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E-mail Archiving Is Here

State and federal regulations say that e-mail is public record. Do you have a way to store and recall your district's electronic communications?

By Charles Kishpaugh

Whether you are anticipating a lawsuit or simply complying with State and Federal record retention laws and Freedom of Information requirements, exceptional record retention is mandatory. The Supreme Court implemented new Civil Procedure rules clearly stating that digital records are records subject to e-discovery. At least 32 United States District Courts have enacted special rules addressing electronic discovery. State and federal courts across the nation are clearly defining that digital information (e-mail) is a record like any other and must be preserved using the same retention period policies as paper records. Those failing to comply face fines for failure to produce e-mail records or could face a guilty verdict in court. It is no longer acceptable to let an individual decide what e-mail to save and what to delete. Loss or deletion of e-mail is equivalent to saying "the dog ate my homework."

What does this mean for schools? School districts must be able to search and produce copies of old e-mails pursuant to the Freedom of Information Act. School districts must archive all e-mail, including e-mails from and to parents and students automatically in a format that is easily searchable and secure all archived records from tampering for up to seven years to comply with e-discovery laws.

E-mail archiving and e-discovery are nothing new if you are a public company. Congress passed the Sarbanes-Oxley Act in 2002. This law requires publicly traded companies to implement policy and take action for retaining all electronic documentation. The same digital record retention rules are now being enforced against school districts. E-mail is now considered a conventional record and is subject to the same retention and disclosure rules. Even though you might want this headache to go away, in reality it is here to stay and increased enforcement can be expected.

School officials have many reasons for noncompliance: "We will have to let teachers go to be able to budget for archiving." "More storage space (SANS or Tape Liberties) is needed." "IT training is needed." "We just don't have the money to adhere to such a ruling." "We need multiple servers, tons of data center floor space, and rows of storage devices."

An archiving solution

While complying with e-discovery or FOIA requests can be very expensive and time consuming, there is a solution. A good e-mail archive solution indexes and stores data on an independent drive making keyword searching of e-mail and attachments quick and easy. The better systems compress data to reduce long-term storage cost. Search ability of data for the entire retention period (generally three, six, and seven years) is easy. Some systems allow a school district to set rules or policies to store e-mail based on user criterion or keywords. This flexibility allows school districts to store student e-mails for 12 months, teacher e-mails for three years, and administrator e-mails for seven years, if required by your state.

E-mails can be monitored for inappropriate content and notifications sent to an administrator for review and action if necessary. This is the e-mail equivalent of a Web content filter to protect

children and establish that the school not only has a written policy, but also has a method to police that policy.

Archiving e-mail and adhering to e-discovery regulations is easier and cheaper than you think with prices starting at \$8,000 for the smaller school districts. Depending on features and mandated retention time, a school with 4000 e-mail users sending five e-mails per day can expect to pay \$22,000 to \$60,000 for an e-mail archive appliance. Some schools may be able to qualify for the 50 percent E-Rate reimbursement program to defray cost.

What we do

Our company offers both e-mail archive appliances and software solutions. Our experience has shown that fully contained e-mail archive appliances provide the best value for schools. Archive appliances are easy to install, remove storage burden from your e-mail server, and require minimal training for IT staff and users. Individual users have full access to their old e-mails without IT intervention through a Web browser interface or Outlook plug-in.

First, you must make a copy of each e-mail that touches your e-mail server. This is called journaling and it means that you are making a copy of the e-mail and sending it to a repository. Once the archive appliance or software receives the e-mail, the appliance indexes all the information in the e-mail for quick recovery or e-discovery. Indexing all the contents of the e-mail from message headers, to senders and receivers, subject line, message body, and attachments makes it easy and fast for searching the archive.

Choosing the right solution

Here are a the things you should determine first

- # How many users do you need to archive?
- # What is your monthly e-mail activity?
- # Do you want to be able to create and enforce policy?
- # How easy is it to get old e-mail data ingested into the new archiving solution?
- # How long are you required to archive?

Once you have these answers, you have two possible solutions.

- 1) A software solution where you need additional computers
- 2) An archive appliance-base solution that contains all the required hardware.

As an IT professional, I like things simple to use and easy to install with very minimal training needed. I'll bet that your IT professionals will agree.

For the software solution, you need to have a journaling server, a storage server (SANS or NAS) that is scaleable and an e-discovery server that can search the index information that was journaled for an e-discover request. Most software solutions are great solutions but take the most time to implement, and implementation must be installed on a secured platform. Usually you get this security from a harden UNIX system where you can lock down a certain area of the server.

Software solutions require additional software on your e-mail server that will support your e-mail platform (i.e., Exchange, GroupWise, Lotus Notes, IMAIL) both now and with future versions. Then you need to buy enough licensing to make sure that all e-mail users are archived and you

will need to keep track of these licenses. Lastly you will need implementation and training time. Most software solutions take anywhere from a few days to a few weeks to design and implement.

On the other hand, archive appliance solutions consist of a high-end computer, storage drives and software that runs all the above functions. Journaling, indexing, built-in storage, compression, and e-discovery are all in one device. Most quality appliance solutions will work with virtually all e-mail server platforms that have the journaling feature.

Platforms and appliance-based solutions

If you don't have the journaling feature, there are other ways to collect e-mail duplicates for archiving. With a platform such as I-Mail, you would create a new e-mail user account and have a copy of every e-mail copied to that new e-mail user account. Then you would simply have the archive appliance check for new e-mail on the account you have just created and download it. Mirrored switches and certain special firewalls can be used to capture e-mails for archiving as easy as if you were using off-site e-mail hosting.

The appliance-based solutions are the most user-friendly when it comes to installing and setting up your e-mail server to forward e-mails to the appliance for archiving. The appliance comes completely assembled and ready to install. All of them include built in storage with as much as 0.5 Terabytes to 12TB and beyond with the ability to connect to additional SANs or NAS storage systems, giving you even greater scalability. There are no additional servers to buy and, if you plan your storage needs correctly, in most cases no additional storage is required. For example, one client was archiving in less than an hour with one of these appliance solutions.

Both e-mail archiving solutions offer expandability but the software solution can scale to great numbers (100,000 plus users). Appliance solutions can support up to 50,000 plus users. When clustering, the appliance solution is able to compete against bigger software rivals and may overtake them in future markets.

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