



## **NESCom Computer Use Policy and Instructions**

NESCom provides members of its community with access to a wide range of information resources including the use of computers, computer networks, digital audio and video files and transmission technology, the campus radio station, the internet and NESCom intranet as well as email, telephone, voice mail and faxes. We believe these services to be essential for research, instruction, administration and to make members of our community feel in touch with the rest of the world.

While NESCom values freedom of expression and an open exchange of ideas and information, the School acknowledges that there is a delicate balance between freedom of expression and the rights of fellow members of the NESCom community. Essentially NESCom's Digital Environment Policy requires all users to maintain reasonable standards of professional and personal respect and courtesy. Members of the NESCom community are provided with broad access to the facilities and equipment. The digital environment by its very nature, allows users to engage in the system with near anonymity and these characteristics demand responsible use by all of NESCom's users.

Despite the unique attributes of the digital environment, all NESCom policies that apply elsewhere in the NESCom community apply in the use of the digital environment. Specifically, all NESCom harassment and discrimination policies, the Family Educational Rights and Privacy Act of 1974, and the NESCom standards of conduct as outline in the catalog are all applicable to all forms of contact within the digital environment.

The purpose of these policies is to address those aspects of computer use, electronic communication and the computer networks belonging to the School whether they are accessed on or off campus.

### **Eligibility to use Computer Facilities**

Each user has his or her own password and user name. Do not under any circumstances let anyone else use a computer with your password. Every file created on these computers gets tagged with owner information so we can tell who created what and you and you alone will be held responsible for misuse.

### **Accounts will be issue to the following:**

Adjunct Faculty: upon acceptance of the contract for the duration of that contract.

Full time staff: valid for the duration of employment

Students: Students admitted to a degree program will upon acceptance at NESCom receive a network account. This account will remain valid until such time as a student graduates or leaves NESCom for any reason.

Alumni: Any NESCom alumnus who requests an account will be granted an account, valid indefinitely or until the account remains idle for a period of 90 days.

Workgroups: Accounts will be created for special projects at the discretion of the faculty to ease of use or collaboration on a project.

### **Termination of Access and Accounts**

Systems administrators may, without prior notice, delete computer accounts and files 10 days after the termination of a person's qualifying NESCom affiliation. During this 10 day grace period users should arrange for the forwarding of all electronic mail. Faculty returning in the fall will retain the use of accounts during the summer and are welcome to make use of email systems during that time, Accounts may also be terminated without notice by Information Resources if the user violates stated policies and or abuses equipment. Users may not download any software of any kind to NESCom owned computers including those in the computer labs, library, audio and video studios and the radio station area. This would include but is not limited to, chat software (AOL instant messenger, MSN instant messenger and similar programs), downloading utilities (LimeWire, BitTorrent and similar programs) network utilities (such as utilities designed to circumvent filters, proxies, and firewalls), games, or individually owned programs not provided by the School. NESCom is not responsible for materials saved on NESCom owned machines. Class files should be saved on the server as per your instructor's directions, on USB or external drives, or on floppy or zip disks. We respectfully request that disks used in our Microsoft Windows computers be first checked with Norton anti-virus software which is provided on all NESCom Microsoft Windows computers.

### **Responsible Use**

Users are responsible for their use of the digital environment, including computer hardware, accounts and user ids. Users should take all reasonable precautions. Do not share your user name or password. All authorized users have one of their own. As all created files are owner tagged you and you alone will be held responsible for files created or programs installed using your password and user log-on. We recommend that you change your password on a regular basis. Passwords must be at least 5 characters long.

The primary purpose of the NESCom digital environment is to provide users with resources, which facilitate the user's academic, instructional, research and administrative roles at NESCom. Personal use of the NESCom digital environment is permissible, provided such use does not interfere with the needs of others. We ask that you not use public access machines for entertainment. Classroom instruction limits the number of hours the labs are available for homework and project time. Please be courteous and allow others to do their work. The digital environment may not be used for private monetary gain.

### **Ethical Use**

All users are responsible for conducting themselves in the digital environment in an ethical manner. Users must respect all copyrighted, personal or proprietary information belonging to other users.

Additionally, users shall refrain from unethical activities such as:

1. Improper access: Gaining or attempting to gain access to the NESCom network, databases, files or accounts of others.
2. Destructive behavior: Any action that might be harmful to the computers, network, stored data on or transported by them.
3. Offensive behavior: Any action that is harmful to members of the NESCom community either physically or mentally.
4. Improper Attribution: When creating and sending message through the NESCom digital environment, users shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of NESCom unless appropriately authorized by the Dean to do so.

### **Legal Use**

Some Internet sites may contain material, which is illegal under state or federal laws, e.g. laws or sexual harassment statutes governing hostile environment. Users must act within the confines of the law as well as all NESCom policies. Users should also be aware that NESCom prohibits the use of its facilities to commit criminal activities. NESCom will cooperate with appropriate authorities to enforce this rule. Moreover, although an activity may arguable be legal, NESCom's digital environment policy may be more rigorous than the legal standard.

### **General Use:**

The primary purpose of NESCom network accounts is to facilitate each user's specific business at School. You will be expected to abide by the rules of proper use.

Examples of misuse include, but are not limited to the following activities:

- Using a computer account other than your own.
- Obtaining a password for a computer account without the consent of the owner.

- Using the compute network to gain unauthorized access to any computer system either on or off campus.
- Knowingly performing an act which will interfere with the normal operation of computers, terminals, peripherals or networks.
- Knowingly running or installing on any computer system or network a program intended to damage the computer or other computers on the network including virus, Trojan horses and worms.
- Attempting to circumvent data protection schemes
- Violating terms of applicable software licensing agreements or copyright laws
- Deliberately wasting resources including bandwidth, printer paper and toner.
- Using email to harass others
- Initiating or propagating electronic chain letters, unauthorized mass mailings or using email or web space for personal gain.
- Sending harassing or pornographic messages either locally or over the internet
- Installing any software on a NESCom owned machine including games, Instant Messenger systems or any other software not authorized by the administration of the School,
- Using NESCom computers or servers to store harassing or pornographic material.

### **Privacy and Email**

Both the nature of email and the character of the NESCom environment make email less private than users may anticipate. The privacy of email messages may be compromised by the fact that they must routinely pass through numerous computers and are sometimes seen by system administrators in the course of maintaining these systems or redirecting lost mail.

NESCom does not routinely monitor or inspect e-mail. Nonetheless, email is subject to a number of laws, policies, and practices that apply to the disclosure and protection of NESCom records. Examples include the Federal Family Education Rights and Privacy Act; NESCom policies; disclosure pursuant to litigation; and other provisions of the Digital Environment Policy.

NESCom may access accounts to satisfy a legal obligation or to insure proper operation of these systems. NESCom reserves the right to take appropriate investigatory and/or disciplinary action. A user's data is to be treated by others as private property (subject however to NESCom's rights and obligations as laid out in this policy) Users may not browse, access, copy or change private files without authorization.

NESCom employs reasonable means to maintain the privacy of those files that are stored on NESCom computer systems and reserves the right to access user's data as allowed by this policy statement.

As our ability to protect your files is limited we strongly urge storing file on a USB or external drive which you keep in your possession.

Be advised that while you may delete a file from the server, backup copies may exist on other media for up to one year as NESCom does keep backup copies of data to ensure the stability of the network and structure of the servers.

## **Misconduct**

Additionally, NESCom reserves the right to inspect any files stored on NESCom computers and to record any communications that pass through these computers. Any file or storable piece of digital information contained on any NESCom -owned computer or digital device is considered NESCom property, though not necessarily the intellectual property of the College. NESCom may report evidence of misconduct to the appropriate authorities. NESCom's digital environment includes access to the Internet, an international computer network. The actions of members of the NESCom community reflect back not only on the individual user, but upon NESCom as well. Therefore, all use of the Internet, which involves the NESCom digital environment, must be responsible, ethical and legal.

## **Copyright, Defined**

"Copyright is the ownership and control of intellectual property in original works of authorship. A copyright owner has five specific rights: to reproduce (copy) the work, to prepare derivative works based on the copyrighted work, distributing copies of the work to the public, publicly performing the work, and publicly displaying the work."  
("Licensing of Instructional/Informational Technology," Adrian Arima, Gary Cary Ware & Freidenrich, March 1, 1996) Works published after March 1, 1989 may maintain a valid copyright even if they are not specifically labeled with a copyright symbol or other notification.

## **Copyright Infringement**

Any action which violates the rights of a copyright owner may constitute copyright infringement. The digital environment includes a number of media, which are subject to copyright laws, including the Internet, email, and computer software.

Copyright infringement via the Internet may occur in a variety of ways, including making unauthorized copies of any copyrighted material and publishing another's copyrighted materials over computer networks.

Like the Internet, email may be used to publish, manipulate, or otherwise attribute original works of authorship. Such action may constitute copyright infringement.

Software Copyright Infringement includes receiving and/or using unauthorized copies of software, making unauthorized copies of software for oneself or others, or attempting to modify the computer systems in any unauthorized manner.

NESCom has purchased licenses that permit members of its community to access and use many software packages and files that are protected and regulated by copyright law.

Making copies of any software licensed to NESCom is a violation of both copyright law and NESCom user policies.

## **Fair Use Doctrine**

To determine whether particular uses of a copyrighted work are permissible, the courts often refer to the fair use doctrine, described in U.S.C. Title 17, section 107. The fair use doctrine considers:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

NESCom's policy is to adhere strictly to the letter and spirit of copyright laws and regulations. Copyright infringement may be subject to disciplinary and/or legal action.

### **Enforcement**

The use of NESCom's digital environment is a privilege. While student tuition makes possible many of the services available to students, staff and faculty, there are no fees paid by students to directly establish or maintain any information resources. *Any user who violates the NESCom or Husson digital environment or related NESCom policies may have his or her access privileges terminated.* Additionally, such misconduct may subject the violator to disciplinary action under standard NESCom/Husson disciplinary rules, personnel processes and, in some cases, criminal prosecution.

### **Reporting Violations**

The department appropriate to the nature of the complaint and or violation will handle violations of the Digital Environment Policy, For example, violations of NESCom's harassment or discrimination policies should be direct to Dean Haskell. Violations unique to the Digital Environment Policy should be directed to Matt Bryant in Information Resources.

### **Liability/Warranty**

NESCom is unable to warranty that is digital environment is virus free or that files stored on the system are safe from loss or tampering. Use and or access to NESCom's digital environment does not entitle the user to seek indirect, consequential, special, punitive, preemptory or like damages from NESCom in connection with such use and access.

### **Questions**

If you wish to attempt to contact or engage in any behavior with NESCom's Digital Environment and are uncertain as to whether such action violates NESCom's policy you should consult IR by emailing [matt@nescom.edu](mailto:matt@nescom.edu)

### **Acknowledgements**

NESCom thanks the many Colleges and Universities whose policies served as models for our Digital Environment Policy. In particular, we wish to thank Husson College, Eastern

Illinois University, the University of Michigan, Stanford University, the University of Western Ontario, Full Sail, UC Berkley, and Harvard.

### Notes

1. The computers are provided for classroom assignments and instruction only and class size is significant and time limited we respectfully request that you not use these machines for entertainment.
2. If you should have problems with a machine, please contact Matt Bryant as soon as reasonably possible. He can be found in the NESCom building in room 221, by calling 992-4942, or by sending an email to [matt@nescom.edu](mailto:matt@nescom.edu).
3. If you are searching the internet for information remember that someone near by may also view your visit so please be careful where you search.