POLICY ON ELECTRONIC PUBLISHING AND APPROPRIATE USE OF COMPUTING RESOURCES, INFORMATION TECHNOLOGIES, AND NETWORKS (*Senate 4/1/99*)

GENERAL POLICY STATEMENT

In support of academic instruction, research, public service, and administrative functions, Washington State University (WSU) encourages the use of, and provides access to, information technologies and network resources. This enables WSU users access to global information resources, as well as the ability to communicate with other users worldwide. In keeping with its role and values, WSU supports the use of electronic communication for the conduct of official WSU business and for individual professional purposes related to an official WSU purpose.

This Appropriate Use Policy governs the use of WSU computing resources, information technologies, and networks. This includes, but is not limited to, computers, computing staff, hardware, software, networks, computing laboratories, databases, files, information, software licenses, computing-related contracts, network bandwidth, usernames, passwords, documentation, discs, CD-ROMs, DVDs, magnetic tapes, and electronic mail.

Users of WSU's computing resources, information technologies, and networks are responsible for using those resources in accordance with the law and with WSU policy. Use of WSU computing, information technologies, and networking resources is a privilege that depends upon appropriate use of those resources. Individuals who violate the law or WSU policy regarding the use of computing resources, information technologies, and networks are subject to loss of access to those resources as well as to WSU disciplinary and/or legal action.

FREEDOM OF EXPRESSION

WSU respects the First Amendment rights of freedom of speech, including academic freedom of artists and scholars. Therefore, WSU does not restrict the contents of electronic mail of staff, faculty, and students or the contents of faculty, staff, and student individual World Wide Web (Web) pages linked to the official WSU Web pages beyond the restrictions inherent in complying with the law.

These individual Web pages represent the work of the individual artists, scholars, and authors who created them and not WSU. All such pages are required to contain an appropriate disclaimer indicating that WSU is not responsible for the creation of, or the content of, these Web pages.

APPLICABILITY

This policy applies to all WSU employees, students, visiting faculty, and volunteers who use computing resources, information technologies, and networks owned or managed by WSU. All such individuals, by virtue of their use of WSU computer resources, information technologies, and networks, accept the responsibility for using these resources only for appropriate WSU activities. Computer network users are responsible for reading, understanding, and behaving in a manner consistent with this policy.

Separate policies apply to the use of information technologies and networks that are made accessible to the public in the ordinary course of WSU business. For example, WSU makes computer monitors available in its libraries to all library users. Policies governing the use of such information technologies and networks shall be posted in the general locale of the public access facilities or be made available to users of those technologies and networks. The use of publicly accessible information technologies and networks by a WSU employee acting within the scope of the employee's employment shall, however, be governed by this Appropriate Use Policy.

APPROPRIATE USE

WSU's computer resources, information technologies, and networks may be used for legitimate WSU purposes only. Thus, appropriate use of WSU's computer resources, information technologies, and networks includes:

Students: All appropriate use by students related to completion of WSU class assignments or their education at WSU; and

Employees: All appropriate use by faculty, administrators, and staff directly related to instruction, research, and scholarly, professional, and administrative endeavors on behalf of WSU or within the scope of WSU employment. Students while working in their WSU employment capacities will be governed by policies for employees.

INAPPROPRIATE USE

WSU computer resources, information technologies, and networks shall not be used for:

- Supporting, establishing, or conducting any private business operation or commercial activity;
- Conducting personal activities unrelated to any WSU or student educational purpose unless otherwise allowed by this policy;
- Attempting to gain unauthorized access to any portion of the system or using WSU computer resources, information technologies, and networks as a staging area to attempt to gain unauthorized access to any other system or account;
- Violating WSU's policy of prohibiting discrimination against individuals on the basis of race, sex (including sexual harassment), religion, age, color, creed, national or ethnic origin, physical, mental, or sensory disability, marital status, sexual orientation, and status as a Vietnam-era or disabled Veteran;
- Intentionally disseminating, accessing, or providing a hyper-link to obscenity, as that term is defined by the law, unless such activities are directly related to an employee's legitimate research or scholarship purpose or to a student's completion of an academic requirement;
- Sending unsolicited electronic mail (e.g., "spam") in violation of Washington law or in quantities that interfere with WSU's or another's server. Senders who anticipate sending large numbers of unsolicited electronic mail messages at one time are responsible for consulting with the appropriate server administrator prior to determine whether or not the sending of the mail is likely to cause a malfunction in a server;
- Engaging in political activities that violate state law (state law prohibits the use of state facilities or public resources for the purposes of assisting in an election campaign or for the promotion or opposition to a ballot proposition);
- Destroying, altering, compromising the integrity or security, or making inaccessible WSU computer resources, information technologies, and networks when such uses are not authorized;
- Utilizing WSU resources with the purpose of intentionally interfering with others' use of computing resources, information technologies, or network resources or conduct of WSU business;
- Compromising the privacy of users of the computer resources, information technologies, and networks;
- Violating copyright law (thus, information technology and network users who do not hold the copyright on a work must have permission to publish information, graphics, cartoons, photographs, or other material, or the publication must be otherwise permitted under copyright law);

- Violating trademark law;
- Violating any federal, state, or local law;
- Copying of software in violation of a license or when copying is not authorized; or
- Violating WSU policy. Expressing opposition to any WSU policy using computer resources, information technologies, and networks is not a violation of WSU policy.

ADDITIONAL POLICIES APPLYING TO WSU EMPLOYEES

Computer resources, use of information technologies, and networks by WSU employees is governed by Washington State's Ethics in Public Service Law (Ethics Law), RCW 42.52. Students, while working in an employment capacity for WSU, are also governed by the Ethics Law. WSU employees must comply with the Ethics Law and with any rules adopted by the Executive Ethics Board. Computer resources, use of information technologies, and networks by WSU employees are subject to the Executive Ethics Board's rule on Use of State Resources, WAC 292-110-010.

Employees shall use WSU's information technologies and networks primarily for the purpose of conducting WSU business. Employees may use WSU's information technologies and networks to conduct other business within the scope of their employment, such as communicating with members of professional organizations about their area of expertise, or visiting Web pages of such professional organizations.

Employees may use WSU's electronic mail system to send personal messages, provided that such messages are insignificant in cost and resource usage, and provided that all such messages comply with the statements in this policy. Examples of permissible uses of WSU electronic mail include:

- Communication for those who are hearing impaired (rather than using the telephone);
- Notices of social and public service events, (e.g., blood drives, shared leave requests, etc.);
- Notices of gatherings (e.g., lunches, birthdays, receptions);
- Agency-wide or unit-wide notifications that are used for communicating good will among employees (e.g., holiday greetings, congratulatory messages, etc.);
- Communications for purposes related to employee benefits when WSU has determined that such communications will contribute to staff efficiency;
- Personal electronic mail messages to friends or family, provided that such messages:
  - do not interfere with the performance of job duties;
  - do not result in an additional cost to WSU;
  - are brief in duration and do not disrupt or distract from the conduct of state business due to volume or frequency; and
  - do not compromise the security or integrity of state information or software.

With the exception of sending electronic mail messages, as already mentioned, employees my not use computers or other equipment for reasons other than those associated with official duties.

ADDITIONAL POLICIES APPLYING TO STUDENTS

In addition to this policy, the Standards of Student Conduct govern students while enrolled in WSU. The Standards of Student Conduct include a provision prohibiting computer abuses, WAC 504-25-085. Students who wish to use computer labs also sign a User Agreement with Student Computing Services.

ADDITIONAL POLICIES FOR WEB ELECTRONIC PUBLICATIONS

The quality of information published and communicated by WSU plays an important role in maintaining the strong reputation and image of WSU. Members of the WSU community create electronic Web pages, publication pages, or other electronic publications that carry out official WSU business in support of WSU's mission. Because all Internet users may view electronic publications, the quality of electronic publications reflects upon all members of the WSU community. In general, electronic publications are subject to the same WSU policies and standards as print publications.

Unit Web Pages and Other Electronic Publications. Unit Web pages and other electronic publications are the equivalent of printed publications or official communication. They are official WSU publications.

WSU Web graphic identity guidelines are available and all academic and administrative units are encouraged to use them. Each unit Web page, cluster of linked pages, or other electronically published information will contain:

- The unit name;
- An electronic mail address for the unit's Web page creator or administrator;
- The date of the page's development or revision;
- The page's expiration date when appropriate;
- A link to WSU's Copyright, Disclaimer, and Freedom of Expression Policies; and
- A link to WSU's main or home page.

Units publishing their own electronic information may set additional requirements, such as the inclusion of the equal opportunity statement. A unit may decide whether it is of benefit to link the individual electronic pages of their faculty, staff, or students to the unit Web page.

Individual Web Pages. Individuals may create Web pages and other electronic publications that provide information relevant to that individual's role at WSU. The work on individual Web pages and electronic publications represents the work of individual artists, scholars, and authors who created them, and they are not intended to represent WSU. As such, WSU bears no responsibility for the content of individual Web pages.

Each individual page, cluster of linked pages, or other electronically published information will display by a browser:

- The individual's name;
- The individual's position or affiliation with WSU;
- The individual's electronic mail address; and
- A link to WSU's Copyright, Disclaimer, and Freedom of Expression Policies.

Individual pages are the responsibility of their developers.

WSU respects the First Amendment and does not restrict the content of employee and student Web pages or other electronic publications beyond the restrictions of WSU policy and applicable law. WSU, however, reserves the right to remove from any WSU server a Web page or electronic publication that is found to be in violation of the law or WSU policies.

PRIVACY

WSU respects the privacy of users and does not routinely inspect or monitor use of computing and networking resources. However, WSU does not guarantee the security and privacy of any user's electronic mail and/or electronic files. Electronic mail can easily be misdirected or forwarded to others. For these reasons, it is not advisable to send information in electronic mail that you would not want to be distributed to others.

WSU may access such electronic mail or files in a number of situations:

- **Requests for Public Disclosure.** All electronic records and all electronic mail messages are potentially public records subject to disclosure.

  The state's Public Records Act (RCW 42.17) requires that electronic mail or files containing information relating to the conduct of WSU business is made available for public inspection and copying. If WSU receives a request for public disclosure of electronic mail or other electronic files, WSU staff will access electronic mail and files to determine whether such material must be disclosed under the law. If WSU's public records officer determines that electronic mail and/or files are public records, such records will be provided to the individual who makes the public records request.

- **Retention of Electronic Mail.** Electronic mail is backed up and retained in accordance with record retention requirements of state law and WSU policy. See RCW 40.14, WSU BPPM 90.01 and 90.03. Additionally, users are advised that electronic messages and other files are not removed from their hard drives when erased by the individual. Material that continues to exist on a hard drive, or on another's computer, also may be subject to disclosure.

- **Access During Routine System Maintenance.** Responsible system maintenance may require that files are backed up, data cached, activity logs kept, and overall system activity monitored. In the process of these activities, WSU staff may see an individual user's electronic mail and files.

- **Access for WSU Business.** WSU employees may access all electronic mail or files on another employee's computer with that employee's permission, or with a supervisor's approval, when that employee is unavailable and access is for a legitimate business purpose. However, in the interest of faculty collegiality, WSU or the authorized employee seeking access to the electronic files shall reasonably attempt to inform or seek approval of the faculty member whose files are being accessed for business purposes. A supervisor may access electronic mail or files within his or her unit for legitimate business purposes without seeking approval. Supervisors who access electronic files or give permission to access individual files shall do so in a manner that is consistent with any research and/or confidentiality agreements which may apply to those files. In the interest of faculty collegiality, individual units are encouraged to develop unit protocols for sharing access to electronic files and mail. Individual units may develop unit protocols for sharing of and access to electronic mail and files. Any access by a supervisor or co-worker for a legitimate business purpose shall be limited to that purpose.

- **Access in investigation of misconduct**. A supervisor may only access electronic files to investigate an employee's misconduct when the access is consistent with all legal requirements, including reasonableness under the circumstances. Such access may only be done with the approval of the appropriate dean or director and in a manner consistent with other provisions of this policy. If the person doing the search is dean/director-level or higher, that person must seek approval from the appropriate next-level administrator. This provision applies to monitoring of employee accounts when the monitoring is done because of suspected illegal activity or policy violations.

- **Monitoring of Accounts.** An account may be inspected or monitored when:
  - activity from an account prevents access to computing or networking resources by others;
  - general usage patterns indicate that an account is responsible for illegal activity;
  - there are reports of violations of policy or law;
  - it is necessary, in the judgment of WSU administration, to do so to protect WSU from liability;
  - WSU receives a public records request or a valid subpoena; or
  - it is required by, and consistent with, any other law.

User's Responsibility for Maintaining Privacy

System users are responsible for maintaining appropriate access restrictions for their files, as well as protecting their passwords. An employee or student who knowingly allows another person to use his or her username or password may be found responsible for any inappropriate use on the part of that person.

SANCTIONS

Evidence of illegal activities or policy violations will be turned over to the appropriate authorities as soon as possible after detection. WSU-imposed sanctions for inappropriate use of WSU computer resources, information technologies, and networks will depend upon the nature of the abuse in question. Inappropriate use includes failure by supervisors or co-workers to adhere to provisions governing access to others' electronic files in this policy. Such sanctions may include restrictions on access, suspension of the individual's user account, or revocation of the individual's user account. WSU-imposed sanctions may also include disciplinary measures, including expulsion from WSU and/or termination of employment. Any such disciplinary action will be taken in accordance with the applicable provisions of *the Faculty Manual*, the student code or personnel policy, including any collective bargaining agreement.