## **Fact Sheet**

## **Text Messages as University Records**



At times, especially during a critical or emergency situation, it might be tempting to conduct university business using text messaging. The speed and convenience of text messaging cannot be disputed, but everyone needs to be mindful that texts are "records" and some of what is communicated using text messaging may need to be preserved and produced as evidence of decisions or actions taken to satisfy legal inquiries or freedom of information requests.

## **Text messaging and FIPPA**

The *Freedom of Information and Protection of Privacy Act* (FIPPA) applies to records in the custody or under the control of an institution. Text messages sent or received for business purposes, even those sent using personal accounts, have been found by the Information and Privacy Commissioner to be under an institution's control for FIPPA purposes and therefore required to be disclosed. Be aware when texting that any record, even a transitory one, could be within scope of a FIPPA request.