

INSTITUTIONAL POLICY AND PROCEDURE FOR THE ETHICAL LEGAL USE OF THE INFORMATION TECHNOLOGIES OF THE UNIVERSITY OF PUERTO RICO

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I. INTRODUCTION

The institutions of superior education are fighting to integrate electronic environments for the diverse values and ethics of their communities. The institutions of higher education value the creativity and the intellectual products. These expect to be ca[able of creating works of intellectual value, without fearing the alteration or destruction of the work. They also value the facility of the use of the information resources and the availability of access to increasing volumes of information. It is necessary to protect ourselves for the information, instead of interfering, to stimulate the access to such resources. The institutions of higher education value individual experimentation and different ways of learning. They also value the integrity of the resources of information and expect social responsibility. This is why, we must stimulate individual experimentation and creativity, as we promote the conscious, ethical, and responsible use of information resources.

II. LEGAL BASE

The present declaration of institutional and procedure policy is formulated in tune with the applicable dispositions of the Law of the University of Puerto Rico, Law Number 1 of January 20, 1966, as amended, the General Regulation of the University of Puerto Rico, the Num. 16 Law of June 16th, 1993, the Penal code of Puerto Rico and other applicable state and federal legislations.

III. APLICABILITY

That stated in the present Institutional and Procedure Policy for the Ethical Legal Use of the Information Technologies applies to all of the university community, external clients, individuals who provide services, as well as all those who use technological and information resources and telecommunication services.

IV. PURPOSE

The purpose is to establish an institutional policy to ensure the offering of information technologies resources and telecommunication services for the university community, individuals who offer their services to the University of Puerto Rico, as well as external clients and those who use the information and telecommunication system of the

University of Puerto Rico. This policy applies to the use of all institutional, university, and format (paper, tape, electronic communication, and other analogues) information through which it might be used.

V. INSTITUTIONAL POLICY

The access to the webs and the information technologies environment of the University of Puerto Rico is an institutional privilege granted by the University of Puerto Rico.

It is the University's policy to maintain, for its comfort, access to sources of local, national, or international information and provide an environment that stimulates the access to knowledge and the sharing of information, as well as for the information resources to be used by the university community, clients and users with deference to the trust and public ethic and in agreement with the policies and regulations established by the University and its operational units.

The University of Puerto Rico strives to guarantee the intimacy and confidentiality in the use of the information technologies. All users have the responsibility to use the information technology resources of the University of Puerto Rico in an efficient, effective, ethical and legal manner in agreement to the Law and university regulation. The ethical legal standards that apply to the use of any public resource within and outside of the University and those whose norms are contained in the state and federal statute, as well as the regulations, policies and procedures of the University.

The University of Puerto Rico intends to protect the information of its systems, recognized as a primary benefit in the administrative, educational, and research level, from accidental modifications or unauthorized intentional ones, misuse, destruction or dissemination. To achieve an effort that protects the integrity of its information systems, working stations, webs, laboratory facilities, and other properties or analogue university facilities, the University has the right to supervise its information and telecommunication technology resources and take the corresponding corrective action. The access to the infrastructure of the information resource, within the university as well as outside of it, the exchange of information, within the university as well as outside of it, the exchange of information and the safety of intellectual products of the community, requires that each and every user accept the responsibility of protecting the community's rights. Any member of the university community, those who lend services, client or user, that without authorization accesses, uses, destroys, alters, dismantles or discomfures the information technologies of the University, its properties or facilities, including those possessed by third persons, threatens the atmosphere of maximization of access and exchange of information, attempts against security within which the members of the community can produce intellectual products and causes a deterioration of the institutional order that will be object of disciplinary action in agreement with university regulation, as well as other actions that in right proceed.

The members of the university community, persons that lend their services, external clients, and users agree to collaborate and cooperate with the state and federal agencies,

with others whom are interested, in order for the atmosphere of the information technologies of the University of Puerto Rico and its internal and external webs are protected against any interference. The University of Puerto Rico has the obligation of respecting the intimacy and confidentiality of the files, e-mails, and printed lists of its users in the most efficient possible. For security and protection purposes of the University's interests, the University of Puerto Rico will be able to intervene in some or all aspects of a system, including individual sessions of "login", to determine if the policies established on this document are being violated, when a complaint is received from any user against the person that has transmitted an objectionable message or when university officials innocently discover an inappropriate use for it being in plain sight. The granting of an access code to any form of access is to ensure the confidentiality and the appropriate intimacy of the information files of the University and does not guarantee intimacy or confidentiality of the personal or inappropriate use of the equipment and facilities of the University.

The university classifies as un-ethical or unacceptable and sufficient cause for taking disciplinary action, including the un-resignation, expulsion, firing or any other legal action, any activity through which an individual:

- a) violates the rights reserved or patent and authorization protection, such as registered agreements and other contracts of the University or thirds,
- b) Interferes with the use for which the information resources are directed, 1
- c) tries to obtain or obtains unauthorized access to the information resources, 2
- d) that without authorization tries, destroys, alters, dismantles, disfigures, blocks the right to access or that in any other way interferes with the integrity of the computerized information or information resources.

VI. GENERAL DISPOSITIONS

The following dispositions guarantee an ethical and acceptable behavior in tune with the established policy.

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The information resources in this document are directed towards including any information in electronic or audiovisual format, or any programming equipment that guarantees the storage or use if such information. As an example, e-mail, local data bases, externally accessed databases, CD-ROM, film, magnetic recording mediums, photography, and digital information is included in this definition

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Same as Note 1.

1. The users will be subject to that which is stipulated in all programming licenses, and intellectual property policy of the University and the federal and state laws.
2. The users are responsible of safeguarding their ids and their access codes. The users should not print, save online, or give their access code to other people. The user is responsible of making authorized use of the identification for the purposes of this id only. Each user is responsible of all transactions done under the authorization of his/her identification.
3. The users of the information system should not intentionally look for, provide or modify information or obtain copies of files, programs or access codes belonging to other users. This includes all the file systems and accounts.
4. The files (data or programs) controlled by individual users are considered private, whether they are accessible or not to other users. A user should obtain a written permit from the owner of a file in order to alter or copy a file that does not belong to him/her. The capacity to read, alter or copy a file does not imply a permit to read, alter or copy that file.
5. Each account owner and station user is the only one responsible for the use that his/her account or station incurs in. The individuals that intentionally abuse of accounts and privileges, degrade the fulfillment of the system, inadequately make use of the information system resources or interfere with the operation of the facilities of the information systems or telecommunications are subject to disciplinary action. The removal, modification or reconfiguration of files, of the equipment, of the information systems or of the university programs is prohibited.
6. The electronic communication facilities will not be used for the transmission of commercial announcements, political or personal, applications, promotions, destructive programs, or any other unauthorized or personal use.
7. The users of the information systems will use web links for the purpose permitted in the web guides (for example, BITNET, INTERNET). The users are responsible of obtaining and fulfilling with all the acceptable web use policies.
8. The connection to other systems through the web, does not imply the right to connect to these systems or make use of these systems, unless he/she is rightfully authorized by the owners of these.
9. The users share resources, such as space in disks, Central Processing Unity cycles

(CPU), printer “queues”, batch queues, login sessions, programming licenses, etc. no user can monopolize these resources and should use these only in the necessary measures for the purposes related to his/her authorized use.

10. The users should not intentionally develop or use programs that infiltrate the system or damage the programming or system equipment components. The users have the right to not be affected by physical abuse, verbal, electric or any other means of abuse and may raise a formal complaint through the appropriate procedures of the University.

11. Even though every user has the right to freedom of expression, this right does not include obscene material or defamatory which can be sent via e-mail or entered into electronic edict bulletins, news groups, etc.

12. The use of the communication facilities (such as e-mail, voicemail or systems with similar functions) to send messages that, in violation to the penal or civil laws of Puerto Rico, propose a fraudulent commercial transaction or a violation of the law, are obscene, defamatory or threatening to defined persons, is prohibited.

13. Users will not cooperate, stimulate or participate with others to violate any part of these policies, rules and conditions.

14. The occasional personal use of programming and computer equipment is permitted when this personal use does not interfere with the expected work performance or that it doesn't violate any policy, rule, or applicable law. The evaluation of the work performance of an employee can take into consideration the personal use and a supervisor can require a change in the personal use as a condition for employment, when considered necessary,

15. New created accounts will not be authorized without the form “Renovation, Creation or Change of Account Application Form” (revised in October, 1966). This should be completed in its totality and required signatures should be in the provided spaces. This form is part of this Institutional Policy and Procedure for the ethical legal use of the Information Technologies.

16. The institutional units within the University can define the “conditions of use” of those facilities under their control, which should be consistent with this general policy, but can provide additional details, guides or restrictions. When such “conditions of use” exist, they should be defined implantation mechanisms that will be applicable.

VII. ADMINISTRATION

The implantation of this policy will be the responsibility of each institutional unit in coordination with the Office of Information Systems of the Central Administration. Each campus or college will have the responsibility of developing the necessary specific procedures and apply the disciplinary measures.

VIII. VALIDITY

The present Institutional and Procedure Policy for the Ethical Legal use of the Information Technologies of the University of Puerto Rico will be in force thirty (30) days after its establishment in the Department of State in accordance to that disposed in Law Num. 170 of the 12th of August, 1988, known as Uniform Administrative Procedure Law, as it was amended.

A copy of this Law should be turned in to each student, university employee or any information technology user in the moment of the permission to access the systems, conserving evidence of the receipt, and should be put in the edict bulletin or prominent places in all the offices and dependencies of this institution.

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