

Massachusetts Bay Community College
Policy on the Use of College Computing Facilities
November 16, 2004

Accepted by the Board of Trustees November 16, 2004

1. Application of Policy

This policy applies to all persons, including but not limited to students, faculty, staff and administrators (“users”), who have been granted access to College owned or licensed computers, networks, software, or any peripherals associated with same (“College computing facilities”). By using any College owned or licensed computing facilities, users agree to do so only in compliance with this policy and all applicable state and federal laws, including the laws relating to copyright and the laws relating to obscenity.

2. Reservation of Rights.

The College computing facilities are proprietary and represent a substantial investment of College and Commonwealth resources. Misuse of College computing facilities can cost untold amounts of time and money to repair damage done. Accordingly, the College reserves the right to monitor the use of its computing facilities to ensure that they are being used in a manner consistent with this policy, the mission of the College, and any applicable law. Specifically, College reserves the right:

- of ownership of all contents of all storage media owned or stored on College computing facilities;
- to view or scan any file or software stored on or passed through any College computing facilities;
- to log and/or monitor any use of any College computing facilities, and to charge any user an appropriate hourly rate for any use that does not conform to this policy;
- to inspect at any time any College computing facilities OR any personally owned computers or workstations that are or have been connected to any College computing facilities, for the purpose of determining whether their use has been in compliance with this policy.
- to suspend or permanently revoke the privilege of using College computing facilities for any user found to have violated this policy or any other applicable IT policy.

3. No Expectation of Privacy

Users shall have no expectation of privacy for any use that is made of College computing facilities or of any data that is stored on or passed through any College computing facilities, including but not limited to e-mail communications.

4. Permitted Uses

Users are permitted to use College computing facilities for College purposes only.

- Employees are permitted to use College computing facilities, including the personal computer assigned to them, any associated software and/or peripherals, and any networks to which access is authorized (including but not limited to the College e-mail system and the Internet) for tasks directly related to their job duties.
- Students are permitted to use College computing facilities for purposes related to their classes, and for other purposes that are related to the College experience, as determined by officials of the College in their sole discretion. For example, students may use College computing facilities to take advantage of College extracurricular activities, registration for future semesters, College sponsored job fairs or other placement activities, and similar uses.

5. Prohibited Uses

The following is a list of prohibited uses of College computing facilities. This list is not intended to be exhaustive, and should be construed according to the fair import of its terms. The College reserves the right to prohibit any use of its computing facilities if and when such use appears to be inconsistent with this policy, the mission of the College, or any applicable state or federal law.

- copying software or any intellectual property in a manner that appears to violate copyright law, or otherwise infringing on any intellectual property rights of others;
- accessing, transmitting, copying, creating or storing obscene material;
- conducting a business or any activity for profit, regardless of whether such activity actually makes a profit;
- any use that violates any College policy or any law, such as sexual harassment or conflict of interest;
- any use that uses excessive bandwidth or computer time, as determined by College officials in their sole discretion;
- any attempt to “crash” any College computing facilities, including any so-called “denial of service attack”;
- any attempt to access an account belonging to another user, or breach a firewall, or otherwise access any data, account, or computing facilities for which the user is not authorized;
- sharing of any user ID or otherwise granting access to College computing facilities to an unauthorized person;
- use of College computing facilities for partisan political purposes, as that term is defined by Massachusetts law;
- introduction of any virus, worm, or other similar type of program or file into any College computing facilities;
- any use by a student user that is inconsistent with the College’s Code of Student Conduct.

Violation of this policy will result in appropriate disciplinary action, up to and including termination of employment or expulsion. All disciplinary proceedings will be conducted

in accordance with applicable Collective Bargaining Agreements and/or personnel policies.

ON-LINE NOTIFICATION – MASSBAY

The following notification will appear on the users screen whenever an individual logs on to their account at the College.

The use of any computer, network, software, or any associated peripheral device owned by or licensed to Massachusetts Bay Community College which is in any way contrary to state or federal law or to the applicable information technology policies of the College is prohibited. Any such use will subject the offender to College disciplinary action, up to and including termination for employees and expulsion for students. The College reserves the right to refer any such use to law enforcement authorities for prosecution under any applicable state or federal law.

Under Massachusetts law and College policy, there can be NO expectation of privacy or confidentiality for any communication done with College computing facilities, including but not limited to electronic mail, except where state or federal law expressly provide for such status. The College reserves the right to monitor and/or inspect any electronic mail usage or any other use of College computing facilities by any person at any time without prior notice, as deemed necessary to protect the interests of the College to the fullest extent such is not prohibited by applicable law.