Lake Superior State University
Network, Computing Equipment and Electronic Communication - Use Agreement

LSSU's Information Technology Policy:
As approved by the Board of Trustees - has been updated to accommodate technological enhancements since Board approval.

Lake Superior State University *provides* computer, network and internet services to members of the campus community. These services are intended to assist faculty, staff and students in the accomplishment of their University responsibilities and duties. Each person who uses the various information technology opportunities provided also carries the responsibility for following every stated University policy and regulation as well as all laws applicable to information technology, generally, even if not explicitly stated in University documents. The LSSU Acceptable Use Policy for information technology:

- Delineates **minimum** acceptable behaviors for those using technologies provided by IT.
- Lists **types** of behaviors, which are not acceptable uses of LSSU technology.
- Suggests considerations for potential infractions not fully described in the IT policy.
- Lists accepted behaviors, which you are responsible for adhering to.

This document provides you with LSSU's Acceptable Use Guidelines as developed at the time of *printing.* Please note that this policy and other University rules and regulations related to information technology will change over time and as technology changes and "acceptable use" matures and develops. **All potential infractions are not listed**. All LSSU personnel are subject to the provisions of this policy, are responsible to keep current with any updated versions of this policy which will be posted on our website, http://www.lssu.edu/it/pubs and for taking personal responsibility to act in a lawful manner. *Anyone using LSSU information technology equipment, systems or services has, by their use, expressly agreed to abide by all LSSU policies, rules and regulations and be responsible for knowing and understanding the current contents of each. All faculty, staff and students using LSSU information technology are subject to the following provisions:*

1. In order to carry out its educational, research and public services missions, LSSU strives to create an intellectual environment with access to information resources and technology, in which faculty, students and staff may create, work and collaborate with each other, and with colleagues at other institutions, without fear the products of their efforts will be violated by any inappropriate use, or destruction.

    This policy and the guidelines herein, set forth conditions for the use of information technology resources, including the University network equipment, access to outside networks through the local network, software, and digital media. LSSU is an entity authorized by the constitution of the State of Michigan. Therefore, all members of the University community must use all University resources, including computing and information resources, services, activities and property in a manner that respects and maintains the public trust.

    Access to, and use of, LSSU computing, networking and information technology resources is a privilege extended to faculty, students and staff. All users of these resources are subject to compliance with this and other related LSSU policies, rules and regulations; all applicable Federal,

State and local laws; all applicable contracts, including those pertaining to computers and software; and all associated ethical principles and standards adopted by the University community.

Compliance with these provisions is required by all students, faculty and staff. Failure to do so will result in elimination of the use and access to information technology resources and may result in discipline up to and including dismissal.

This policy is applicable to all members of the LSSU community using University resources whether on the campus or at other locations. This policy covers all University information resources and equipment even if an individual is using personally owned equipment, accessing University resources remotely or using University resources in any shared or networked manner.

2. Every individual user who has access to University information technology resources and other resources such as services, equipment, and programs is required to protect the rights of the entire University community. Any individual who without *written* authority accesses, appropriates, changes, destroys or tampers in any way with any University information resources, equipment or programs, or those of a third party, is acting in violation of this policy and prejudices the intellectual environment of the University community. In order to preserve the integrity of its information resource systems and programs, the University will take appropriate actions for any violation of its policies, the law, or any applicable contract provisions. The full range of disciplinary actions, up to and including dismissal and legal action may be used. Violations will be processed in accordance with the University policies, employment contracts and all applicable laws.

3. The following list, *while not exhaustive*, provides some examples and guidelines on what constitutes inappropriate, unacceptable or illegal use of information technology, computing and networking resources, and would be cause for taking disciplinary and/or legal action:

   a) Destruction or damage to equipment, software, or data belonging to LSSU;
   b) Unauthorized accessing, seeking to access, disrupting or monitoring of electronic communications;
   c) Violations of computer system security;
   d) Unauthorized use of computer accounts, access codes, or network identification numbers assigned to others;
   e) Use of computer and/or network facilities in ways that may unduly impede the performance of a computer system or deprive authorized personnel of resources or access to any University computer system resource.
   f) Use of computing facilities or information technology resources for business purposes unrelated to the mission of the University.
   g) Violation of University or third party copyrights, patents, licenses, authorizations and contracts;
   h) Violation of usage policies and regulations of the network that LSSU is a member of or has authority to use;
   i) Violation of another user's privacy;
   j) Academic dishonesty (plagiarism or cheating);
   k) Harassment or other libelous conduct of other individuals or users as defined by law or University policy or regulation;
   l) Engaging in any actions in violation of the law or University policies;
   m) Personal use of computing or information technology resources that are illegal, inappropriate to the workplace or interfere with University business.

4. The University considers electronic mail and computer files private to the extent permitted by law. Generally, access requires the permission of the sender or recipient of a message, or the owner of the file, or such access must be based on a court order or some other statutory or legal basis. The law governing the privacy of electronic mail is in a developing stage, and the limits of privacy are not clearly defined. *Electronic mail, sent or received via any University equipment or system, is the property of the University. Users of University mail do so with the understanding that such mail may be disclosed without consent because of a statutory provision or a court ruling.*

Electronic mail (email) is an official method of communication at the University, delivering information in a convenient, timely, cost-effective and environmentally sensitive manner. It is the policy of Lake Superior State University that:

- all students, faculty and staff will be assigned an LSSU account;
- the University will send official communications via email and/or electronic mailing lists; and,
- LSSU email accounts may not be exported to outside email providers. (However, other email accounts may be imported to the LSSU email account.)

A. Student email - All students registered for classes at LSSU are provided an email account through their access to the 'My LSSU' portal. LSSU will use this email account to send communications to the student body. Student email addresses will be recorded in the University's electronic directories and records. *Students are responsible for reading official University email in a timely fashion.* The following procedures apply to student email accounts:
   a. Students are expected to check their official email no less than twice per week.
   b. Faculty may require students to check their email more frequently than twice per week.
   c. Faculty may also require students to subscribe to university provided electronic mailing lists or other lists related to their coursework.
   d. Students may not forward their LSSU email account to outside email providers. Other email accounts may be accessed through the students' LSSU email account.

B. Faculty/Staff email – All university employees are provided an email account through their access to the 'My LSSU' portal. The University will use this email account to send communications to the University community. Faculty and staff are responsible for reading official University email in a timely fashion.

C. Archiving and Retention - The following limits and policies have been implemented in an effort to improve overall email performance. These limits and policies are in place to ensure that mail remains efficient and that the mail database does not become too large to be managed in an efficient and proactive manner.

   a. Storage limits for the mail server will be established and users advised of limits.
      - Subject to increase/decrease per system requirements
      - Notification will be sent to all mail users regarding quota changes
   b. A warning will be issued to email patrons when they have reached 80% of quota
      - Subject to increase/decrease per system requirements
      - Notification will be sent to all mail users regarding quota changes
   c. Mail will not be archived
   d. Message size will be limited to 5MB per message (including attachments)
      - Subject to increase/decrease per system requirements
      - Notification will be sent to all mail users regarding quota changes

      e.   Mail in the "Trash" folder will be deleted every 14 days
- Subject to increase/decrease per system requirements
- Notification will be sent to all mail users regarding quota changes

      f.   Mail in the "Sent Items" folder will be deleted every 150 days
- Subject to increase/decrease per system requirements
- Notification will be sent to all mail users regarding quota changes

Lake Superior State University does not maintain archives or backups of electronic mail sent from or received by the electronic mail system. The electronic mail system is backed up only for system integrity and reliability purposes, not to provide for future retrieval of electronic messages or information.

The storage resources on the electronic mail system are not an unlimited resource. Electronic mail messages and attachments that are excessively large should not be left on the system for an extended period of time. Excessively large electronic mail messages and attachments (greater than 5MB) should be saved to local disk storage and removed from the mail system.

Alternatives methods, such as File Transfer Protocol (FTP), should be used for sending large attachments in electronic format.

D. <u>Privacy Issues</u> - While email is personalized and relatively confidential, there is no guarantee of absolute privacy in a computer system. *Computer users should be aware that state law applies to records stored in computers as well as on paper.* Recent rulings indicate that the public has a right to review any documents created on email by government officials and that *companies, agencies or institutions who own the media on which email is implemented have the right to read that email.* Federal and state law may require the University to examine email under some circumstances including provision of messages to outside agencies. However, employees of Information Technology Services at the University are prohibited from accessing information for which they have no job-related "need to know." They are also expected to maintain the strictest confidentiality regarding any information obtained during the course of fulfilling their job function.

E. <u>Acceptable Use</u> - The Lake Superior State University electronic mail system is meant for University business use. Lake Superior State University allows personal use of the electronic mail system if it is reasonable and does not interfere with University work. <u>However, this serves as notice to electronic mail system users that the electronic mail system (and its contents), university equipment and software are the property of LSSU (refer to section H. POLICY – Security and Confidentiality).</u>

Sending electronic messages to mail groups will be restricted to delegated moderators for each mail group. <u>For example, sending messages to 'Everyone' will require approval from the 'Everyone' group moderator.</u>

F. <u>Unacceptable Use</u> - Examples of unacceptable use of the Lake Superior State University electronic mail system include, but are not limited to, the following:

- Engaging in activities that violate Federal, State or local laws and statutes, or University policies;
- Conducting a personal business or an activity not sponsored by the University;

- Disrupting system operation by sending viruses, spam or mail bombs or any other electronic or non-electronic message or action which disrupts service;
- Disguising or attempting to disguise personal identify when sending mail;
- Forging or attempting to forge mail;
- Accessing another users mail account for sending messages;
- Sending chain letters, junk mail or any type of spam;
- Transmission of unlawful, harassing, libelous, abusive, threatening, harmful, vulgar, obscene or otherwise objectionable language or material of any type;
- Transmission of material that encourages conduct that could constitute a criminal offense or otherwise violate any applicable local, state, national or international law or regulation; and,
- Sending electronic messages to mail groups for a purpose not sponsored by the University. For example, sending an "item for sale" message to the 'Everyone' mail group.

NOTE: As stated earlier, this list of unacceptable behavior is not exhaustive. Anyone using LSSU information technology equipment, systems or service from any location or via the use of personally owned equipment has the responsibility to act in accordance with all stated, implied or expected behavior; and, with all applicable laws or statutes whether or not they have been explicitly referenced or cited.

G. <u>Old Accounts</u> - Electronic mail accounts will be removed from the electronic mail system 30 days after termination or withdrawal of employment from Lake Superior State University. Requests to remove a user account sooner than 30 days (or maintain use for longer than 30 days) should be submitted to the Lake Superior State University Information Technology Helpdesk (help@lssu.edu or extension 6677).

H. <u>Security and Confidentiality</u> - *All electronic communications sent or received via the Lake Superior State University electronic mail system are the property of Lake Superior State University, not the individual user and are subject to the policies applicable to all University data and communications.*

The confidentiality of electronic mail and communications cannot be guaranteed. The confidentiality of electronic mail and communications may be compromised by the applicability of law, campus policy or because of the inadequacy of current technology to protect against unauthorized access. Caution should be exercised when using electronic mail to communicate confidential or sensitive information.

All use of email will be consistent with local, state, and federal law including laws against private use of state property, divulging confidential educational records, copyright infringement, fraud, slander, libel, harassment, and obscenity. Laws against obscene or harassing telephone calls apply to computers that are accessed by telephone.

Lake Superior State University electronic mail system users <u>must</u>:
- Comply with US laws and regulations regarding the transmission of technical data exported from the US through the Lake Superior State University electronic mail system;
- Not use the electronic mail system for illegal purposes;
- Not interfere or disrupt networks connected to the electronic mail system; and
- Not use any LSSU equipment, systems or services to conduct any non-Lake Superior State University business.

Failure to comply with the following guidelines and policies may result in disciplinary action up to and including termination.

I. <u>Enforcement</u> - The following guidelines and policies will be followed regarding suspected violations of this Standard Operating Policy for use of the electronic mail system.

- The user's manager and respective Vice-President will be informed of apparent violations by the Lake Superior State University Information Technology department or other authorized agency;
- Based on the evidence obtained, a recommendation regarding specific disciplinary action(s) will be made by the employee's manager and respective Vice-President; and,
- Disciplinary action, up to and including employment termination, will be implemented, as necessary

5. The University reserves the right to monitor its computing resources to ensure the integrity of the system and compliance with its policies, rights, the law and its contractual agreements. In the course of a University review or investigation for alleged misuse or misconduct, e-mail or files may be locked or copied to prevent destruction of or loss of information.

In reference to the above mentioned investigation, LSSU is not liable for any damages of any nature or losses, including lost revenues, or for any claims or demands against the individual user by any other party. In no event can LSSU be held liable for consequential damages even if LSSU has been advised of the possibility of such damages. LSSU cannot be held responsible for any damages due to the loss of output, loss of data, time delay, system performance, software performance, incorrect advice from a consultant, or any other damages arising from the use of LSSU's computer facilities.

6. Requests for the disclosure of information subject to a court order or the provisions of the Family Educational Rights and Privacy Act or the Freedom of Information Act shall immediately be referred to the designated University employee responsible for processing these inquiries.

7. The recent advent of peer-to-peer (P2P) file sharing via the Internet has been a challenge for many Universities including Lake Superior State University. P2P file sharing allows for electronic versions of music, movies and other electronic data to be shared across many computers on a network in a peer-to-peer format. While there are many legitimate and legal uses for P2P file sharing, the most prevalent form of P2P file sharing is the illegal sharing of music and movies.

Many applications have been developed to allow the "ripping" of music and movie CD/DVD's into an MP3 format. P2P file sharing allows for the quick and easy distribution of MP3's across the University Residential Network or the Internet.

Sharing MP3's via the P2P file sharing protocol is illegal in most cases, including sharing commercial or licensed material. Lake Superior State University works with the Recording Industry Association of America, the Motion Picture Association of America, as well as local, state and federal agencies to identify and prevent the illegal sharing of copyrighted material.

Additional information about the Recording Industry Association of America can be located at the website http://www.riaa.com. Specific information regarding RIAA copyright information is available at the website http://www.riaa.com/issues/copyright/laws.asp.

Additional information about the Motion Picture Association of America and copyright information can be located at the URL http://www.mpaa.org.

Additional copyright information, including copyright law, can be located at the website http://www.respectcopyrights.org.

8. The Lake Superior State University Information Technology department has many policies and procedures governing the University's Residential and Campus network and computer system. These policies define acceptable and appropriate use of the University's network and computer resources including references to local, state and federal law where applicable. The University network is a shared resource for faculty, staff and students. The Information Technology policies are defined and implemented to ensure that network and computer resources are available and accessible for the campus community.

Additional information about the LSSU Information Technology policies and procedures can be located at the website http://www.lssu.edu/it/pubs.