



COMPUTER, E-MAIL, AND TECHNOLOGY USE POLICY FOR STUDENTS

This document can be accessed on the Morningside College Intranet located at the Department of Information Services link.

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I. COMPUTER AND E-MAIL USAGE

A. Use of Morningside College's Equipment and Networks

All Morningside College equipment, software, data, and network connections including computers, email accounts, tablets or other electronic devices, shall be used for Morningside College-related business only. Computers, computer files, the e-mail system, and software furnished to Morningside College students (hereinafter "Users") are Morningside College's property intended for educational use only.

Users are responsible for the use (and misuse) of their Morningside Network Account. Users must take reasonable precautions to prevent use their account by unauthorized persons, including password maintenance, and report all unauthorized use to the Technology Services Center.

B. Confidentiality of Email Communications

Users should have no expectation of privacy with respect to any electronic communication and content created, viewed or saved while using Morningside College-controlled electronic devices. It is extremely important that: (1) all Users who send e-mail messages recognize that there can be no assurance that they will be seen only by the intended addresses; and (2) all Users act carefully, professionally, and responsibly with respect to e-mail messages. Users should take extra care when communicating highly sensitive or confidential information.

Morningside College reserves the right to access and disclose computer files on any Morningside College controlled electronic environment and messages sent over its e-mail system, for any purpose, including disclosure of appropriate e-mail messages or computer files to law enforcement officials, with or without notice to any User(s) who may have created such a computer file or sent or received such messages. It also reserves the right to destroy any and all computer files and messages at any time pursuant to Morningside College's Record Retention and Document Destruction Policyⁱ, subject to limitations required by law enforcement officials or other legal authority.

C. Compliance with Morningside College's Policies and Procedures

Users must adhere to all of Morningside College's policies and procedures when using Morningside College's facilities, equipment, or networks, including when using Morningside College's facilities, equipment, or networks to engage with other users online via social networking or in virtual spaces. This includes, but is not limited to Morningside College's harassment and discrimination policiesⁱⁱ and FERPA policies. Users may not use Morningside College's facilities, networks, computers or other equipment in a manner that violates another's rights under FERPA, HIPAA or any other applicable law pertaining to privacy or confidentiality. Any conduct that would be prohibited by these policies is also prohibited online or in virtual contexts.

Any violation of this policy or any other applicable policy will be grounds for discipline as defined in the student handbook up to and including suspension or expulsion.

For example, e-mail messages or social networking posts that include obscene statements or derogatory comments should never be created or transmitted. Similarly, e-mail messages or social networking posts containing improper or offensive materials on topics such as color, race, religion, national origin or ancestry, sex, age, disability or any other legally protected status should never be created or transmitted.

If Users receive external or internal e-mail that contains material that would violate Morningside College's harassment policy, they should immediately report the incident to the appropriate authorities.

D. Compliance with Intellectual Property Laws

Morningside College purchases and licenses the use of various computer software for education purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, Morningside College does not have the right to reproduce such software for use on more than one computer. Users may only use software according to the terms of the software license agreement. Morningside College prohibits the illegal duplication of software and its related documentation.

Use of Morningside College's logos, branding materials, or any other intellectual property is strictly limited to business use and only by those who are duly authorized to act on the Morningside College's behalf.

E. Reporting Suspected Violations

Users should notify the Dean of Students upon learning of that a student has violated this policy. Failure to report another user's violation of this policy may subject the student to discipline as defined in the student handbook, up to and including suspension or expulsion.

Users should notify their advisor and the Technology Services Center if they suspect an unauthorized user has accessed equipment, software, accounts, or data belonging to Morningside College or another User.

F. Violations of this Policy

Users who violate this policy will be subject to disciplinary action as defined in the student handbook, up to and including suspension or expulsion. Failure to report a known violation by another user is also a violation of this policy that may subject the user to discipline, up to and including suspension or expulsion.

II. BLOGGING AND SOCIAL MEDIA POLICY

A. Scope

This policy applies to any student (hereinafter "User") who engages in blogging or social media activity on Morningside College's premises, or using Morningside College's networks or equipment. This policy also applies to any User who engages in blogging or social media activity on any digital equipment or service that references or refers to Morningside College, its

policies or its community members. Blogging and Social Media activity is broadly defined as any communication posted on the Internet by a User.

B. Compliance with Morningside College's Policies and Procedures

Any User who engages in blogging and social media activity must abide by all of Morningside College's policies and procedures that include, without limitation, Morningside College's non-disclosure policies, confidentiality policies, anti-discrimination policies, anti-retaliation policies, anti-harassment policies and computer use policies. Any conduct that would be prohibited by these policies is also prohibited when blogging or using social media.

Users are prohibited from making discriminatory, retaliatory, defamatory, libelous or slanderous, threatening, and/or sexually explicit comments when discussing the Morningside College, its administrators, employees or students. Users should be aware that Morningside College's anti-retaliation policy prohibits retaliation against any individual who in good faith reports an incident of discrimination, harassment, bullying, abuse, or the warning signs thereof, or who cooperates with an investigation regarding any matter covered by the policy. This includes retaliation against any individual who notifies Morningside College of inappropriate blogging or social media activity by User.

Any User blog or social media post that references Morningside College, its policies or its community members, must clearly state that it expresses the views of the User and does not represent, in any capacity, the views of Morningside College.

C. Compliance with Intellectual Property Laws

Use of Morningside College's logos, branding materials, or any other intellectual property is strictly limited to business use and only by those who are duly authorized to act on the Morningside College's behalf.

D. Violations of this Policy

Morningside College reserves the right to take disciplinary action as defined in the student handbook, up to and including suspension or expulsion of any User whose blog or social media post violates any Morningside College policies.

Morningside College reserves the right to monitor User blogging or social media activity that is conducted on Morningside College's equipment and networks.

If Morningside College detect a violation(s) of its policies and/or applicable laws as a result of:

- (1) Activity conducted on institution-controlled equipment on any site (public or internal); or
- (2) Activity conducted on Morningside College's networks or services on any site (public or internal) on any equipment;

Morningside College reserves the right to authorize its IT department to disable or remove any content from an institution controlled server, site, or institution-controlled equipment using any legally available means.

III. EMPLOYEE AND STUDENT CREATED SOFTWARE POLICY

It is the policy of Morningside College that full rights of ownership, including copyrights, of software created by its employees or students be vested with the creator, subject to the following exceptions and conditions:

1. Software developed by employees or students of Morningside College under one or more of the following circumstances is owned by the college:
 - a. Morningside College owns conversions, modifications, or updates to software that already belongs to the college.
 - b. If a condition of employment for an employee, or a condition of an internship, class or project for a student is to develop software for the college, software created to fulfill such a condition is owned by Morningside College.
 - c. Morningside College will own the copyright to any software that is specifically ordered or commissioned by the college if there is a written agreement, executed prior to the creation of the software, in which the author(s) and college agree that the copyright shall belong to the college.
2. Ownership of software created by students for entities other than Morningside College in order to fulfill a class or project requirement should be determined before the work on the software begins.
3. Software developed by a student (or students working together) to fulfill a class requirement where the software does not fall under any of the circumstances of items 1 or 2 above, is affirmed by the creator(s) to be placed in the public domain when it is submitted for grading or evaluation. The office of academic affairs may, at its sole discretion, grant waivers to the requirement that student software created for a class be placed in the public domain on an item-by-item basis. Students desiring such a waiver must contact the office of academic affairs and request the waiver at least one week prior to submitting the software for grading or evaluation.
4. Ownership of software created under the sponsorship of a grant or contract should be determined before the project is undertaken. If terms of a grant or contract conflict with this policy, then the employee or student creating the software must secure a waiver of the conflicting parts of this policy from the college before entering into the contract or accepting the grant.
5. Ownership of software created jointly by any Morningside employee and students, which is not addressed by items 1-4 of this policy, should be defined before the project begins via a written memorandum of understanding agreed to in writing by all participants.

IV. COPYRIGHT MATERIALS

The use of copyright materials, such as films, videos, filmstrips, electronic media, etc., for public performance must comply with the Federal Copyright Act (Title 17, United States Code, Section 101 and following), Digital Millennium Copyright Act (DMCA), and Technology, Education, and Copyright Harmonization Act (TEACH). Copyrighted materials used for educational purposes in a classroom setting must comply with the Fair Use Guidelines of the Copyright Act which may be found in the Copyright Act at Section 107. Further copyright exceptions for academia are found in Sections 108 (reproduction by libraries and archives), 109 (first sale), and 110 (use of materials in an educational setting). Copyrighted materials used for recreational purposes as public performance, outside of the private sphere of one's home, are required to obtain a public performance license. To access information on purchasing the rights to show copyrighted materials or purchase a public performance licenses, contact the Vice President for Business and Finance.

Policy I & II modified by Mike Husmann, July 2016, from original text by
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For more information, contact:

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Policy III & IV copied from policy prior to May 2013.

ⁱ Record Retention and Document Destruction Policy is available in the Business Office.

ⁱⁱ Harassment and discrimination policy is in the student handbook, available from the Morningside Portal website