

## **“RESPONSIBLE USE” REQUIREMENTS**

- A.** Responsible users should avoid actions or omissions that make them or the college criminally or civilly liable to others. Under law, a user may be required to reimburse the college for any amount of money it must pay to another because of injury caused by his/her conduct. Such conduct includes but are not limited to the following:

**1. Use of Networks**

Networks are a form of property-controlled agreements between providers and users. Violating such an agreement may result in consequence to the user and the college. Transmitting defamatory utterances concerning a person, organization, or institution may subject the perpetrator and the college to civil liability to pay money damages.

**2. Use of any college Property for Private Gain**

State ethics law, Alabama Code 36-25-5(a), binds College, faculty, staff, and administration as follows:

*No public official or employee shall use an official position or office to obtain direct personal financial gains for himself, his family, or any business with which he or a member of his family is associated unless such use and gain are specifically authorized by law.*

**Alabama Code 36-25-5(a) provides as follows:**

- 1. Any person subject to this chapter who knowingly or willfully violates any provisions of this chapter other than the requirements of financial and lobbying disclosure shall be found guilty of a felony and shall be fined not more than \$10,000 or less than \$2,001 or shall be imprisoned for not more than 10 years but not less than two years or any combination thereof.*
  - 2. Any person subject to this chapter who knowingly or willfully violates any disclosure requirement of this chapter shall be found guilty of a misdemeanor, and shall be punished by a fine of \$10 a day for each day the appropriate disclosure statement is delinquent or the proper information is unreported, not to exceed \$1,000 annually.*
- 3. Use of Institutional Data:**

*Information critical to the operation of the college, regardless of its format, is an asset of the college. Measures should be taken to protect*

*this asset from unauthorized modification, destruction, or disclosure, whether accidental or intentional.*

- B.** Responsible users should avoid actions that may inflict needless expense upon the college or others. Users should not do anything that will impair the operation of computers, terminals, peripherals, or networks. Nor should users do anything that is knowingly wasteful of computing resources, including, but not limited to, sending advertisements for commercial enterprises, sending mass mailings or chain letters, obtaining unnecessary output, maintaining unnecessarily excessive file storage creating unnecessary multiple jobs or processes, or creating unnecessary network traffic.
- C.** Responsible users should avoid actions that destroy, endanger, or divert another's work or writing. The college treats electronically stored information, including personal files, as confidential and permits examination or disclosure of their contents only when authorized by the owner of the information or when required by local, state, or federal law. Under Alabama Code 13 A-8-102, it is a crime to transmit, change, or delete another user's files or software without permission; it is a crime to introduce destructive software, such as programs known as computer viruses, Trojan horses, or worms, into any computer, computer system, or network.
- D.** Responsible users will contribute positively to a free and open atmosphere for electronic discussion. Uses of campus e-mail, the Internet, or networks for unauthorized purposes may be subject to criminal, civil, and/or institutional sanctions is used for such purposes as to make threats against person or property, to provide false information about academic or administrative policies or issues; to send messages offensive to the receiver because of pointlessly hateful, obscene, or libelous content.

Hurtful or offensive words spoken on a network or computer system can leave a permanent record that can, depending upon content, support criminal or civil liability, damage professional reputation, or diminish one's standing in the academic or local community. E-mail files have been ruled to be discoverable in a court of law; therefore, privilege of confidentiality is not absolute and may be overridden by court order. Sexual harassment policies also apply to computer use.