



Office of Information Technology Services

State Capitol P.O. Box 2062
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Office of Information Technology Services Policy	No: ITS-P21-005
ITS Policy: Offboarding and Automatic Deprovisioning of Mailbox and Home drive(s)	Updated: 09/11/2023
	Issued By: NYS Office of Information Technology Services Owner: Division of Legal Affairs

1.0 Purpose and Benefits

The Office of Information Technology Services (ITS) is entrusted with managing the data of ITS supported agencies. Part of managing this data means maintaining a standardized process for proper data sanitization of email and home drive data upon State employee, contractor, or consultant separation. This policy establishes a collaborative workflow that involves ITS technical staff, Enterprise eDiscovery Services, and Client Agency legal counsel, or their designee.

2.0 Authority

Section 103(10) of the State Technology Law provides ITS with the authority to establish statewide technology policies, including technology and security standards. *Section 2 of Executive Order No. 117¹*, issued January 2002, provides the State Chief Information Officer with the authority to oversee, direct and coordinate the establishment of information technology policies, protocols and standards for State government, including hardware, software, security and business re-engineering. Details regarding this authority can be found in NYS ITS Policy, [*NYS-P08-002 Authority to Establish State Enterprise Information Technology \(IT\) Policy, Standards and Guidelines.*](#)

¹ All references to Executive Order 117 refer to that which was originally issued by Governor George E. Pataki on January 28, 2002 and continued by Executive Order 5 issued by Governor Eliot Spitzer on January 1, 2007, Executive Order 9 issued by Governor David A. Patterson on June 18, 2008, Executive Order 2 issued by Governor Andrew M. Cuomo on January 1, 2011, and Executive Order 6 issued by Governor Kathy Hochul on October 8, 2021.

3.0 Scope

This policy applies to ITS, its employees, contractors, consultants, and ITS supported agencies (“Client Agency”).

This policy applies to data repositories assigned to a specific user.

4.0 Information Statement

ITS Enterprise eDiscovery Services (EES) is a Business Unit within the Division of Legal Affairs (DLA) under the leadership of the Chief General Counsel. EES provides legal preservation services to ITS and Client Agencies for both email and non-email electronically stored information (ESI). To assist ITS and Client Agencies in meeting their legal preservation obligations, including those associated with investigations, litigation, administrative matters, and statutory requirements, EES has established legally defensible protocols around data collection, preservation, transfer, and destruction. To ensure ITS and Client Agencies are able to meet their legal obligations on this topic, it is imperative that all ITS business units consult with EES as outlined in this policy.

4.1 Mailbox Deprovisioning upon Employee, Contractor, or Consultant Separation

This policy is intended to supplement the Inactive Mailbox Management Process, dated May 2016 and as amended April 2020, attached in Section 9 of this document.

After a state employee, contractor, or consultant leaves state service or transfers to another state agency, the user’s mailbox will automatically begin the deprovisioning process and will be purged within 60 days of the separation date. This process will also automatically remove the user’s email address from all associated distribution groups and the statewide Global Address List (GAL).

The deprovisioning process described above **does not apply** to email data that has been placed on a **legal hold** by a Client Agency’s legal counsel, or their designee, through use of the electronic preservation mechanisms available through the ITS-managed email system. If a Client Agency’s legal counsel encounters issues with placing a legal hold on a user’s mailbox, a request for support must be sent to the ITS EES team at its.sm.ees@its.ny.gov.

4.2 Home Drive Destruction upon Employee Separation

After a state employee, contractor, or consultant leaves state service or transfers to another state agency, the user’s home drive data will be purged one (1) year from the separation date.

Should a user’s home drive data be required for either business continuity or legal preservation, the requesting Client Agency’s legal counsel, or their designee, **must** send a formal request to EES at its.sm.ees@its.ny.gov. Material placed on a legal hold

is retained until such time as the Client Agency’s legal counsel, or their designee, purges the preserved data.

5.0 Compliance

This policy shall take effect upon publication. Compliance is required with all ITS policies and standards. ITS may amend its policies and standards at any time; compliance with amended policies and standards is required.

6.0 Definitions of Key Terms

Except for terms defined in this policy, all terms shall have the meanings found in <http://www.its.ny.gov/glossary>.

7.0 Contact Information

Submit all inquiries and requests for future enhancements to the policy owner at:

Division of Legal Affairs - EES
Reference: ITS-P21-005
NYS Office of Information Technology Services
State Capitol, ESP, P.O. Box 2062
Albany, NY 12220
Telephone: 518-473-5115
Email: its.sm.ees@its.ny.gov

ITS policies, standards, and guidelines may be found on the Inside Edge at:

<https://its.ny.gov/policies>

8.0 Revision History

This policy shall be reviewed at least once every two years to ensure relevancy.

Date	Description of Change	Reviewer
09/03/2021	Issued policy	Division of Legal Affairs
09/11/2023	Updated Policy	Division of Legal Affairs

9.0 Related Documents

**OFFICE 365 INACTIVE MAILBOX MANAGEMENT
PROCESS EFFECTIVE MAY 2016
AMENDED APRIL 3, 2020**

This document describes the process for agency and ITS management of Office365 mailboxes (the “May 2016 Inactive Mailbox Management Process”). The May 2016 Inactive Mailbox Management Process became effective in May 2016 and updated certain key features of the inactive mailbox management process previously issued in January 2015.

The following chart contains a high-level description of the how the May 2016 Inactive Mailbox Management Process works with respect to Office365 mailboxes that are inactive after 30 days:

30 DAYS:	60 DAYS:	90 DAYS:
<p>NO OUTGOING MAIL ACTIVITY</p> <ul style="list-style-type: none"> *mailbox appears on stale report sent to agency shared mailbox *mailbox still receives mail *owner/named user can login and send mail to remove from stale status *agency can submit ticket to indicate leave of absence to remove from stale status (through day 59) 	<p>NO OUTGOING MAIL ACTIVITY</p> <ul style="list-style-type: none"> *mailbox remains on stale report *mailbox is removed from the Global Address List/does not receive mail 	<p>NO OUTGOING MAIL ACTIVITY</p> <ul style="list-style-type: none"> *mailbox is deleted *account and data are not recoverable *keeping a mailbox after 90 days of no outgoing mail activity by owner requires prior notice to ITS; you will be billed retail rates to keep the mailbox

**The process described above does not apply to content in a mailbox that has been placed on a legal hold by agency counsel. Legal holds are placed by agency counsel when counsel identifies email content that must be preserved for legal purposes. Material placed on a legal hold is retained until such time as the agency’s counsel determines it is no longer legally necessary to retain it and releases the legal hold.

ITS Reports to Agency Designees

Consistent with the pre-existing process that commenced in January 2015 and has operated continuously since then, ITS will continue to generate and provide regular reports identifying inactive mailboxes for agency review. Consistent with the pre-existing process, agencies continue to be required to designate staff to monitor a shared mailbox for purposes of receiving bi-weekly reports of accounts that have become stale.² Most agencies have already designated staff for this purpose pursuant to the pre-existing process, and these staff continue

² Please note that agencies will continue to receive reports of employees and consultants that ITS has been notified are separating, along with the date such accounts are scheduled to be deleted.

to have access to the appropriate shared mailbox to ensure compliance with the May 2016 Inactive Mailbox Management Process. If you wish to add a designee, or make changes your agency's designee(s), please notify ITS at its.sm.EES@its.ny.gov.

How the standard process for de-activating inactive Office365 accounts will work

The May 2016 Inactive Mailbox Management Process is triggered when *the owner (named user) of an email account has not sent email from the account* for 30 days.

A report listing these mailboxes is generated twice each month and sent to the agency's shared mailbox described above so that accounts can be reviewed by the agency designee(s) and be placed on legal hold, or otherwise maintained, if necessary.

For 30 days, the user will continue to have access to the mailbox, it will continue to receive email, and email content will continue to be retained pursuant to any retention rules that are set within Office365. *If a user sends email from his mailbox within these 30 days, the mailbox is no longer stale, and the account will be removed from the report and will not be scheduled for deletion.* This 30-day period gives the agency sufficient time to make sure that, where necessary, the mailbox and its contents are maintained. For example, a user may be out on extended medical or other authorized leave, which explains why they have not accessed their mailbox for 30 days. If a user is on such a leave, the agency should enter a ticket in ITSM indicating a leave start and end date, and ITS will take an action to identify that the account is not considered stale during that identified time period.

If no action is taken to identify the account is not stale, on day 60, the mailbox will be removed from the Global Address list, will no longer receive mail, and all the contents of the mailbox will be scheduled to be emptied on day 90, with the following exception: if the content within any mailbox is placed on legal hold by the agency prior to account de-activation on day 60, the email content will remain intact and accessible through the Office365 eDiscovery Center. Agencies will need to use the Office365 eDiscovery features to place a legal hold on any such accounts. Mailboxes that remain stale through day 90 will be emptied and the license recovered. Data from an emptied mailbox that was not placed on legal hold using the Office365 eDiscovery features while the account was active cannot be recovered at this point.

Reviewing reports

Mailboxes are identified for de-activation either at the request of agency Human Resources/Personnel Office pursuant to the agency's standard separation process management, or because the named user has not sent email from the mailbox for at least 30 days. Both of these types of accounts will be listed in reports regularly sent to your agency's shared mailbox for which your agency has designated staff to review. By regularly issuing these reports to agencies, agency program areas and agency General Counsels can validate that there are no programmatic, business or legal reasons to maintain the account or preserve its contents, including compliance with records retention requirements. The agency may take action to preserve an account that appears on its stale mailbox reports, or the contents of an account appearing on such reports, by taking the steps outlined in this Inactive Mailbox Management Process.