The California State University

4CNet

Acceptable Use Policy

Introduction:

One of the goals of 4CNet is to provide the California State University, the California Community Colleges, and others, as deemed appropriate, with access to a high-speed backbone network infrastructure that interconnects those sites to information and communication resources worldwide. To ensure the successful operation and management of 4CNet, it is understood and agreed that all institutional members will adhere to and apply the Acceptable Use Policy governing information resources used both internally and externally to its domain.

4CNet affiliation is a privilege that is limited to a defined educational community. This community affirms its belief that the value of the 4CNet membership is so pivotal to its educational mission as to preclude its user population from engaging in actions that jeopardize themselves or 4CNet. Recognizing that individual user improprieties may occur from time to time, it is agreed by all parties that it is the obligation of each member institution to resolve these conditions expeditiously so as to limit any impact across the network or on the membership directly or indirectly. Campus improprieties not resolved by a member institution in an expeditious and responsible manner could result in its 4CNet service being suspended or terminated. Such actions shall only take place when a member institution has failed to take corrective action after being given notice of the need to do so. As a 4CNet user, member institutions are required to have an acceptable use policy that meets or exceeds the principles outlined by this document.

Purpose:

This document represents a guide to the acceptable uses of 4CNet by member institutions. The intent of the 4CNet Acceptable Use Policy (AUP) is to ensure that all uses are consistent with its stated purpose, mission, and goals. The AUP does not attempt to articulate all required or proscribed behavior by its members. It does, however, attempt to provide a framework by which member institutions are expected to honor the rights of other users, respect the integrity of the systems and related physical resources, and observe relevant laws, regulations, and contractual obligations.
4CNet members are invited to apply the principles addressed in this document as a model for those institutions that need to develop or revise their own policy statements referencing inter-campus network communications and Internet services. Questions related to the 4CNet Acceptable Use Policy can be sent to "aup@4c.net".

4CNet Policy Principles:

It is the 4CNet policy that:

- Information resources accessed or delivered through 4CNet will be used by members of its community with respect for the public trust, academic freedom, and in accordance with policy and regulations established by the State of California, the Board of Trustees of the California State University, and the Board of Governors of the California Community Colleges. Any additions, deletions, or changes to the 4CNet Acceptable Use Policy enacted by the CSU will be sent by e-mail to all member institutions. Subsequent to that communication, member institutions may reference the 4CNet home page (http://www.csu.net/documents/4cnet_policy.html) for the most up-to-date information.

- Member institutions and their users follow normal standards of security, ethics, conduct, and protocol when using 4CNet. Responsible behavior includes consideration of other users, as well as the efficient use of information resources accessed through 4CNet in a manner that produces the desired effect or product with a minimum of effort, expense, or waste.

- Member institutions accept responsibility for the behavior of their individual users and for ensuring that their user community is familiar with the 4CNet AUP. In addition, it is mandatory that each member maintains and enforces its own AUP. At minimum, 4CNet expects that every member institution will include in their policy document the following standards of security, ethics, conduct, and protocol:

1. Respect for the privacy of other users; for example, users shall not seek information on, obtain copies of, or modify files, other data or passwords belonging to other users unless explicitly authorized to do so by those users.
2. Respect for copyright and license agreements for programs and data.

3. Respect for the integrity of computing systems; for example, users shall not intentionally develop programs that harass other users or infiltrate a computer or information system and/or damage or maliciously alter the software components of a computer or information system.

4. Definition of Acceptable Use and Non-acceptable Use.

5. Provide examples articulating proper etiquette, ethics, and security when using or gaining access to information resources.

6. Provide a statement regarding the monitoring of activities during the course of performing normal system and network maintenance or while investigating alleged violations.

- 4CNet maintains network pathways and gateways for its member institutions to local, national, and international sources of information and provides an atmosphere that encourages access to knowledge and the sharing of information. 4CNet works to create an intellectual environment in which students, staff, and faculty may feel free to develop and to collaborate with colleagues at any institution, without fear that the products of their intellectual efforts will be violated by misrepresentation, tampering, destruction and/or theft. However, 4CNet is merely a system facilitating passage to and distribution of information and has no editorial control over the content, material or data distributed or disseminated on the network. Users are responsible for the material that they access through 4CNet.

- 4CNet periodically educates its membership on issues of public regulations, 4CNet standards, and other reference proprietary guidelines that comprise the 4CNet AUP program. Such information shall be communicated regularly, posted electronically and available as a file for printing locally by the member institution.

- Member institutions must comply with the following:

  1. External Network Usage - Rules for complying with the AUP and any security policies of the Internet service providers (ISP) and/or backbones as promulgated by the State and/or by the CSU.

  2. Operating Policies - Issued from time-to-time by the CSU, these policy statements include, but are not limited to, rules governing routing, use of network numbers, and network bandwidth. Should there be a conflict
between CSU policy and that developed by other member institutions, the CSU policy shall prevail.

3. Law - Laws of the State of California which address such matters as unlawful access, injury to any computer, computer system, computer network, computer program, data and/or data systems, or information and/or information systems to which 4CNet provides access and/or services.

Any unauthorized access, or use of or any damage to or disruption of any State computing and/or network system is a violation of Section 502 of the California Penal Code, and is subject to prosecution. Students of any community college, state university, or academic institution accredited in this state (except the University of California unless the Board of Regents adopts a resolution to that effect) may be subject to disciplinary sanction up to and including dismissal.

**General Acceptable Use:**

Examples of acceptable use include, but are not limited to, the following:

- Administrative activities that are part of the support infrastructure needed for instruction, scholarship, and institutional management of the member institutions.

- Scientific research, scholarship, or instructional applications engaged in by students, faculty and staff.

- Communication and exchange for professional development, to maintain currency, or to debate issues in a field or sub-field of knowledge.

- Disciplinary-society, university-association, government-advisory, or standard activities related to the user's research, instructional and/or administrative activities.

- Applying for or administering grants or contracts for research or instruction.

- Fundraising, solicitation, or public relations activities related specifically to the mission, strategic plan, and development of the institution.

- Announcements of new products or services used in research or in instruction.
• Access to information resources, computers, and people throughout the world.

• Interaction with students, faculty, and staff by electronic mail and other means of electronic communication.

• Access to college and university libraries, information resources, databases, and news from a variety of research institutions, commercial, and non-commercial sources.

• Importation of licensed software of all types.

• Administrative, academic, and research-related discussion groups on a wide variety of topics.

• E-commerce activities in support of the administrative and academic programs of member institutions.

Unacceptable Uses:

Examples of unacceptable use include, but are not limited to, the following:

• Any illegal or inappropriate use of 4CNet, or use in support of such activities, is prohibited. Illegal use shall be defined as use which violates state, or federal law. Inappropriate use shall be defined as a violation of the goals, purpose and intended use of the network. This includes, but is not limited to, the following: stalking others, supporting partisan political activities, transmitting or originating any unlawful, fraudulent, defamatory, or obscene communications, or any communications where the message or its transmission or distribution, would constitute or would encourage conduct that is a criminal offense or would give rise to civil liability.

• Activities that interfere with or disrupt network users, services, or equipment. Such interference or disruption includes, but is not limited to, distribution of unsolicited advertising or mass mailings; "spamming," propagation of computer worms or viruses; and using 4CNet to make or attempt to make unauthorized entry to other computational, informational or communications devices or resources. For the purpose of this AUP, "unsolicited advertising" includes any transmission that describes goods, products, or services that is initiated by a vendor, provider, retailer, or manufacturer of the described goods, products, or services, or by a third
Use in furtherance of profit-making activities (consulting for pay, sales or distribution of commercial products or services for profit, etc.) or use by for-profit companies, unless otherwise authorized by the CSU.

Use for private or personal activities that exceed 4CNet related research, instruction, or administrative applications, or when there is personal monetary gain.

Services Provided to Third Parties:

4CNet member institutions and their authorized agents, institutes, campus foundations, auxiliaries, off-campus centers, and/or adult learning centers are prohibited from acting as a host site or hub for external agencies or other organizations wishing to gain access to the 4CNet backbone except as authorized by the CSU.

Commercial Use:

4CNet's mission is focused on serving the academic and administrative inter-campus network objectives of its member institutions. Except as authorized by the CSU, commercial activities including those provided to non-profit entities are prohibited. For the purpose of this AUP, "commercial activity" is defined as any non-profit or profit-oriented activity that would cause 4CNet to be defined as a common carrier or public utility.

Advertising and Mass Marking:

Product advertising and mass mailings of commercial matter are prohibited unless authorized by the CSU.

Adverse Affects Prohibited:
The CSU may judge any use that adversely affects the operation of 4CNet or jeopardizes the use by or performance of other members as inappropriate. These are activities that exceed normal bandwidth demands and/or affect the integrity of the network.

**Authorized Use and Notice of Monitoring:**

4CNet is for authorized users only. As a general rule, 4CNet does not routinely inspect, monitor or disclose content. However, anyone using the network consents to monitoring and is advised that, if the monitoring process reveals evidence of criminal activity, 4CNet personnel may provide the content and transmission details to law enforcement and national defense agencies as appropriate. In the course of network maintenance or performance monitoring, the activities of individuals using the network may be monitored. Individuals found to be using the network in excess of their authority or contrary to this AUP are subject to having all of their activities on the network monitored and recorded to ensure subsequent compliance with policies and procedures.

**Enforcement and Violations:**

The CSU or its designee(s) will review alleged violations of the 4CNet AUP. Violations of the policy which are not promptly remedied by the member organization may result in corrective action by the CSU up to and including the termination of 4CNet services, as outlined in Appendix A. The CSU is entitled to treat any breach of the AUP as a breach of contract and may exercise all appropriate contractual remedies as well as remedies specified herein. Non-CSU member institutions will hold harmless, defend and indemnify the CSU against any claims and liabilities arising out of their use of 4CNet services.

Member institutions who have been taken off-line and/or had their services terminated may be reinstated once they have presented to the CSU convincing evidence, satisfactory to the CSU, that they have remedied the impropriety leading to such action.

**APPENDIX A**

**4CNET SUSPENSION OR TERMINATION OF SERVICE**

This document originates from: [http://www.4c.net/documents/4cnet_policy.html](http://www.4c.net/documents/4cnet_policy.html)
ENFORCEMENT AND VIOLATIONS

The 4CNet management will review alleged violations of the 4CNet Acceptable Use Policy on a case-by-case basis. Clear violations of the policy which are not promptly remedied by the relevant member organization may result in suspension or termination of 4CNet services. In the unlikely event that 4CNet management should determine that suspension or termination of services is the only appropriate remedy, the following process shall apply:

1) 4CNet management shall prepare a recommendation to suspend or terminate all or part of 4CNet services. This recommendation shall include but not be limited to the following:

- A brief description of the detrimental activity in question.

- A description of all efforts taken to date to resolve the issue.

- A description of the recommended suspension/termination action(s).

2) 4CNet management will forward this recommendation to the CSU Vice Chancellor for Information Technology Services, and copy the CIO/CTO of the member organization in question.

3) The CSU Assistant Vice Chancellor for Information Technology Services shall determine whether or not to accept the recommendation or to direct 4CNet management to employ a different remedy.