Attachment 2
2022 Data Access Report

April 14, 2023

Dr. Donald Saucier, President
Kansas State University Faculty Senate

Dear President Saucier:

The Electronic Mail Policy, PPM 3455, requires the Chief Information Officer to report annually to the Faculty Senate regarding cases where permission to access data was granted per this policy. The relevant portion of section .020 from the policy is:

> *The University encourages the use of electronic mail and respects the privacy of users. Nonetheless, electronic mail and data stored on the University's network of computers may be accessed by the University for the following purposes:*
>
> *For items a-g, the extent of the access will be limited to what is reasonably necessary to acquire the information and/or resolve the issue.*
>
>   a. *troubleshooting hardware and software problems,*
>   b. *preventing unauthorized access and system misuse,*
>   c. *retrieving University business related information, ***
>   d. *investigating reports of alleged violation of University policy or local, state or federal law,***
>   e. *complying with legal requests (e.g.; court orders) for information, ***
>   f. *rerouting or disposing of undeliverable mail,*
>   g. *addressing safety or security issues.*
>
> ** The system administrator will need written approval, including e-mail, indicating the extent of access that has been authorized from the Chief Information Officer or designee, to access specific mail and data for these purposes.*

The three conditions that require CIO and appropriate Vice President approval are described in items c, d, and e above. Cases where a terminated employee's access is removed before the normal expiration of such privileges fall under category b, preventing unauthorized access, and do not require approval. However, the approval of the CIO is normally requested under those circumstances.

During calendar year 2022, the CIO granted permission for the following 16 cases (note there were 21 cases in 2020, 15 cases in 2019, 30 cases in 2018, 18 cases in 2017, 36 cases in 2016, 36 cases in 2015, 19 cases in 2013, 28 cases in 2012):

Item d: 8 cases – three investigations into stolen devices at the request of KSUPD; two investigations into alleged policy violations by employees; one investigation into computer tampering requested by KSUPD; one request by the Honor and Integrity System to investigate student actions; one investigation into inappropriate handling of confidential data.

Item e: 8 cases – five requests to preserve relevant email evidence related to existing or pending lawsuits per the federal rules for civil procedure (aka eDiscovery); three cases were in response to federal subpoena.

Please contact me if you have any questions.

Sincerely,

Gary L. Pratt
CIO