

# University of New England Information Technology Directorate

## Rules for the Use of University of New England Computing and Communication Facilities

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### 1. 1. Introduction

The University provides an extensive range of computing and networking facilities for use by staff and students. These facilities are provided to assist staff and students conduct bona fide academic and administrative pursuits. To assist users in obtaining the maximum benefit from these facilities, a range of support services is also provided. This document provides a guideline of acceptable behaviour expected of users and intending users of these facilities. The University requires that each user be aware of its contents.

### 2. 2. Definitions

#### 2.1. Computing Facilities

University computing facilities are defined as all computing systems purchased, rented or leased by the University and appearing on its inventory. These systems may be situated on University premises or at other authorised locations (eg private homes, field trips). Computing systems include multi-access systems, microcomputers, printers, modems, scanners, backup devices and software purchased for use on the specific computer system.

#### 2.2. Networking

University computing facilities also include local and wide area networks and all systems, including remote systems, connected to such networks.

#### 2.3. Commercial gain

Commercial gain is defined as the use of the University's computing facilities for personal gain.

### 3. 3. General

The University of New England provides a comprehensive range of computing facilities for use by staff and students to assist them in their research, teaching, administrative and studying activities. A user may be given access to multi-access computers, stand-alone or networked microcomputers or any computer system accessible from the University computer network.

Currently, these facilities are provided free of charge except where specific charges are levied. All relevant charges are obtainable from IT Service Desk. Users will receive 30 days' notice of any changes to these charges.

Users are expected to use the University's computing and networking facilities in a manner which is ethical, lawful, effective and efficient. Failure to abide by the Rules in Section 5 will be treated as misconduct and may result in disciplinary action being taken against the offending user(s). Section 7 contains a list of penalties and appeals. Should the violation infringe National or State laws, the violation may constitute a legal offence.

#### **4. 4. Disclaimer**

The University makes available to users, both internal and external, a range of data and information facilities. The University accepts no responsibility for any damage or loss of data arising directly or indirectly from the use of any of these facilities or for any consequential loss or damage. The University makes no warranty, express or implied, regarding the computing facilities offered or their fitness for any particular purpose.

Whilst reasonable care, consistent with good business practice, is taken, the University cannot guarantee the confidentiality of any data stored on any University computer system or transmitted through any network. For the purpose of managing these resources, it may be necessary for the University to monitor files and usage. The University's liability in the event of any loss or damage shall be limited to the fees and charges paid to the University for the use of the computing facilities which resulted in the loss or damage.

#### **5. 5. Use of University Computing Facilities**

The University's computing facilities are provided on a basis of trust that all users will respect the rights of others and not interfere, or attempt to interfere, with systems to which they have not been granted access. The following rules are a guide to the use of University computing facilities.

**5.1.** You may only use those facilities which you have been authorised to use. Where access to a facility is protected by a password, you must not make this password available to any other person. You must not use an account set up for another user nor make any attempt to find out the password of a facility which you are not entitled to use. You must not attempt to find out the password of any other user.

**5.2.** You may only use University computing facilities for authorised purposes.

**5.3.** You must respect the privacy and confidentiality of data held on, or reproduced from, the University's computing facilities. Any release of data to those not authorised to receive it is expressly forbidden. Unauthorised release of data may lead to legal action being taken.

**5.4.** You must be aware of the law of copyright as it affects computer software. Software must not be copied without the express permission of the copyright owner.

**5.5.** You must not attempt to copy data belonging to other users, staff, students or external users, without their express permission. If you do become aware of any breach in the security pertaining to the University's computing facilities you must report such to IT Services Desk without delay.

**5.6.** You may grant other users or groups of users access to your own files by setting the appropriate file protection.

**5.7.** You must not attempt to interfere with the operation of any of the University's computing facilities.

**5.8.** You must not attempt to subvert the security of any of the University's computing facilities.

**5.9.** You must not use the University's computing facilities to send obscene, offensive or harassing messages.

**5.10.** All material you send over the network with an identification of your affiliation to the University of New England must be presented in a professional manner and uphold the reputation of the University.

**5.11.** You may not use University computing facilities for private gain or for financial gain to a third party without the written permission of either:  
(a) the Vice-Chancellor, or other officer nominated by the Vice-Chancellor;  
(b) the relevant Dean; or  
(c) the Chief IT Officer of the Division of Information Technology or nominee

**5.12.** You must not, under any circumstance, represent yourself as someone else, fictional or real. All your work must be attributable to you.

**5.13.** You must, upon request by an authorised member of staff, produce evidence of identity when using any of the University's computing facilities.

**5.14.** You must not abuse any of the computer laboratories. Abuse of computer laboratories includes:

- (i) leaving the laboratory in an untidy or unsightly condition;
- (ii) collecting or discarding any output without the owner's permission;
- (iii) smoking, eating or drinking in the laboratories;
- (iv) stealing paper from printer or storage areas.

**5.15.** You must abide by any relevant instructions given by the Chief IT Officer, (Information Technology), or nominee. Such instructions may be issued by notice displayed near the computer facilities, by letter, by electronic communication, in person or otherwise.

**5.16.** If you have any doubt concerning your authority to use any computing or communications facility, you should seek the advice from IT Service Desk.

## **6. 6. Copyright**

The purchase or lease of computer software provides a licence to use the software, together with a copy of the software and associated documentation. The title of the software remains with the copyright owner, who is entitled, subject to the Commonwealth Copyright Act, to place conditions upon the use of the software.

Members of the University are personally responsible for complying with the Copyright Act relating to the use of computer software and to the terms and conditions of the particular contract or software licence relating to each item of leased or purchased software.

The Copyright Act makes specific provision for the making of a backup copy of either the original or an adaptation of a computer program. Thus the University can only make back-up copies of software for which it has purchased a licence. This reproduction can only be made for the purpose of being used in the event that the original copy is lost, destroyed or rendered unusable. Such a backup copy cannot be made from an infringing copy of the software or where the copyright owner has given express directions to the contrary. Hard disc copies of software used in a multi-access or network environment to allow simultaneous access by more than one user can only be provided if specifically permitted in the contract or software licence, or if a copy of the software has been purchased for every simultaneous user of the hard disc copy. Subject to what is said above in relation to backup copies, the reproduction of computer software constitutes a breach of the Copyright Act and may result in civil and/or common law action against the offender.

## **7. 7. Penalties**

The University treats misuse of its computer systems very seriously. All misuse of University computer facilities must be reported to the Chief IT Officer (Information Technology) or nominee who shall deal with each event as follows:

8. in the case of breaches against guidelines 5.1., 5.2., 5.3., 5.5., 5.9., 5.12. or 5.13., immediately withdraw the user's access privileges to the network for a period not exceeding two months, subject to an appeal to the Chief IT Officer (Information Technology), or nominee, by the user;
9. in the case of breaches against the remainder of the guidelines, or in the case of an appeal under (i), the Chief IT Officer (Information

Technology) or nominee shall ascertain or review the facts pertaining to the alleged misuse;

10. the Chief IT Officer (Information Technology) or nominee shall interview the person alleged to have committed the misuse. The person alleged to have committed the misuse may be accompanied by another person, as may the Chief IT Officer (Information Technology);
11. after the interview, the Chief IT Officer (Information Technology) or nominee shall inform the alleged person whether or not the allegation is found to be proven. In the event that the allegation is found proven, the Chief IT Officer (Information Technology), or nominee shall be empowered to:
  - (a) recover any costs associated with the misuse;
  - (b) impose a fine not exceeding \$200 for each offence. In this case, the offender's access privileges will be withdrawn until the fine has been paid,
  - (c) withdraw the offender's access privileges for a period not exceeding two calendar months,
  - (d) inform relevant law enforcement agencies of the facts of the case.

The Chief IT Officer (Information Technology) or nominee shall, in writing, inform the offender of the decision, the penalty imposed and the offender's right of appeal as outlined in item (5) below. The Chief IT Officer (Information Technology) or nominee shall also inform the relevant Dean of the offence and the penalty imposed.

12. The offender shall have the right of appeal against a nominee of the Chief IT Officer's decision and/or the penalty imposed. Should the offender being a student wish to appeal, then the offender should, within 14 days and in writing, appeal to the Disciplinary Committee established under the Student Conduct Rules. Should the offender being a staff member wish to appeal then the offender should, within 14 days and in writing, appeal to the Chief IT Officer (Information Technology).
13. Upon receipt of such an appeal, the Chief IT Officer (Information Technology) shall consult with the nominee, to ascertain the details of the offence. The Chief IT Officer (Information Technology) may also interview the offender and call for any supporting evidence that is required to reach a decision.

After examining the evidence available, the Chief IT Officer (Information Technology) may:

- (a) instruct the designated nominee to exonerate the offender or reduce the fine imposed;
- (b) uphold the nominee's initial finding. In either case the decision of the Chief IT Officer (Information Technology), shall be final. Misuse or unauthorised use of University computers and/or communications facilities will, in many cases, constitute an offence under the Commonwealth Crimes Act of 1913, as amended and/or other pieces of State or Commonwealth legislation. Nothing in the University rules relating to use of these facilities may be taken as in any way diminishing or removing persons' obligations to comply with the law, or their liability to prosecution and punishment under the law.

## **14. 8. Declaration**

All users of the University's computing facilities are required to agree to the following declaration before being granted access to the facilities:

I hereby promise that I will comply with the Rules for the Use of University Computing and Communications Facilities established under the Act and By-laws of the University.

## **Appendix A**

### **Non-University Community members eligible to be subscribed to “une-official”**

1. University Partnerships
2. Members of UNE Council
3. AGBU
4. Centre for Water Policy Research
5. Institute for Rural Futures
6. National Marine Science Centre
7. Oorala
8. Student Health
9. UNE Partnerships
10. UNE Sport
11. UNE Sydney
12. UNE Tamworth
13. UNE Taree
14. UNE Union
15. UNEPA
16. UNESA
17. Yarm Gwanga