



*Inter American University of Puerto Rico*

## **INSTITUTIONAL GUIDELINES AND STANDARDS FOR THE APPROPRIATE USE OF INFORMATION TECHNOLOGY, COMPUTERIZED INFORMATION SYSTEMS, AND TELECOMMUNICATIONS**

**NORMATIVE DOCUMENT 1-0410-011R**

### **Introduction**

During the last decades, education has been impacted by the transformations that are constantly occurring in the field of information technology and telecommunications. This represents a challenge for educational institutions such as the Inter American University of Puerto Rico, which has made significant progress, duly planned, in the use of computer and communications technology. However, for technology to harmonize with the vision of an integral education at the University, technological resources must be used responsibly, both from an ethical and legal point of view.

This normative document, on the one hand, complements the existing regulations of the University; while on the other hand, it establishes the reference framework for the development of rules and procedures for the use of the different information technologies in the University.

### **I. Legal base**

These guidelines and standards are formulated in accordance with the policy approved by the Board of Trustees of the University and are in compliance with the University's Bylaws, the Puerto Rico Penal Code, and other applicable international, federal and state laws, such as the Electronic Communications Privacy Act of 1986 and the HIPAA Act of 1996, among others.

### **II. Purpose**

In accordance with the policy approved by the Board of Trustees and cited in this document, the University will encourage the use of technology to advance its mission and to ensure that users use it in an ethical, legal, and responsible manner. These Guidelines and Standards establish the framework within which the University administration will direct and manage the use of information and telecommunications technology in accordance with the policy established by the Board of Trustees.

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On the other hand, these Guidelines and Standards are also intended to fulfill two main functions: first, to establish the general rules by which the University will strive to comply with its legal obligations in the area of technology; and second, to set the expectation that the University community and internal and external users will employ technology resources in a manner that preserves both the integrity and legality of the systems and the dignity of their users.

### **III. Scope**

These Guidelines and Standards apply to the entire University community and to all internal and external users of the University's information technology resources and telecommunications services.

### **IV. Definitions**

- 4.1 University community - members of the Board of Trustees, teaching and non-teaching employees, students and contractors rendering services to the institution.
- 4.2 Board of Trustees - Board of Trustees of the Inter American University of Puerto Rico, Inc.
- 4.3 President - President of the Inter American University of Puerto Rico, Inc.
- 4.4 Privacy - the right of an individual or organization to create, maintain, send, and receive electronic data and communications without unauthorized access by others.
- 4.5 Institutional unit - academic and administrative units of the Inter American University of Puerto Rico System, Inc.
- 4.6 University or Institution - Inter American University of Puerto Rico, Inc.

### **V. Institutional policy approved by the Board of Trustees**

It is the policy of Inter American University to offer the University community the privilege of access to its information technology and telecommunications resources in an environment of privacy and security while protecting and securing its physical, intellectual, and data properties and interests. These resources include data, files, software, physical facilities, equipment, data storage media, networks and network services, voice, e-mail, images, video, communications media, and other information technology media.

The University recognizes that these technologies contribute to increased productivity and therefore values their use in research, academia, and management. It also recognizes that the use of technological advances must be in harmony with its ethical values and in accordance with federal laws, Puerto Rican laws and the regulations of the Institution.

Strengthened by its values and traditions, and guided by its Christian and ecumenical principles, the University affirms its commitment to provide and maintain in the University community an affirming environment conducive to individual experimentation and creativity, while promoting the legal, ethical, and responsible use of technological resources.

The University recognizes the need to promulgate its policy on the interdependent and complementary elements of privacy and security for the protection of data transmitted and stored on its technological resources. Any entity operating in compliance with the law should strive to comply with its legal obligations. However, it is also fair and necessary for an institution dedicated primarily to education to establish, through its policy, its expectations for users of its resources to comply with both its legal obligations and the institution's ethical policies.

In accordance with this policy, the institution is committed to maintaining an infrastructure that guarantees the university community access to information, both local and international, and to fostering the use of technology to enrich its educational efforts, increase understanding and generate new knowledge.

## **VI. General Provisions**

### **6.1 Privacy**

- 6.1.1 Generally, the University monitors or restricts, in accordance with applicable law, the content of its information technology resources, and reserves the right to limit or prohibit access to these resources when in violation of federal and state laws or regulations, University regulations and policies, or its contractual obligations.
- 6.1.2 The University respects the privacy of users but reserves the right to inspect the use of its technology resources when there is a reasonable suspicion of violations of international, federal, state, or its own laws or when there is an emergency situation or a threat to the integrity or security of the computer system. Prior to accessing a user's files, a reasonable effort will be made to inform the individual that the University will be inspecting his or her files.



6.1.3 When authorized outside sources request an inspection or examination of any communications system owned or operated by the institution, the University will treat the information contained in the systems as confidential unless the request is supported by one or more of the following conditions:

- a. that it be approved by the corresponding university officer,
- b. that is authorized by the owner of the information,
- c. when an emergency and hazardous situation exists or may arise that could result in damage to life or property,
- d. required by federal or state law,
- e. that is required by a valid subpoena or court order.

## 6.2 Security

6.2.1 The University will provide reasonable security against invasion and damage to files stored on its technology resources. However, users cannot hold the University, or any member of its staff responsible for unauthorized access or damage to files due to natural causes. In addition, the University will not accept any responsibility for damage to equipment or personal files caused by failures in the University's computer system.

6.2.2 The University owns and has responsibility for the technology resources and internal computer networks used throughout the University system. The University also owns the rights to programming (software), owned or acquired, and to all information that is generated, resides, or is developed on its computers or networks, unless otherwise stated in a contract. Accordingly, the University has the responsibility to manage, protect, and monitor this collection of computers, software, and networks.

6.2.3 Users are responsible for maintaining the security, confidentiality, integrity, and protection of the University's information systems, following the rules mentioned below.

## VII. Rules for the use of technological resources

7.1 The use of computer and telecommunications resources for personal or commercial purposes is prohibited.

- 7.2 Every user of the University's information technology and telecommunications resources is responsible for protecting these resources, ensuring the correctness, integrity, and confidentiality of the information to which he/she has access and complying with the conditions of use of the corresponding license. In addition, he/she is obliged to respect the rights and privacy of others.
- 7.3 University resources may be used only for ethical and lawful purposes and may not be used for any of the following purposes or for any other purpose that is illegal, immoral, dishonest, harmful to the reputation of the University, or contrary to its mission. Unacceptable uses (some of which may also constitute illegal uses) include, but are not limited to, the following:
- a. Use for committing crimes or making expressions and acts to cause harm or terror
  - b. Harassment
  - c. Libel or slander
  - d. Fraud or false representation, falsification, or alteration of electronic documents
  - e. Destruction of or damage to equipment, programming (software), or data belonging to the University or other persons
  - f. Unauthorized duplication or unauthorized transmission of copyrighted material
  - g. Use or duplication of any computer program for which a legitimate license is not held
  - h. Plagiarism, theft, robbery, and appropriation of information or other property
  - i. Use of the University seal or coat of arms without prior authorization
  - j. Violation of computer system security
  - k. Transmission and distribution of confidential information without prior authorization
  - l. Unauthorized use of computer accounts, access codes (passwords), network identification numbers (addresses, including e-mail addresses assigned to others), information systems, and other unauthorized uses of information systems (addresses, including e-mail addresses) assigned to other persons, information systems, and other unauthorized uses
  - m. Use of resources in a way that impedes the activities of other people or affect the functioning of the University
  - n. Use of resources for commercial purposes or personal gain
  - o. Violations of the academic honor code
  - p. Violation of programming license agreements (software)
  - q. Violation of policies, rules, and regulations for the use of internal and external networks
  - r. Violation of the privacy (intimacy) of others

- s. Disseminating or sending obscene, pornographic, sexually explicit, or offensive material, or intentionally accessing such material
  - t. Disseminating or sending material contrary to the mission or values of the University and to ethics and morals
  - u. Intentional or negligent distribution of computer viruses or other means that alter and damage the operation of computer systems and telecommunications
  - v. Any other malicious use that may cause network congestion or interfere with the work of others
- 7.4 When a notice of inspection is required by law or court order, users will receive notice prior to the inspection.

## VIII. Responsibilities

- 8.1 The Center for Information Technology and Telecommunications of the System Central Office, or as it may be called in the future, in coordination with the Office of Systemic Evaluation and Research, shall be responsible for the preparation of other policy documents necessary for the effective implementation of the institutional standards contained in this document. The preparation of these documents shall be done in harmony with the document, *Standards for the System of Normative Documents of the Inter American University of Puerto Rico*. The Office of Evaluation and Systemic Research will be responsible for the dissemination of this and other related policy documents to the vice presidents and chief executives of the academic units.
- 8.1.1 Also, will maintain updated and published in the portal <http://www.inter.edu> and other related policy documents.
- 8.2 The academic units, taking into consideration their particular needs, shall prepare operational procedures for implementation following the minimum systemic parameters established in this normative document and in the document *Norms for the Normative Document System of the Inter American University of Puerto Rico*.
- 8.3 All users of the University's computerized information systems will be responsible for the appropriate use, faithful compliance, implementation and ethical and legal operation of this policy and the operational procedures that are established. Consequently, the University Administration, through its communication channels, must make this document and other related documents that may be generated accessible to users for their implementation.

- 8.4 Every user is responsible for knowing the institutional rules applicable to the different aspects of the use of electronic media, as applicable. These are published at <http://www.inter.edu>.

## **IX. Disciplinary actions**

- 9.1 Access to the University's information technology resources is a privilege. All users must take this into account when using these resources. Abuse of this privilege may be cause for corrective and disciplinary action established by the University or legal action. The action taken in each case will depend on its particular circumstances.
- 9.2 Minor infractions related to what is set forth herein will generally be resolved directly with the individual involved in accordance with applicable official University policies, processes, and procedures. Repeated minor infractions or non-compliance or misconduct by a user may result in temporary or permanent loss of the privilege of access to technology resources, a modification of the privilege, and in some cases, suspension, termination, or other disciplinary action consistent with university regulations, codes of conduct, and personnel policies.
- 9.3 The most serious violations include but are not limited to criminal or illegal acts; unauthorized use of technology resources; the Commission or attempts to steal passwords, data, or equipment; use or attempts to copy software without required authorization; damage to computer systems and information resources.
- 9.4 Any offense that violates international, federal, or state laws or University regulations will result in immediate loss of the privilege of access to university technology resources and will be referred to appropriate University officials and appropriate external public authorities for corrective action.

## **X. Separability**

If any part or section of these guidelines and standards is declared invalid by a competent authority, such decision shall not affect the remaining parts.

## **XI. Repeal or amendment**

These Guidelines and Standards replace and update Normative Document 1-0410-011 and any other guidelines that are in conflict with the provisions herein. This document may be amended or repealed by the President of the University.

## **XII. Validity**

These Guidelines and Policies shall be effective immediately upon approval and signature by the President.

## **XIII. Approval**



Manuel J. Fernós, Jr.

President

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Date (D-M-Y)