



Acceptable Use of Computers and Information Technology Resources Policy

Purpose:

The purpose of the Acceptable Use of Computers and Information Technology Resources Policy at Fond du Lac Tribal and Community College is to establish guidelines for the responsible and ethical use of the college's IT resources. This policy ensures that all users, including students, faculty, staff, and authorized individuals, utilize these resources to support educational, research, service, and administrative activities. By defining acceptable behaviors and prohibiting misuse, the policy aims to protect the integrity, security, and availability of the college's IT infrastructure.

POLICY LANGUAGE:

Acceptable Use

This procedure establishes responsibilities for acceptable use of Fond du Lac Tribal and Community College information technology resources. College information technology resources are provided for use by currently enrolled College students, administrators, faculty, other employees, and other authorized users. College information technology resources are the property of Fond du Lac Tribal and Community College and are provided for the direct and indirect support of the College's educational, research, service, student and campus life activities, administrative and business purposes, within the limitations of available College technology, financial and human resources. The use of Fond du Lac Tribal and Community College information technology is a privilege conditioned on compliance with Minnesota State Policy 5.22, Minnesota State Procedure 5.22.2 Cellular and Mobile Computing Devices, and any procedures or guidelines adopted pursuant to this procedure. The College encourages the use of information technology as an effective and efficient tool within the framework of applicable state and federal laws, policies and rules and other necessary restrictions.

Academic Freedom

Nothing in this procedure shall be interpreted to expand, diminish or alter academic freedom, articulated under Minnesota State Board policy and Minnesota State collective bargaining agreements, or the terms of any charter establishing a College library as a community or public library.

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Applicability

This procedure applies to all users of college information technology, whether or not the user is affiliated with Fond du Lac Tribal and Community College, and to all uses of those resources, wherever located. This procedure establishes minimum requirements, consistent with this procedure and Minnesota State Policy 5.22, for information technology resources under their control. Fond du Lac Tribal and Community College is not responsible for any personal or unauthorized use of its resources, and security of data transmitted on its information technology resources cannot be guaranteed.

Definitions

Cellular device

A cell phone or a mobile computing device with voice capability.

Mobile computing devices

Portable computing and telecommunications devices that can execute programs. Examples include, but are not limited to: laptops, tablets, and cell phones with internet browsing capability. Use of a mobile computing device may or may not require a wireless communication service plan or incur connection charges.

Department cellular device

A College cellular device purchased and maintained by the College for use by more than one employee or other authorized user while engaged in their assigned duties.

Other wireless communication service

A subscription-based communications service that relies on commercial cellular services for data or voice transmissions. These services are often marketed using names such as mobile content, wireless music services, cellular services, mobile data services, text messaging services, digital cellular services, mobile wireless services, mobile data services, wireless data services, wireless telecommunications services, analog cellular services, cellular data services, etc.

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College cellular device or plan

A College cellular device or service plan provided to an employee by the College for business purposes.

Security measures

Security measures means processes, software, and hardware used by college and network administrators to protect the confidentiality, integrity, and availability of the computer resources and data owned by the College or its authorized users. Security measures may include, but are not limited to, monitoring or reviewing individual user accounts for suspected policy violations and investigating security-related issues.

College Information Technology

College information technology means all College facilities, technologies, and information resources used for information processing, transfer, storage and communications. This includes, but is not limited to, computer hardware and software, computer labs, classroom technologies such as computer-based instructional management systems, and computing and electronic communications devices and services, such as modems, e-mail, networks, telephones, voicemail, facsimile transmissions, video, mobile computing devices, and multimedia materials.

Transmit

Transmit means to send, store, collect, transfer or otherwise alter or affect information technology resources or data contained therein.

User

User means any individual, including, but not limited to, students, administrators, faculty, other employees, volunteers, and other authorized individuals using College information technology in any manner, whether or not the user is affiliated with Fond du Lac Tribal and Community College.

Responsibilities of All Users**Compliance with applicable law and policy**

Users must comply with laws and regulations, Board policies and College procedures,

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contracts, and licenses applicable to their particular uses. This includes, but is not limited to: the laws of libel, data privacy, copyright, trademark, gambling, obscenity, and child pornography; the federal Electronic Communications Privacy Act and the Computer Fraud and Abuse Act, which prohibit “hacking” and similar activities; state computer crime statutes; applicable conduct codes, including the Minnesota State System Procedure 1C.0.1, Employee Code of Conduct; applicable software licenses; and Minnesota State Board Policies 1B.1, prohibiting discrimination and harassment, 1C.2, prohibiting fraudulent or other dishonest acts; and 3.26, concerning intellectual property.

Users are responsible for the content of their personal use of college information technology and may be subject to liability resulting from that use.

Users must use only College information technology they are authorized to use and use them only in the manner and to the extent authorized. Ability to access information technology resources does not, by itself, imply authorization to do so.

Users are responsible for the use of college information technology under their authorization.

Unauthorized use

- Users must not allow others who are not authorized to:
 - a. use any account or password assigned by the College to anyone else;
 - b. share any account or password, assigned to the user by the College, with any other individual, including family members;
 - c. allow others to use College information technology under the user control.
- Users must not circumvent, attempt to circumvent, or assist another in circumventing security controls in place to protect the privacy and integrity of data stored on college information technology.
- Users must not change, conceal, or forge the identification of the person using College information technology, including, but not limited to, use of e-mail.

- Users must not knowingly download or install software onto college information technology unless allowed under applicable procedures or prior authorization has been received.
- Users must not engage in activities that interfere with or disrupt network users, equipment or service; intentionally distribute viruses, worms, trojans, or other malicious code; or install software or hardware that permits unauthorized access to college information technology.
- Users must not engage in inappropriate uses, including:
 - a. Activities that violate state or federal law or regulation;
 - b. Wagering or betting;
 - c. Harassment, threats to or defamation of others, stalking, and/or illegal discrimination;
 - d. Fund-raising, private business, or commercial activity, unless it is related to the mission of Fond du Lac Tribal and Community College. Mission related activities are determined by the College, and include activities of authorized campus-sponsored organizations;
 - e. Storage, display, transmission, or intentional or solicited receipt of material that is or may be reasonably regarded as obscene, sexually explicit, or pornographic, including any depiction, photograph, audio recording, video or written word, except as such access relates to the academic pursuits of a College student or professional activities of a College employee; and
 - f. “Spamming” through widespread dissemination of unsolicited and unauthorized e-mail messages.
- **Protecting Privacy**

Users must not violate the privacy of other users and their accounts, regardless of whether those accounts are securely protected. Technical ability to access others’ accounts does not, by itself, imply authorization to do so.

- **Limitations on Use**

Users must avoid excessive use of college information technology, including but not limited to network capacity. Excessive use means use that is disproportionate to that of other users or is unrelated to academic or employment-related needs, or that interfere with other authorized uses. Fond du Lac Tribal and Community College may require users to limit or refrain from certain uses in accordance with this provision. The reasonableness of any specific use shall be determined by the College in the context of relevant circumstances.

- **Unauthorized representations or trademark use**

Users must not use College information technology to state or imply that they speak on behalf of the College or use College trademarks or logos without prior authorization. Affiliation with the College does not, by itself, imply authorization to speak on behalf of the College.

Security and Privacy

- **Security**

Users shall employ reasonable physical and technological security measures to protect College records in all phases of handling. This may include, but is not limited to, the appropriate use of secure facsimiles or encryption or encoding devices when electronically transmitting data that is not public.

- **Privacy**

Data transmitted via college information technology are not guaranteed to be private (Minnesota State Board Policy 5.23 – Security and Privacy of Information Resources). Deletion of a message or file may not fully eliminate the data from the system.

- **Right to employ security measures**

The College reserves the right to employ security measures, including but not limited to, the right to monitor any use of college information technology, including those used in part for personal purposes. Users have no expectation of privacy for any use of college technology resources, except as provided under federal wiretap regulations

(21 U.S.C. Sections 2701-2711). The College does not routinely monitor individual usage of its information technology resources. Normal operation and maintenance of college information technology requires the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns and other activities that are necessary for such services. When violations are suspected, appropriate steps shall be taken to investigate and take corrective action or other actions as warranted. College officials may access data on college information technology, without notice, for other business purposes including, but not limited to, retrieving business-related information; re-routing or disposing of undeliverable mail; or responding to requests for information permitted by law.

Application of Government Records Laws

- **Data practices laws**

Government data maintained on college information technology is subject to data practices laws, including the Minnesota Government Data Practices Act and the federal Family Educational Rights and Privacy Act, to the same extent as they would be if kept in any other medium. Users are responsible for handling government data to which they have access or control in accordance with applicable data practices laws.

- **Record retention schedules**

Government data maintained on college information technology is subject to data practices laws, including the Minnesota Government Data Practices Act and the federal Family Educational Rights and Privacy Act, to the same extent as they would be if kept in any other medium. Users are responsible for handling government data to which they have access or control in accordance with applicable data practices laws.

- **Security and Integrity**

The Fond du Lac Tribal and Community College Leadership Committee shall be responsible for establishing and implementing security policies, standards and guidelines to protect the integrity of Fond du Lac Tribal and Community College information technology and its users.

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Policy Enforcement

Conduct that involves the use of college information technology resources to violate a college policy or procedure, or state or federal law, or to violate another's rights, is a serious abuse subject to limitation or termination of user privileges and appropriate disciplinary action, legal action, or both.

- **Access Limitations.** Fond du Lac Tribal and Community College reserves the right to temporarily restrict or prohibit use of its college information technology by any user without notice, if it is determined necessary for business purposes.
- **Repeat violations of copyright laws.** Fond du Lac Tribal and Community College may permanently deny use of college information technology by any individual determined to be a repeat violator of copyright or other laws governing Internet use.
- **Disciplinary proceedings.** Alleged violations shall be addressed through applicable College procedures, including but not limited to Minnesota State System Procedure 1B.1.1, to address allegations of illegal discrimination and harassment; student conduct code for other allegations against students; or the applicable collective bargaining agreement or personnel plan for other allegations involving employees. Continued use of college information technology is a privilege subject to limitation, modification, or termination.
- **Sanctions.** Willful or intentional violations of this procedure are considered to be misconduct under applicable student and employee conduct standards. Users who violate this procedure may be denied access to college information technology and may be subject to other penalties and disciplinary action, both within and outside of the College. Discipline for violations of this procedure may include any action up to and including termination or expulsion.
- **Referral to Law Enforcement.** Under appropriate circumstances, Fond du Lac Tribal and Community College may refer suspected violations of law to appropriate law enforcement authorities and provide access to investigative or other data as permitted by law.

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