

Electronic Media and Computer Use Policy

Revised: August 1, 2012

Background

At Northwestern College, we increasingly use electronic forms of communication and information exchange. Employees and students have access to one or more forms of electronic media and services (computers, software, email, telephones, cellular-phones, voicemail, fax machines, on-line services, the Internet and the World Wide Web).

Purpose

The College encourages the use of these media and associated services because they make communication more efficient and effective, and because they are valuable sources of information to facilitate the exchange of information for the academic, educational, and research purposes of the NC community. However, electronic media and services provided by the College are College property, and their purpose is to facilitate academic purposes.

Scope

With the rapidly changing nature of electronic media, this policy cannot lay down rules to cover every possible situation. Instead, it expresses the College's philosophy and sets forth general principles to be applied to the use of electronic media and services.

The procedures indicated in this policy apply to all electronic media and services which are:

- a. Accessed on or from College premises or while on College business;
- b. Accessed using College equipment, hardware or software, or via College-paid access methods; and/or
- c. Used in a manner which identifies the individual with the College.

Purposes

Altering or tampering with College software and/or equipment and installing or removing hardware, software, and/or application patches (e.g. screensavers, drivers, service packs, updated versions) without written College approval are strictly prohibited.

a. **Unacceptable Uses.** Electronic media may not be used for knowingly transmitting, retrieving or storage of any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for "chain letters," violation of copyright including peer to peer file sharing, or for any other purpose which is illegal, immoral or against College policy or contrary to the College's interest.

b. **Acceptable Uses.** Use of electronic media by employees is intended to be used to improve communication between administration, faculty, staff, and students; to support the development and implementation of curriculum; for educational research; and to enhance student services. Acceptable uses of electronic media by students include class assignments or in support of the same; for educational research purposes; and to facilitate communication between students and college employees.

c. **Personal Use.** Electronic media and services are primarily for college business and educational use. Limited, occasional or incidental use of electronic media (sending or receiving) for personal, non-business purposes is understandable and acceptable - as is the case with occasional personal phone calls. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege. Students who have been assigned e-mail addresses by the College may use them for personal purposes but must limit the amount of time on-line as per library and computer laboratory regulations. Personal usage should not be extensive enough to have a negative impact upon other users of College computing systems. College computers are not to be used to store and backup personal files.

d. **Email addresses.** E-mail addresses consisting of the first initial and last name of employees and students are used by the College. In case of duplicate names, middle initials will be used. These addresses may not be changed or reassigned to anyone else.

Monitoring

Electronic information created and/or communicated by an employee or student using e-mail, word processing, database applications, utility programs, spreadsheets, voice-mail, telephones, Internet access, etc. may be monitored by the College at any time without cause or notice. However, the following conditions should be noted:

- a. Reasons include cost analysis/allocation and the management of our gateway to the Internet. The College monitors messages randomly to determine whether any outsiders are using the system and to monitor the operation of the network.
- b. The College also reserves the right, in its discretion, to review, audit, and disclose any user's (employee or student) electronic files and messages and usage to the extent necessary to ensure that electronic media and services are being used in compliance with the law and with this and other College policies.
- c. The College is required by law to report to a law enforcement agency or the Cyber Tipline any child pornography discovered on electronic and information technology equipment.
- d. The College may disclose any information obtained as a result of such monitoring to law enforcement officials and regulators.
- e. Anyone using the College's electronic media should, therefore, not assume electronic communications are totally private and confidential and should transmit highly sensitive information in other ways.
- f. Passwords remain the property of the College and the College reserves the right to override individual passwords.

Privilege Suspension/Sanctions

All users of the College electronic media must respect the confidentiality of other people's electronic communications and may not attempt to read or "hack" into other systems or other people's logins, "crack" passwords, breach computer or network security measures, or monitor electronic files or communications of other employees, students, or third parties except by explicit direction of College Administration.

Passwords

Personal passwords should not be given out to anyone. The College may monitor messages randomly to determine whether any outsiders are using the system or whether any violations of College policy have occurred. Passwords should never be shared.

Removal Media

Removal media (including flash drives, memory cards, portable hard drives, optical media and others) often represent a convenient way to move data from one computing system to another, using a physical, portable storage device. However, they introduce significant vulnerabilities due to the fact that they can easily be lost or stolen, making their contents readily available as well as resulting in lost productivity. Additionally, with the availability of online storage in the NC Hub, there is no significant advantage to using removal media, as long as network access is available. While strongly discouraged, end-user usage of removal media is allowed for data that does not contain student or employee information, and is not considered confidential or proprietary to the College in any way. As long as none of the data fall into one of these classifications, removal media may be used in situations where other options are not viable alternatives. Please note that the NC ITS department does not support copying or recovering data from hardware that is not NC-issued and maintained.

Peer to Peer File Sharing

The unauthorized distribution of copyrighted material, including through peer-to-peer file sharing, may subject an employee to criminal and civil penalties. The laws that govern copyright are not specific to any one technology. Employees can violate the rights of a copyright holder using many different types of technologies. Both uploading and downloading of files can pose a violation of the copyright law. Employees should be cautious when obtaining any copyrighted material. As a rule of thumb, before an employee receives anything for free, they should research whether that source provides material licensed by the copyright owner. Northwestern College offers a list of licensed sources at <http://www.northwesterncollege.edu/privacy-policy/media>.

Individuals who violate copyright law by illegally uploading and downloading copyrighted files may be subject to civil penalties of between \$750 and \$150,000 per song. These penalties are established by federal law. In the past, pre-litigation settlements offered by copyright owners have ranged from \$3,000 to \$4,000 and up while juries have issued verdicts of hundreds of thousands and even millions of dollars. In addition, a court may, in its discretion, grant the copyright owner reasonable attorney fees. Although criminal prosecution of students for file sharing is rare, federal law lays out criminal penalties for intentional copyright infringement which can include fines and jail time. In addition to potentially violating the law, unauthorized distribution or receipt of copyrighted material is a violation of the College's Computer Use and Electronic Media Policy which provides penalties up to and including termination from the College. Additional information can also be found at <http://www.northwesterncollege.edu/privacy-policy/file-sharing>.

Misrepresentation

No e-mail or other electronic communications may be sent which attempt to hide the identity of the sender, or represent the sender as someone else or from another company.

Interference with Access

Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.

Copyright Materials

Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner or a single copy for reference use only.

Use of Disclaimers

Any messages or information sent by any NC user to one or more individuals via an electronic network (e.g., bulletin board, on-line service, or Internet) are statements identifiable and attributable to our College. While some users include personal "disclaimers" in electronic messages, it should be noted that there would still be a connection with the College, and the statement might still be legally imputed to the College. Consequently, all communications sent by any user via the NC network must comply with this and other College policies, and may not disclose any confidential or proprietary College information.

Monitoring of Use Patterns

Network services and World Wide Web sites can and do monitor access and usage and can identify at least which company - and often which specific individual - is accessing their services. Thus accessing a particular bulletin board or Website leaves College - identifiable electronic "tracks" even if the user merely reviews or downloads the material and does not post any messages.

Solicitation Not Permitted

E-mail must not be used to solicit for business ventures, political or religious causes, or other matters not connected to the College's business.

Privilege Suspension/Sanctions

Anyone who is found in violation of NC's Electronic Media and Computer Use Policy will have their Internet privileges cancelled and may be subject to sanctions, depending on the offense, which can range from a warning to criminal prosecution and/or termination.