TITLE: COMPUTER USE AND ABUSE POLICY

RATIONALE: With the proliferation of computers at all NRCTC locations and the existence of Internet access for all students it has become necessary to develop a Computer Use and Abuse Policy consistent with the missions and goals of the college.

First and foremost, computers, software, data communications equipment and services were bought and paid for using public funds allocated to the college to support its primary mission, the education of the students. Thus, the use of that equipment and those services for any other purpose should be considered improper. New River Community & Technical College (NRCTC) grants accounts to students, faculty and staff on that basis. It may deny and/or revoke any account at any time for any reason at its sole discretion. By using an assigned account, the user agrees to use it exclusively for personal education and/or non-profit research, administration, community service, and/or economic development activities. The user accepts complete responsibility and liability for willful or negligent misuse of her/his account and for complying with NRCTC policies related to Computer Use and Abuse as well as any policies promulgated by agencies used or contacted through NRCTC systems or services. Users must read and understand the Computer Use and Abuse Policy contained herein and must regularly review any new policies promulgated, posted or incorporated as part of NRCTC World Wide Web Servers and/or other on-line information services.

Secondly, while Internet access, particularly when using a web browser, looks very much like viewing television; it is not a one-way system. It is a two-way service, very much like the telephone system in that the user can, and often does, interact with and send information to other users and/or organizations on the net. At the present time there are no "long distance" charges for this telephone (videophone) service. The costs associated with computer and Internet use are the initial purchase price and maintenance costs for the local equipment and the annual WVNET network assessment for such things as data communications and support. Just because there are no direct costs associated with this use, it
does not follow that they may be used indiscriminately for any purpose.

**POLICY STATEMENT**

New River Community & Technical College (NRCTC) has established policies regarding the use or abuse of all hardware, data, and software and communications networks associated with any NRCTC computer systems. All NRCTC computer system users are also subject to applicable network (WVNET, Internet, etc.) usage guidelines, as well as state and federal laws regarding computer abuse. All NRCTC computer systems include but are not limited to all minicomputers and their peripheral equipment, all microcomputers and their network and/or peripheral equipment located at any NRCTC facility including but not limited to the main campus in Beckley, WV, the Greenbrier Valley Campus in Lewisburg, WV, the Bluefield campus in Bluefield, WV and the Nicholas County Campus in Summersville, WV. The "West Virginia Computer Crime and Abuse Act," which defines computer abuse and prosecution possibilities, went into effect July, 1989. The Electronic Communications Privacy Act, passed by Congress in 1986, cites illegal electronic communications access and interception. Cases of computer abuse must be reported to NRCTC President and to the BSC Director, Institutional Computer Services and/or to local, state and federal authorities. In good faith, all efforts are being made to reduce/eliminate obscene material and spam from e-mail. NRCTC is not responsible for content of e-mail sent to students, faculty, and staff from outside the college. However, abuses should be reported to further help in the elimination of such material. Nothing in this policy supersedes or is otherwise meant to contradict any law, regulation or policy promulgated by any higher entity with authority to do so.

**Common Forms of Computer Abuse**

New River Community & Technical College is responsible for informing users of the rules, regulations and procedures which apply when using any NRCTC computing resources. Users are responsible for understanding these rules so that they can abide by them. These policies cover NRCTC as well as West Virginia Network for Educational Telecomputing (WVNET) services.

**Privacy**

Investigating or reading another user's file is considered a violation of privacy. Reading unprotected files is intrusive; reading protected files, by whatever mechanism, is considered the same as "breaking and entering." Violations include:

- Attempting to access another user's files without permission.
Furnishing false or misleading information or identification in order to access another user's account.

Attempts to access NRCTC computers, computer facilities, networks, systems, programs or data without authorization.

Unauthorized manipulation of NRCTC computer systems, programs or data.

**Theft**

Attempted or detected alteration of software, data or other files as well as disruption or destruction of equipment or resources is considered theft. Violations include:

- Using subterfuge to avoid being charged for computer resources.
- Deliberate, unauthorized use of another user's account to avoid being billed for computer use.
- Abusing specific resources such as the Internet.
- Removing computer equipment (hardware, software, data, etc.) without authorization.
- Copying or attempting to copy data or software without authorization.

**Vandalism**

Violations include:

- Sending mail or a program which will replicate itself (such as a computer virus) or do damage to another user’s account.
- Tampering with or obstructing the operation of NRCTC computer systems.
- Inspecting, modifying or distributing data or software (or attempting to do so) without authorization.
- Damaging computer hardware or software.

**Harassment**
Sending unwanted messages or files to other users may be considered harassment.

Violations include:

- Interfering with legitimate work of another user.
- Sending abusive or obscene messages via computers.
- Using computer resources to engage in abuse of NRCTC employees or any other users.

Copyright Issues

- NRCTC prohibits the copying, transmitting, or disclosing of proprietary data, software or documentation (or attempting to commit these acts) without proper authorization. (See Software and Intellectual Rights section).

Miscellaneous

Other acts considered unethical and abusive include:

- Unauthorized and time-consuming recreational game playing.
- Using computer accounts for work not authorized for that account.
- Sending chain letters or unauthorized mass mailings.
- Using the computer for personal profit or other illegal purposes.
- Personal advertisements.
- Display of offensive material and graphics in public areas. For the purpose of this item all NRCTC computer labs are considered to be "public areas".

Software and Intellectual Rights

Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principal applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgement, right to privacy, and right to determine the form, manner, and terms of publications and distribution.
Computer Usage Guidelines

1. You must have a valid, authorized account and you may only use those computer resources for which you are specifically authorized. You are responsible for safeguarding your own account. You should not allow another user to use your account unless authorized by the system administrator for a specific purpose. You may not forge another person’s identity through e-mail, chat, or any other electronic communication method.

2. You may not change, copy, delete, read or otherwise access files or software without the permission of the owner or the system administrator. You may not bypass accounting or security mechanisms to circumvent data protection schemes. You may not attempt to modify NRCTC software except when it is intended to be customized.

3. You may not prevent others from accessing the system, nor unreasonably slow down the system by deliberately running wasteful jobs, playing games, or engaging in non-productive or idle computer "chatting." You may not use the network to interfere or disrupt communication services or equipment. Disruptions include, but not limited to, denial of service attacks, propagation of computer worms, viruses, and spam - (unsolicited advertising, chain letters . . .)

4. You should assume that any software you did not create is copyrighted. You may neither distribute copyrighted or proprietary material without the written consent of the copyright holder, nor violate copyright or patent laws concerning computer software, documentation or other tangible assets.

5. You must not use the NRCTC computer systems to violate any rules in the New River Community & Technical College Employee Handbook, College Catalog, or applicable local, state or federal laws.

6. You should promptly report misuse of computing resources or potential loopholes in computer systems security to the appropriate authorities (the BSC Computer Center Director or BSC/NRCTC Computer Center personnel), and cooperate with the Systems Administrators in their investigation of abuse.

The overall "System Administrator" for the BSC computer systems is the Director, Institutional Computer Services. There are, however, several sub-systems, each with its own administrator. Examples of these are: the Student Information System administered by the Registrar and the Financial Aid System administered by the Director of Financial Aid.

In connection with inquiries into possible abuses, BSC/NRCTC reserves the right to
examine files, programs, passwords, accounting information, printouts, or other computing material without notice. Privacy of any electronic or printed material examined that is not relevant to the investigation is guaranteed. Disclosure of such material will be subject to penalty.

**Penalties for Computer Abuse**

Abuse or misuse of NRCTC computing facilities and services may not only be a violation of this policy and user responsibility, but it may also violate the criminal code. Therefore, New River Community & Technical College will take appropriate action in response to user abuse or misuse of computing facilities and services. Action may include, but is not necessarily limited to:

- Suspension or revocation of computing privileges. Access to all computing facilities and systems can, may, or will be denied.
- Reimbursement to NRCTC or the appropriate institution for resources consumed.
- Other legal action including action to recover damages.
- Referral to law enforcement authorities.
- Referral of offending faculty, staff, or students to institutional authorities for disciplinary action.

**Disk Space Allocation**

The Director, Institutional Computer Services shall create and maintain student, faculty, staff and special accounts on the various NRCTC, BSC and WVNET computer systems and with various drive space allocations based on the identified requirements for the individual holding the account. Increases in space allocation must be justified by the user, approved by her/his superior and is subject to the availability of drive space.

BSC Computer Services personnel shall on a regular basis delete and/or purge files on the BSC/NRCTC computer systems. When possible the Director, Institutional Computer Services shall provide prior notification of impending file deletions or purges. This will normally be via ALLUSER E-Mail several days prior to the action. When necessary for the proper operation of any systems Computer Services personnel may delete or purge files from any and all accounts without prior notification of the account holders. Users are advised to archive (backup) any important file(s) or E-Mail to disk, diskette or tape.
RELATED POLICIES:  None

RESPONSIBLE OFFICE:  Director, Institutional Computer Services

___________________________________  March 1, 2005
Approved by President                     Date