOLOGY Office of the Chief Information Officer Enterprise Policy (CIO)		Page 1 of 2
CIO–084: E-mail Review Request Policy		
EFFECTIVE DATE: 03/28/2005	**REVISED:** 08/23/2021 03/11/2024	**REVIEWED:** 08/23/2021 03/11/2024

I.   PURPOSE

The Commonwealth Office of Technology (COT), Office of the Chief Information Security Officer (CISO), is responsible for establishing procedures for agencies to follow when requesting a review of a staff member's e-mail account.

II.   POLICY

The COT Security Forensics Investigations Branch, within the Office of the CISO, is responsible for providing documentation on the contents of a staff member's e-mail account to an agency, upon receipt of a properly authorized request. The purpose of this policy is to provide information for cabinets/agencies to follow when requesting e-mail review documentation.

E-mail, created or maintained by public agencies, meets the statutory definition of a public record in Kentucky. E-mail is also available to appropriate agency management for review of their staff's electronic communications and activities. The process of obtaining a staff member's e-mail account will be handled by COT with appropriate sensitivity and will be in accordance to all applicable privacy limitations.

An agency may request a review of a staff member's e-mail account by using the ServiceNow **Email Review Request** catalog offering that is initiated by the agency.

The ServiceNow workflow requires the request be initiated by the subject staff member's direct manager or above and must be approved by executive management within the staff member's management chain. The ServiceNow workflow is then sent to the requesting cabinet's Legal Office for review and approval. The request will not be completed by COT until all appropriate approval is obtained.

Upon final approval, COT will provide the requestor, or the individual identified as the Agency Legal Counsel/Contact with documentation concerning the staff member's e-mail account. Once the documentation has been provided to the agency, it is the agency's responsibility to maintain the documentation as an official copy. Due to the large volume of e-mail that COT manages daily, COT is not responsible for storing, retaining, or regenerating this documentation.

If the requested email is not present in the staff members current e-mail folders (including the "Deleted Items" folder) it may not be recoverable. If an E-mail is deleted by the custodian of the email, the email will only be retained up to ninety days from the creation date. E-mail that was deleted (and purged) by the staff member prior to ninety days before the request will not be available.

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III. CORRECTIVE OR DISCIPLINARY ACTION

Each agency shall ensure that all relevant staff within their organizational authority are aware of and comply with this policy. The agency is responsible for enforcing it. Unauthorized and/or neglectful actions regarding this policy may result in disciplinary action up to and including dismissal. COT may require additional service charges for remediation efforts due to non-compliance with this policy.

IV. APPLICABILITY

All executive branch agencies and non-executive branch agencies using COT-managed infrastructure or services shall adhere to this policy. This includes employees, contractors, consultants, temporaries, volunteers, and other workers within state government. Organizations may modify this policy to fulfill their responsibilities but must obtain approval through an exception request. Staff should refer to their internal

V. REFERENCES

Helpful references can be found on the Enterprise IT Policies webpage.