

APPENDIX K

CODE OF CONDUCT FOR COMPUTER USE

Introduction

The College encourages the use of computers in all areas of study. In keeping with this goal, the following code has been established to protect the individual user and the College from unnecessary exploitation. Computer abuse is expensive and can have far-reaching negative consequences - disrupting the educational process through intentional deletion of another's course assignment; dampening the creative process through theft of intellectual property; violating an individual's privacy; or infringing on copyright laws.

Computing Environment

A variety of computing resources are available at Morrisville State College ranging from application-specific microcomputers to a central multi-user system.

Consistent with the Code of Conduct, administrators and faculty may develop and publish specific guidelines for computer use, and file and software access philosophies for their areas as long as they are not in conflict with this Code. When evidence exists to suggest that a person has violated the Code of Conduct, the system administrators may review that individual's account to ensure effective use of and access to computing resources and to enforce computer use rules. Users should disclose to Computer Services personnel misuses of computing resources or potential loopholes in computer systems' security, and cooperate with systems administrators in their operation of computer systems and investigation of abuse.

Rules of Conduct

Rules of computer conduct include, but are not limited to (individual departments, etc., may have additional rules), the list below. Interpretation of the Rules of Conduct, and issues regarding ownership of developed works and copyrights of commercial products should be directed to the appropriate systems administrator.

Those who have been found by due process to have abused the privilege of using Morrisville State College's computing resources may lose computing privileges, be subject to College discipline, or be subject to criminal prosecution. Loss of computing privileges may prevent students from completing academic assignments. The rules of conduct for computer use are:

1. Computer programs are considered to be literary works and are protected by the same copyright laws. Therefore, users may not use others' programs or parts thereof without proper acknowledgment. This is plagiarism and must be avoided. In accordance with the Code of Academic Honesty (see Student Handbook, Faculty/Staff Handbook). If you copy programs, (e.g. subroutines from a textbook or another individual), you must credit the source just as you would for a research paper.
2. Users must not distribute copyrighted or proprietary material without written consent of the copyright holder, nor violate U.S. copyright or patent laws concerning computer software, documentation, and other tangible assets. Unless otherwise indicated by the author, users should assume that any software they did not create is copyrighted.

3. Users must not present false identification or misleading information to gain access to computing resources (including signing on with other persons' accounts and passwords) nor use computing resources for which they are not authorized. Users may use an account only for the purposes for which they applied and not for others such as advertising for a commercial organization or running a business (Article V, #6, Student Handbook, Faculty/Staff Handbook).
4. The protection of your data and programs and the elimination of misuse of your account by others depends on your maintaining the appropriate level of security over your password. Therefore, users should not reveal their password to anyone including faculty or staff, nor should they let another person use their account unless under the guidance of the systems administrator for a specific purpose.
5. Users may not change, copy, delete, read, or otherwise access files or software without permission of the owner or user files or systems administrator for systems files. In general, if it is not yours, do not touch it. To do so is considered "theft or possession of stolen property" in violation of the Rules of the Morrisville State College Council (Student Handbook, Faculty/Staff Handbook).
6. The computer systems provided by the College are equally available to all legitimate users. Therefore, users may not prevent others from accessing the system nor may they unreasonably slow down the system by deliberately running wasteful jobs. Some examples include disabling or crashing the system, sending personal E-Mail messages and playing games while others are waiting to use the terminal, sending malicious mail, mass mailings or chain letters, and creating unnecessary multiple jobs or process names (Student Handbook, Faculty/Staff Handbook).
7. The accounting and security mechanisms on the system have been established for the protection of all users. Users may not bypass accounting or security mechanisms or attempt to circumvent data-protection schemes or uncover security loopholes. Users may not attempt to modify Morrisville State College software, except that intended to be user-customized, without expressed permission of the systems administrator (Student Handbook, Faculty/Staff Handbook).
8. All users have the right to use the computer free from outside interference and distractions. Therefore, users may not harass others (e.g. by sending annoying, obscene, libelous or threatening messages). Users may not provide others with programs or files that cause damage to their files or the operation of the computer system, compromise the security of their accounts, or disable their account (Student Handbook, Faculty/Staff Handbook).
9. Users may not use a computer system to violate any rules in the Morrisville State College Student Handbook or other policy publications, or any local, state, or federal laws including New York statutes regarding computer crime.

Digital Copyright Notice

The facts

Uploading or downloading copyrighted files may be a violation of the Morrisville State College [Code of Conduct for Computer Use](#) and/or the U.S. Digital Millennium Copyright Act (DMCA) of 1998. Violators of the Digital Millennium Copyright Act who have illegally shared copyrighted files are subject to civil penalties of between \$750 and \$150,000 per item (i.e. song, video, movie, game, software). Previous alleged DMCA violations at Morrisville State College have resulted in Recording Industry pre-litigation

lawsuit settlements of **at least \$3,000.00 each** to more than 50 Morrisville students. Additionally, a court may, in its discretion, grant the copyright owner reasonable attorney fees. Although prosecution of students for this type of file sharing is extremely rare, 17 USC § 506 lays out criminal penalties for intentional copyright infringement which can include fines and jail time.

At Morrisville

Morrisville State College has implemented a technology-based deterrent to combat unauthorized peer-to-peer file sharing, namely Audible Magic's CopySense Network Appliance. If the CopySense Network Appliance detects a copyrighted file transfer, the actual transfer is blocked and the individual is redirected to an [educational webpage](#) describing the consequences of unauthorized distribution of copyrighted material.

Additionally, Morrisville State College has a "one-strike and you are out" rule and disables an individual's network access if a copyright infringement notification is received. The alleged infringer must then meet personally with a Technology Services staff member for a one-on-one educational dialogue on copyright prior to regaining access to the network.

The information in this Digital Copyright Notice is reviewed and affirmed by Morrisville State College students annually.

Alternatives

For a list of legal websites for music, please visit either the MusicUnited website at www.musicunited.org/6_legalsites.html or the Educause website at www.educause.edu/legalcontent.