University Student and Employee Computer Use Policy

RUL08.05.04 Current Version

Authority: Board of Trustees

History: Policy Number 1.500 Supersedes Policy Dated: June 30, 1999 Effective Date: September 25. 2003 Review Date: September 26, 2011 Placed in University Policy Manual after EXPEDITED REVIEW, transitioned without substantive change from prior version, March 25, 2013.

Related Policies: Academic Computer Use

ECU Business Manual

University Record Retention Schedule

University Student Code of Conduct

Additional Resources: North Carolina General Assembly website/Statute 14-190-1, Obscene Literature & Exhibitions

North Carolina General Assembly website/Statute 14-456, Denial of Computer Services to an Authorized User

North Carolina General Assembly website/Statute 114-15.1, Department Heads to Report Possible Violations of Criminal Statutes Involving Misuse of State Property to the State Bureau of Investigation

Fraud and Related Activity in Connection with Computers Title 18, Section 1030

North Carolina State Personnel Manual

North Carolina Division of State Archives

EDUCAUSE

Information Technology Association of America

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1. Introduction

1.1 Purpose of Policy

To govern the use of University computer systems, which includes hardware, data, software and communications networks.

1.2 Person(s) with Primary Responsibility

Chief Information Officer

2. Policy Outline

This policy applies to all university students and employees whether full time, part time, temporary, or volunteer, but excludes faculty who are governed by the Academic Computer Use Policy.

Freedom of expression is limited to no greater degree in electronic formats than in printed or oral communication. Individual employees or students are entitled to full freedom in research and in the publication of those results to include freedom of speech and freedom of artistic expression through electronic means as well as in familiar and traditional media. Electronic means of freedom includes the respect for open forum communications free of harassment and discrimination. Intellectual property in electronic form is as fully protected as are those properties in other forms. It is important for all users to behave in a responsible, ethical and legal manner. In general, appropriate use means respecting the rights of other computer users, the integrity of the physical facilities and all pertinent license and contractual agreements.
The University provides academic access to a functioning system of electronic communication on a nondiscriminatory basis, without regard to the perceived merit of a particular content or subject matter or the views of users. Equality of access is assured without regard to race,

gender, nationality, age, religion, sexual orientation, or disability. Freedom of expression is limited to no greater degree in electronic formats than in printed or oral communication. Individual employees or students are entitled to full freedom in research and in the publication of those results to include freedom of speech and freedom of artistic expression through electronic means as well as in familiar and traditional media. Electronic means of freedom includes the respect for open forum communications free of harassment and discrimination. Intellectual property in electronic form is as fully protected as are those properties in other forms. It is important for all users to behave in a responsible, ethical and legal manner. In general, appropriate use means respecting the rights of other computer users, the integrity of the physical facilities and all pertinent license and contractual agreements.

This policy applies to all University procured and managed computer systems including hardware, data, software, and the communication networks associated with these computers. In addition, this policy applies to all non-university owned computers connected to the University's network and to all users of computing resources owned or managed by the University, including, but not limited to, University employees, students, guests of the administration, external individuals or organizations and individuals accessing University computing resources through external network services, such as the Internet.

Individual employees and students shall make every effort to show that they are not speaking for the University when they are not. Special care shall be taken in posting or distributing digital material, on a web page or site created and accessed through the University computing system. Individual employees and student members must avoid or dispel any inference that the speaker represents the views of the

Individual employees and students are responsible for following federal, state, University of North Carolina Board of Governors, and University laws and policies.

3. Regulatory Limitations

The University reserves the right to limit employee and student computing resource access when federal or state laws or University policies are violated or when University contractual obligations or University operations may be impeded.

The University may authorize confidential passwords or other secure entry identification; however, employees and students have no expectation of privacy in the material sent or received by them over University computing systems or networks. While general content review will not be undertaken, monitoring of this material may occur for

the reasons specified above.
The University has the right to monitor network traffic, including electronic mail (e-mail), to and from privately owned machines connected to the University network within the limitations described above. The University generally does not monitor or restrict material residing on University computers housed within a private domicile or on non-University computers, whether or not such computers are attached or able to connect to campus networks. However, if University Administration is informed of inappropriate employee or student conduct as associated with computing resource use, it is obligated to investigate and to enforce applicable federal, state, University of North Carolina Board of Governors, and University laws and policies.
All material prepared and utilized for work purposes and posted to or sent over University computing and other telecommunication equipment, systems or networks must be accurate and must correctly identify the creator of such.
The University may monitor access to the equipment and networking structures and systems to insure the security and operating performance of its systems and networks and to enforce University policies. Monitoring or otherwise accessing of individual employee and student computers to enforce University policies requires specific approval of the Chancellor.

4. Permissible Uses

Employees and students are expected to follow this policy and any related University rules, regulations and procedures for University work produced on computing equipment, systems and networks.
Employees and students may access these technologies for personal uses if the following restrictions are followed:
The use is lawful under federal or state law.
The use is not prohibited by Board of Governors, University or institutional policies. The use does not overload the University computer equipment or systems, or otherwise harm or negatively impact the system's performance i.e. excess use of computing resources as in multiple copies of printouts, email-chain letters, personal 'announcements', general advertisement postings, etc.
The use does not result in commercial gain or private profit (other than allowable under University intellectual property policies).
The use does not violate federal or state laws or University policies on copyright and trademark.
The use does not state or imply University sponsorship or endorsement.
The use does not violate state or federal laws or University policies

against race or sex discrimination, including sexual harassment.
The use does not involve unauthorized passwords or identifying data that attempts to circumvent system security or in any way attempts to gain unauthorized access.
The use, when performed for non-work related activity, does not conflict with regular work assignments and does not represent more than incidental use for non-faculty employees.
The use of campus labs does not violate the rules and regulations set forth by the individual lab coordinators and departmental policies.
The use does not conflict with appropriate standards of civility and common courtesy or respect for the rights and privacy of others. Access to computing resources is a privilege that is granted on the presumption that every member of the University community will act responsibly. The University endorses the following statement on software and intellectual rights distributed by EDUCAUSE, the non-profit consortium of colleges and universities committed to the use and management of information technology in higher education and the Information Technology Association of America (ITAA), leading industry trade group for information technology companies.
"Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principal applies to work of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy and right to determine the form, manner and terms of publication and distribution.
Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access and trade secret and copyright violations, may be grounds for sanctions against members of the academic community."

5. Other Computer Use Guidelines

Users are to have valid authorized accounts and may only use those computer resources, which are specifically authorized. Users are responsible for taking reasonable precautions to safeguard their own computer account. Users should treat computing resources and electronic information as a valuable University resource.
Users who publish home pages on the World Wide Web must identify themselves as the author. In addition, they must include the disclaimer that follows, or a similar disclaimer stating that any personal home page content reflects their own views and not necessarily that of the

University. This disclaimer must appear on the main page and any subsequent page where the users (author's) name appears on the users web site.
East Carolina University is not responsible for either the contents of this web page or any other page that can be linked from this web page and that the material is not endorsed, sponsored or provided by or on behalf of the University.

In addition, any links to other web resources must be clearly identified.

Users may not change copy, delete, read or otherwise access files or software owned by other parties without permission of the custodian of the files or the system administrator. Users may not bypass accounting or security mechanisms to circumvent data protection schemes. Users may not attempt to modify software except when intended to be user customized.
Users shall assume that any software they did not create is copyrighted. They may neither distribute copyrighted proprietary material without the written consent of the copyright holder nor violate copyright or patent laws concerning computer software, documentation or other tangible assets.
Employees must not use the computer systems to violate any rules in the East Carolina University Business Manual, North Carolina State Personnel Manual, departmental rules, University policies or procedures, or any local, state or federal laws.
Students must not use the computer systems to violate any rules in the East Carolina University Student Code of Conduct, departmental rules, or any local, state or federal laws.

6. State and Federal Statutes

North Carolina statutes of which individual employees and students should be aware of that may bear on computer use includes:
14-190-1 Obscene Literature and Exhibitions
144-456 Denial of Computer Services to an Authorized User
114-15.1 Department Heads to Report Possible Violations of Criminal Statues

Federal statutes of which individual employees and students should be aware of that may bear on computer use include:
Title 18, Section 1030, Fraud and Related Activity in Connection with

Computers

7. Violation of Policy by University

Any violation of this policy is "misconduct" under EPA policies (EPA non-faculty) and "unacceptable personal conduct" under SPA policies. Sanctions for violation of this policy may include one or more of the following: a revocation of access privileges; a written warning or written reprimand; demotion; suspension without pay; or dismissal.

Violations of law may also be referred for criminal or civil prosecution.

Violations of this policy should be reported immediately to:
The employees unit administrator

Upon verification reported by the unit administrator to Employee Relations in the Department of Human Resources
In consideration of violation severity, Employee Relations will notify the University Attorney and the Chief Information Officer. (Upon notification, the Chief Information Officer may terminate computing resource access privileges pending investigation of the violation).

8. Application of Public Records Law

All information created or received for work purposes and contained in University computing equipment files, servers or electronic mail (e-mail) depositories are public records and are available to the public unless an exception to the Public Records Law applies. This information may be purged or destroyed only in accordance with the University records retention schedule and State Division of Archives regulations.

9. Violation of Policy by Students

Any violation of this policy is "misconduct" under the University's student conduct code. Violations should be reported as provided in that code.
Sanctions for violation of this policy may include revocation or suspension of access privileges in addition to any other sanction permitted under the student conduct code.
Violations of law may also be referred for criminal or civil prosecution.

10. Policy Questions

Employees' questions or concerns about this policy should be directed to the office of Employee Relations, Office of Human Resources.
Students' questions or concerns about this policy should be directed to the office of the Dean of Students, Student Life.