

July 11, 2011

I am alerting you to an issue that is of increasing concern to me and to the Chief Information Officers at each of our campuses. The issue is use of third-party information technology (IT) services through what is commonly referred to as the “cloud.”

The term “cloud” refers to IT applications and services accessed via the Internet and where the location(s) of the infrastructure (i.e., servers that store, collect, transmit and process information and data) are unknown to the user or to the University. These services are often provide at little to no cost but may require a license for their use. An FAQ with further information about cloud computing and that clarifies some of the information in this letter is available at <http://infosec.missouri.edu/cloud.html>

While individuals, acting on their own behalf, are free to use any software or service they like, University employees working in their official capacity must abide by University policies and a variety of federal and state laws and regulations. Our concerns revolve around issues such as whether a given cloud-based service provider:

- adequately protects the data stored in those environments
- provide appropriate terms and conditions to protect the University, university employees and our customers (e.g., students)
- meets the data privacy and security requirements of federal and state laws and regulations
- agrees to not use information they possess for undesirable or unethical purposes (e.g., selling or other use of personal information)

In many cases, cloud providers will probably not meet all, and in some cases won't meet any, of these needs.

The University has a variety of policies intended to affect the privacy, security, availability and integrity of University data and that of our customers – polices that are often bypassed when cloud services are adopted. These policies were developed to help employees comply with laws and regulations such as FERPA, HIPAA, Federal Trade Commission regulations about financial information and identity theft, GLBA, Federal rules for the handling of evidence, open records laws, export control regulations and more. Additionally, University employees do not have the authority to agree to license agreements (so called shrink-wrap or click-through licenses) and therefore, may be putting themselves and the institution at risk.

As your schools, colleges and departments consider subscribing to or utilizing cloud services, please keep in mind that unless the appropriate channels are followed, you and your users may be placing yourself, your customers and the university at risk.

It is imperative that you distribute this information within your organization. If you or anyone in your department needs assistance in understanding these issues or in identifying the appropriate tools to use to conduct their work, please let us know.

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