Acceptable Technology Use Guideline

Scope of Guideline
This guideline is applicable to all users of Texas Southmost College information technology resources, networks and related services. This guideline refers to all Texas Southmost College "information resources" which means; all computer and communications equipment installed on Texas Southmost College property or otherwise furnished by Texas Southmost College, whether individually controlled or shared, stand-alone or networked, and whether owned, leased, operated, or controlled by Texas Southmost College, and including networking devices, personal digital assistants, wireless devices, personal computers, work stations, mainframes, minicomputers and any associated peripherals and software regardless of whether used for administrative, teaching or other purposes. No one, other than authorized personnel for authorized purposes, shall attempt to modify or remove Texas Southmost College information resources or any other computer equipment, software or peripherals that are owned by others without proper authorization from Texas Southmost College or the owner. This guideline also applies to technology equipment brought to campus by faculty, staff and students for the purpose of accessing Texas Southmost College technology resources, networks and services. Texas Southmost College technology includes

Legal Compliance
All users of Texas Southmost College's information systems must comply with all federal, state and other applicable laws and regulations (such as FERPA, HIPPA and other relevant regulations); all related Texas Southmost College rules and guidelines, including, but not limited to those which apply to personal conduct and those specific to computers and networks; and all applicable contracts and licenses. Users are responsible for ascertaining, understanding and complying with the laws, regulations, rules, guidelines, contracts, and licenses applicable to their particular uses.

Authorized Uses
all users of Texas Southmost College's information systems shall use only those computing resources that they are authorized to use and use them only in the manner and to the extent authorized. Ability to access computing resources does not, by itself, imply authorization to do so. Users and/or their supervisors are responsible for ascertaining what authorizations are necessary and for obtaining them before proceeding. Accounts and passwords may not, under any circumstances, be shared with, or used by, persons other than those to whom they have been assigned by Texas Southmost College. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to another person's information violate Texas Southmost College's guideline and may violate applicable law. All users must use systems and resources in ways that do not interfere with or disrupt the normal operation of these systems, nor interfere with the access and use of these systems and resources by others allowed to do so.

E-mail and Other Electronic Communication Tools
E-mail and other electronic communication tools are provided to employees and students to facilitate communication of official College business to fulfill the College mission. Electronic communication tools include but are not limited to electronic bulletin boards, information databases, and the ability to forward mail and route documents. E-mail shall be used only for official College business. College employees are allocated 25 gigabytes of e-mail storage capacity. E-mail storage capacity over this limit may be administratively deleted. All messages transmitted and received via e-mail or instant messaging are subject to the requirements of the Public Information Act. Users are advised to state nothing in an email message that would be inappropriate if published in the news media. All e-mail messages sent or received over College systems are College property. No aliases are allowed. All e-mail messages shall be credited to the actual author. All College employees using e-mail are assigned a unique electronic mailbox, accessible by an employee-controlled password. Employees shall not use another employee's electronic mailbox or password, or attempt to access another employee's or a student's email.

Prohibited Conduct
A. Harassment
No user may, under any circumstances, use Texas Southmost College's computer systems or networks to libel, slander, or harass any other person.

B. Capacity Used
Users of Texas Southmost College's information systems shall respect the finite capacity of those resources and limit use so as not to consume an unreasonable amount of those resources or to unreasonably interfere with the activity of other users. Although there is no set bandwidth, disk space, CPU time, or other limit applicable to all uses of Texas Southmost College computing resources, Texas Southmost College may require users of those resources to limit or refrain from specific uses in accordance with this principle. The reasonableness of any particular use will be judged in the context of all of the relevant circumstances and may be deemed in violation of this guideline.

Users must be good stewards of the computing and network resources offered by Texas Southmost College. Users rely on shared computing and networks simultaneously and, therefore, each user must consider the needs of other users when using these resources. Examples of poor stewardship of information resources include, but are not limited to: excessive personal use in a lab or classroom facility; excessive personal use at staff and faculty workstations; continuous running of background programs and reception of large files or running intensive multi-media network applications (digital radio or other media) during high-use times.

Texas Southmost College technology equipment is intended for the overall support of the academic mission of the institution. Computers, disk drives and other devices are not to be used for the personal storage and maintenance of personal files such as pictures, music, videos or similar personal documents. Texas Southmost College network bandwidth/capacity, storage facilities and backup capacity are not limitless resources.

Therefore, the discovery of unauthorized files on Texas Southmost College equipment may result in its immediate removal. Texas Southmost College assumes no liability for any personal digital content and will not utilize Texas Southmost College resources in the backup or recovery of any personal digital content not related to the overall mission of Texas Southmost College.

Texas Southmost College email, web sites and systems are strictly intended for the overall support of the academic mission of the institution. Personal use is prohibited and it should be noted that ALL digital content of Texas Southmost College systems is discoverable in court and subject to federal and state laws. All documents, data, reports and records are the property of Texas Southmost College and removal, unauthorized copies or destruction of such is not permitted.

C. Illegal File Sharing and Copyright Infringement

Texas Southmost College will promptly process and investigate notices of alleged copyright infringement, and take appropriate actions under the Digital Millennium Copyright Act, Title 17, United States Code, Section 512 ("DMCA").

 The DMCA requires that all notices of alleged copyright infringement must be in writing. Before the complainants allege an infringement, s/he should consult copyright materials to confirm that the use is, in fact, infringing. The United States Copyright Office provides basic information, online, at http://www.copyright.gov/ which can assist one in determining whether an exception or defense, such as fair use, may apply to the use of your copyrighted work.

Notice, Takedown, and Put back Procedure - Texas Southmost College expects all users of its system to comply with applicable copyright laws. However, if Texas Southmost College is notified of a claimed copyright infringement, or otherwise becomes aware of facts and circumstances from which infringement is apparent, it will respond appropriately, which may include removing or disabling access to the material that is claimed to be infringing. Texas Southmost College will follow the procedures outlined in the Digital Millennium Copyright Act with regard to appropriate notifications of the user and the complaining party, acceptance of counter notifications, and, where indicated, "put back" of the alleged infringing material. Refer to the United States Copyright Office for the provisions of the DMCA at http://www.loc.gov/copyright/legislation/dmca.pdf.

Copyright protection is broader than many people imagine: It covers any original work of authorship that is fixed in a tangible medium of expression. A work is protected from the moment it is created and does not have to contain a copyright notice to be protected. This broad protection means that just about any work you come across—software, books, music, film, video, articles, cartoons, pictures, email—is likely to be protected by copyright. "Fair use" and certain other exceptions allow limited copying or distribution of protected works, but the exceptions are narrower than many people believe. The use of peer-to-peer software programs to make and share copies of copyrighted music and

movies without permission of the copyright owner would virtually never qualify for an exception.

Repeat Infringers - Where it has been clearly established that a Texas Southmost College user is a repeat offender, Texas Southmost College may terminate that person's account.

D. Personal Gain or Benefit

All users shall refrain from using Texas Southmost College information systems resources for personal commercial purposes or for personal financial or other gain without proper authorization. All users shall refrain from seeking personal benefit or permit others to benefit personally from any confidential information that has come to them by virtue of their work assignments. Personal use of Texas Southmost College computing resources for other purposes is permitted when it does not consume a significant amount of those resources, does not interfere with the performance of the user's job or other Texas Southmost College responsibilities, and is otherwise in compliance with this guideline. Further limits may be imposed upon personal use in accordance with normal supervisory procedures.

E. Software License Abuse

Texas Southmost College requires strict adherence to software vendors' license agreements. Copying of software in a manner not consistent with the vendors' license is strictly forbidden. Questions regarding copying and/or use should be referred to the Chief Information Officer (CIO).

Privacy

Users of Texas Southmost College's information systems shall respect the privacy of other users and their accounts, regardless of whether those accounts are securely protected. Ability to access other persons' accounts does not, by itself, imply authorization to do so. Users should be aware that their uses of the Texas Southmost College computing resources are not completely private. The normal operation and maintenance of Texas Southmost College's computing resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the rendition of service. Texas Southmost College may also; specifically monitor the activity and accounts of individual users of Texas Southmost College computing resources, including individual login sessions and communications, without notice, when (a) the user has voluntarily made them accessible to the public, (b) it reasonably appears necessary to do so to protect the integrity, security, or functionality of Texas Southmost College or other computing resources or to protect Texas Southmost College from liability; (c) there is reason to believe that the user has violated, or is violating, this guideline or any Texas Southmost College guideline; (d) an account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns; or (e) it is otherwise required or permitted by law or for any other legally permitted reasons associated with the evaluation, testing, repair or general operation of Texas Southmost College information resources.

Texas Southmost College, in its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications, to appropriate Texas Southmost College personnel or law enforcement agencies and may use those results in appropriate Texas Southmost College disciplinary proceedings. Communications made by means of Texas Southmost College computing resources are also generally subject to public records statues to the same extent as they would be if made on paper. Authorized system administrators may access computer users' files at any time for maintenance purposes. System administrators will report suspected unlawful or improper activities to the proper authorities.

Security
Texas Southmost College employs various measures to protect the security of its computing resources and of their users' accounts. Users should be aware, however, that Texas Southmost College cannot guarantee such security. Users should therefore engage in "safe computing" practices by establishing appropriate access restrictions for their accounts and guarding their passwords. Unauthorized software downloads, peer-to-peer file transfers and similar activities are high security risks and prohibited. If you're not sure, call the Help Desk before attempting any download from the internet.

Additional User-Specific Provisions

A. Third-Party Connections to the Texas Southmost College Network (vendors, contractors, consultants and external entities)
In addition to fully complying with this guideline's general provisions, all third-party connection users are subject to the following additional provisions:

1. Information and Systems Protection
Protect the security of Texas Southmost College systems, the confidentiality and privacy of Texas Southmost College students, employees and records.

2. Equipment and Resource Inspection
All information resources and equipment must be periodically inspected by a Texas Southmost College IT employee. The inspection is intended to verify that the appropriate level of security is in place as well as verify the existence of proper communication equipment, technical settings, hardware compatibility and anti-virus protection. Any equipment deemed insufficient or risky to the Texas Southmost College network may be denied access until deemed acceptable. Any external equipment and network devices not made available for the inspection may be disconnected from the Texas Southmost College network until proper inspection is completed. Any equipment or network device suspected of endangering network health, performance or security is subject to immediate disconnection.

3. Intruded or Impaired Service
Any intrusive security audits or tests which may impair the connectivity, functionality and health of Texas Southmost Colleges' network must be scheduled and approved by the CIO in advance of any such audit or impairment.

4. Authorized Agency Connection
Generally, no direct connection to Texas Southmost Colleges' network from non-centrally-contracted third parties providing computing or network support is allowed. However, if any such connection is authorized, Texas Southmost College cannot enable the outside agency to compete with any services already provided by agencies with exclusive agreements to provide such services to Texas Southmost College. Instead, the connection must be limited solely to improving a service provided to Texas Southmost College.

5. Terminated Connection
Agencies granted special connections must comply with Texas Southmost Colleges' computer use guideline. A violation of the guideline will cause immediate termination of connectivity.

6. Internal Connection to Outside Agency
Any Texas Southmost College staff requiring a connection to outside agencies must provide a written request to the CIO and shall explain the nature of the desired connection to outside agencies and the benefits expected therefrom.

Enforcement
All users of Texas Southmost Colleges' information resources who are found to have violated any of these guidelines will be subject to disciplinary action up to and including (but not limited to) warnings, probation, suspension, discharge, dismissal, expulsion, and/or legal action. All users, when requested, are expected to cooperate with system administrators in any investigation of system abuse. Users are encouraged to report suspected abuse, especially any damage to or problems with their files. Failure to cooperate may be grounds for cancellation of access privileges, or other disciplinary actions. Texas Southmost College employees should be aware that e-mail on their Texas Southmost College account and files on Texas Southmost College computers are discoverable in a court of law. Further, Texas Southmost College reserves the right to access employee e-mails and files on Texas Southmost College computers when needed for work-related purposes.

Texas Southmost College may temporarily suspend or block access to an account prior to the initiation or completion of such procedures, when it reasonably appears necessary to do so in order to protect the integrity, security, or functionality of Texas Southmost College computing resources or to protect Texas Southmost College from liability. Texas Southmost College may also refer suspected violations of applicable law to appropriate law enforcement agencies.