

SENT BY EMAIL

March 9, 2014

Dr. Heidi Bohaker,
Department of History,
Sidney Smith Hall Room 2078,
100 St. George Street,
Toronto, Ontario
M5S 3G3

Email address: Heidi.bohaker@utoronto.ca

Dear Dr. Bohaker,

Re: Your Access Request Concerning
Records Related to Lakehead University's e-Communications Contract with Google
My Reference: FOIR 15-01

In your *Freedom of Information and Protection of Privacy Act* ("FIPPA") access request letter, dated December 17, 2014, which my office received on January 5, 2015, you asked for:

- (1) "A copy of any privacy impact assessments and/or regulatory impact assessments used to support the Lakehead University's eCommunications outsourcing decision. If no such assessment was undertaken, we are requesting written confirmation of this fact.
- (2) "A copy of Lakehead University's contract with the Google Canada Corporation and/or Google Incorporated for outsourcing e-communications to the Google Apps for Education platform, along with all accompanying documents referenced in the contract."

To deal with the second part of your request first, we undertook an extensive search of the University's files, but have been unable to find a signed copy of the contract we entered with Google back in 2006. Moreover, Google has informed us that they too can find no copy of this contract. We do have an unsigned draft of a contract, but neither we nor Google can be sure that this was the agreement that we both accepted 9 years ago. Accordingly Google and Lakehead University are bound by the *Google Apps for Education (Online) Agreement* at http://www.google.com/apps/intl/en/terms/education_terms.html.

As for the first part of your request, privacy impact assessment was included in the general research that University personnel, including myself, undertook when we were looking at alternatives to our increasingly problematic in-house email system back in 2006. I enclose two documents including the main results of our assessment; both were produced in 2007 after the decision to sign on to Google Apps (migration onto the Google system began on November 27, 2006), but both accurately reflect the main privacy impact arguments that were used as a basis for that decision. The first document consists of a comparative checklist prepared by the University's CIO and Director of the Technology Services Centre at the time, Shahzad Jafri. The second is a memo prepared by myself, and updated over the years, mainly to flesh out Mr. Jafri's findings but also to present some of my own research.

We are giving these documents to you free of charge. Both are attached to the email by which I am sending you this letter.

Under FIPPA you have the right to appeal to the Information and Privacy Commissioner of Ontario the question of whether a signed contract between Lakehead University and Google Inc. exists.

Sincerely,



Millo L.G. Shaw LLB PhD
Director of Risk Management and Access to Information
Lakehead University

/attachments