

# West Virginia Northern Community College

## COMPUTER AND INTERNET USAGE

Rule Number: NC-7001

Effective Date: July 1, 2013

Date Approved by WVNCC Board of Governors: April 25, 2013

Date Approved by WVCTCS: May 14, 2013

Authority Reference:

WV Ethics Commission <http://www.ethics.wv.gov/ethicsact/Pages/Overview.aspx#gain>

Replaces previous rule dated: NA

### **Purpose:**

This rule is designed to help users understand the expectations and limitations for on-campus internet and a College generated e-mail address. Users are expected to use the College provided internet access and e-mail primarily for business and course work purposes and to conduct themselves in a professional manner when doing so. The College has many filters in place to prevent inappropriate content from being viewed or received; however, the College does realize with ever changing technology, the filters may not always prevent inappropriate content from filtering through.

### **Rule:**

This rule is applicable to employees, students, alumni, retirees, building occupants, and community members (users).

The College shall provide on-campus internet access and a work e-mail address to employees to assist with their responsibilities. The College shall also provide on-campus internet access and a student e-mail account to assist students with legitimate academic, instructional and necessary research course work.

**Expectation of Privacy** Users should not have any expectation of privacy in any e-mail message or content in any aspect of any computer system provided, owned or controlled by the College. Internet communications should not be expected to remain private and/or confidential from College administration. Computers and related equipment are College property and provided to users for legitimate business or educational use. All messages sent on electronic and telephone communication systems provided by the College remain the property of the College. As such, the College reserves the right to access, intercept and disclose the content of messages or deleted message with or without permission, prior or otherwise. In an employee's absence, the College may monitor the employee's electronic mail to verify that appropriate messages are being serviced properly. Such monitoring may include forwarding the employee's e-mail to a supervisor or another appropriate employee. E-mail and internet usage normally would not be monitored unless an issue arises which warrants such, or if there is an extended period of absence by the employee.

**Personal Use** Employee use of e-mail for personal use is prohibited. The College systems shall not be used to circulate or forward jokes, inspirational material, or other non-work related items to co-workers or other individuals. Occasional personal use of internet is acceptable during non- working hours and on a limited basis. Access of non-work related websites during work hours is prohibited. Mass e-mailing for legitimate

College business purposes is permitted. All other mass e-mailing is prohibited. Solicitations, for personal gain, are strictly prohibited by users. (Examples of acceptable solicitations would be College authorized student organization fundraisers, prize drawings for employees and/or students; community fundraising events.

**Prohibited Sites** Websites containing pornography or advocating discriminatory, hateful or violent actions are prohibited unless approved for educational purposes by the Vice President of Academic Affairs. The transmission of obscene, illegal, violent, discriminatory or other information which may result in harassment or defamation is prohibited at all times. Users must take appropriate action when receiving obscene, illegal, violent, discriminatory or other information which may result in harassment or defamation via e-mail. Appropriate action may include deleting the e-mail, blocking the sender and/or reporting receipt to the IT department.

**Proper Business Communication** The College provides electronic mail (e-mail) services to all employees and students through College owned software and servers accessible within and external to the WVNCC computing network. The use of these e-mail services (including but not limited to the transmission, receipt, and archiving of all messages and attachments as well as all e-mail account information) is restricted to conducting College business only and applies to all users with the exception of students, alumni, and community members.

Employees should resist the temptation to slip into informality when using the in-house e-mail or internet. All e-mail communications should be treated the same as any other business communication. Deleted e-mails can be retrieved, so an employee or student should never send an e-mail that he or she would not want an unsympathetic third party to read later. Also bear in mind that e-mail communications do not convey humor or sarcasm effectively. No e-mail should ever be sent in anger or haste, and e-mail is not the proper method for communicating thoughts or ideas that an employee or student is uncomfortable expressing face-to-face.

Unacceptable Use:

1. Using e-mail for any purpose which violates federal or state laws.
2. Using e-mail for non-College related commercial purposes and for any private gain.
3. Using another individual's identity and password as well as disclosing or sending e-mail account information without prior employee approval.
4. Misrepresenting one's identity or affiliation in e-mail communications.
5. Sending harassing, intimidating, abusive, profane, or offensive material (text and/or images) to or about others, inclusive of ethnic, racial or religious slurs.
6. Displaying and/or transmitting sexually explicit text, images (including cartoons).
7. Soliciting or recruiting for the purposes of non-College business, religious, and political causes.
8. Disclosing or releasing confidential information or e-mail files without authorization to any constituency within or external to the College community.
9. Intercepting, disrupting, or altering electronic communications.
10. Causing congestion on the network by broadcasting inappropriate messages to groups of individuals and account lists for non-business announcements, chain letters and any message that alludes to or is intended to be posted to the e-mail system's bulletin boards.

Communications utilizing electronic media are protected by the same laws and policies and are subject to the same limitations as communications through other media. Access to any WVNCC e-mail files or accounts may be made available to authorized personnel for conducting College business as well as to Information Technology staff in the following circumstances:

1. Software and/or hardware failure.
2. Performing routine operations or resolving problems.
3. Protecting the integrity of the College's computing network and the rights and property of the College.
4. Protecting the rights of individuals working in collaborative situations where information and files are shared.

**Inappropriate Material or Messages** E-mail and the internet shall not be used to communicate, forward, duplicate, or retrieve any discriminatory, offensive, disruptive, obscene, sexually oriented, inflammatory, violent, or otherwise inappropriate material or messages. Such material or messages shall not be uploaded, downloaded, stored, sent, or received from or using any component of any computer system provided, owned or controlled by the College. E-mail, the internet, and any component of any computer system provided, owned or controlled by the College shall not be used to harass or stalk any person or group or to create or contribute to a discriminatory or hostile work environment. Individuals are required immediately to report any activity that violates this rule to a supervisor, faculty or the Chief Human Resource Officer who will investigate harassment claims.

**Access Codes and Passwords** All access codes and passwords are to be kept strictly confidential. Users should not provide access or passwords to any outside party. Confidential information should never be transmitted over the internet without proper encryption. All software must be used in accordance with its license agreements and copyrights. No software may be loaded, downloaded or copied without first obtaining the permission of the College. Users shall not use College equipment or facilities knowingly to download or distribute pirated software or data. The College data and databases are private and confidential. No College databases or data may be uploaded or otherwise transferred to persons or entities outside the College without approval.

**Mass Mail** The College computer and internet equipment and facilities must not be used knowingly to violate the laws of the United States of America or any other nation, or the laws and regulations of any state, the College, province, or local jurisdiction. Users of the College's internet facility shall identify themselves honestly, accurately, and completely when corresponding in or participating in internet or other interactive activities. No one shall send untargeted and unsolicited mass electronic mail. No party may use the College's Internet facilities deliberately to propagate any virus, worm, Trojan horse, or back-door program code or disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of the College or another user.

**Duplication** Consistent with the College's ownership of its computers and servers, no user has any expectation of privacy in any file or document stored, modified, or created on a College-owned computer, server, or similar device. Whenever an employee leaves the employment of the College for any reason, all files of the employee on College computers or servers, including, without limitation, e-mail and files or documents on any drives, may be duplicated on to discs for storage, use, and future necessary reference.

**Fair Use** The College will follow all copyright laws as stated in U.S. Copyright Law (Title 17, United States Code). Fair Use (Section 107) allows copyrighted works to be used in an educational setting by observing a Fair Use of this material. These Fair Use provisions shall be the determining factor in deciding whether or not usage of a particular item is in copyright compliance. For the use of copyright materials outside of the scope

of the Fair Use provisions, permission must be obtained from the copyright author or holder.

**Reporting to the System Administrator** Pornographic or unsolicited materials appearing or generated through pop-ups should be reported to the Information Technology (IT) Director or Vice President of Administrative Services immediately. Avoid opening e-mails or attachments to e-mails unless the sender is known and the employee is certain that neither the message nor the attachments are contaminated with a virus. Do not load or download any program or software without proof of a license. Report a potential virus to the IT department immediately.

**Removal of Access** The President or his/her designee may, if a situation warrants such, direct the Director of IT to remove a user's access to some or all of the College's computer system. The user may be notified of the removal or the possibility of having the access removed. The user shall not be permitted to have some or all of the access returned without the prior express written approval of the President or his/her designee. Access will be removed upon separation or termination of employment for employees.

**Violations** Determination of whether an employee has abused the College e-mail or internet system is a function of the frequency of the misuse or the disruption to the employee's work or that of other employees. Violators will be notified of such violations. Employees and students may be disciplined for violations of such rules, policies or regulations. Others may lose privileges for violations of such rules and policies. Any necessary employee disciplinary action will be handled through the College's disciplinary action rule. Student violations will be handled through the student code of conduct process.

Any appeal for such decision may be made to the President in writing or by filing a grievance through the WV Public Employees Grievance Board.

**Additional Policy & Regulation** These regulations are in addition to and not in place of other College rules, policies, and regulations relating to the use and operation of the College's computers, computer system and network.

## **Definitions**

*Faculty working hours*-Shall consist of teaching hours and office hours.

*Commercial purposes*-Individual stands to make a profit from the use.

*Private gains*-Use of College supplies or equipment for personal projects or activities. Conducting work on personal projects or activities during work hours for which they are paid by the College. Use of subordinates to work on personal projects or activities during work hours or compel them to do so on their own time. The WV Ethics Act prohibits any misuse of public resources which is more than de minimis, that is, which involves more than a trifling or insignificant amount of time, funds, supplies, personnel or equipment.

*President's designee*-For the purposes of this rule, the President's designee shall consist of any of the following; the Vice President of Academic Affairs, the Vice President of Student Services, the Vice President of Administrative Services, the Chief Human Resource Officer or the Campus Deans.

## **References**

NC-2031 Disciplinary Action Rule  
Student Code of Conduct  
WV Ethics Act