



Howard University School of Law

Information Network & E-mail Student Acceptable Use Policy and Guidelines 2005-2006

TABLE OF CONTENTS

<u>STATEMENT OF POLICY</u>	3
<u>APPLICABILITY OF THE POLICY</u>	3
<u>INTERNET CONNECTIVITY RESPONSIBILITY</u>	4
<u>APPROPRIATE USE OF THE INFORMATION NETWORK</u>	4
<u>GUIDELINES</u>	4
1. <u>HARASSMENT</u>	4
2. <u>PROHIBITED ACTIVITIES</u>	5
3. <u>ACCESSING INAPPROPRIATE MATERIAL</u>	6
4. <u>COPYRIGHT INFRINGEMENT AND PLAGIARISM</u>	6
5. <u>PRIVACY VIOLATIONS</u>	6
6. <u>MISUSE</u>	7
7. <u>CONSIDERATE BEHAVIOR</u>	7
8. <u>COMPUTER VIRUSES</u>	8
9. <u>SAFETY</u>	8
10. <u>E-MAIL OWNERSHIP</u>	8
11. <u>BLANKET OR MASS E-MAIL TRANSMISSIONS</u>	9
12. <u>NETWORK SECURITY</u>	10
13. <u>SANCTIONS FOR VIOLATION OF THIS POLICY AND GUIDELINES</u>	10
14. <u>CONSTRUCTION AND INTERPRETATION OF POLICY AND GUIDELINES</u>	10
<u>STUDENT CONTRACT</u>	12

Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines
2002-2003

STATEMENT OF POLICY

The Howard University School of Law Information Network consists of the computers, peripherals (printers, scanners, CD-ROM, digital cameras, etc.) software, the internal data network, and the connection to the Internet. These resources are intended primarily for educational and administrative use by the students, faculty and staff of Howard University School of Law.

Access to the resources of Howard University Network is a privilege accorded to students who agree to abide by this *Acceptable Use Policy and Guidelines*. The existence of the Information Network at the Law School offers a valuable tool to enhance the educational experience for all students and faculty. The ability to communicate almost instantaneously permits learning and teaching to continue outside of the traditional classroom setting. Research and dialogue, so necessary for a vibrant and thriving academic environment, can engage a diverse group of students and faculty in lively and enlightening exchanges.

As the complexity and range of the Law School's Information Network continue to grow, it is necessary for the School of Law to provide policies and guidance to ensure appropriate use by the members of the law student community. These policies and guidelines are intended to further the educational mission of the School and to further the use of the Information Network in that mission.

APPLICABILITY OF THE POLICY

This *Policy and Guidelines* document shall be applicable to each student at the Howard University School of Law immediately upon her/his matriculation to the School of Law and shall remain applicable to her/him until he or she shall separate or be separated from the School of Law.

This *Policy and Guidelines* document may be revised from time-to-time to remain consistent with any then-current Howard University policies and regulations pertaining to the use of the Law School's Information Network. Upon revision, this *Policy and Guidelines* shall be approved by the faculty of the School of Law and shall then be fully applicable to all students at the School of Law.

INTERNET CONNECTIVITY RESPONSIBILITY

Being connected to the Internet means that we are connected to many thousands of computers and share resources with millions of other people and organizations throughout the world. Howard University acknowledges that some material exists on the Internet that is not suitable to the educational purpose of the Law School, and everyone must understand and accept that access to such material from the Howard University Network is strictly forbidden. The Network should be used to obtain resources in further pursuit of intellectual activities, including the sharing of that knowledge with peers and teachers.

Those found to be in violation of this policy may have their privileges revoked and be subject to sanctions as set forth below.

APPROPRIATE USE OF THE INFORMATION NETWORK

Appropriate uses of the Howard University Network include: independent study, research completion of law school and work assignments, instruction, and the official work of the administrative offices. Other uses may be appropriate provided that such uses are not otherwise prohibited by the *Policy and Guidelines*, and do not interfere with the educational mission of the School of Law, and do not pose a potential danger to the integrity of the Network and its accessibility to all members of the Law School community.

GUIDELINES

1. HARASSMENT

Users of the resources of the Howard University Network are prohibited from using those resources in a manner that creates a “hostile user environment” for others, or in a manner that is intended to cause harm to other users, or in a manner that is in gross disregard of the offensive nature of the communication. Displaying images, sounds, or messages on a computer in a public area that causes harm to others in that area is also prohibited. The standard of conduct required by this non-harassment guideline requires that all users take responsibility for conducting themselves in a manner that is consistent with the fact that their use of the Network resources is shared with a diverse community of other users. Users must assume that their electronic correspondence is the legal equivalent of publicly spoken or written words.

- a. The use of abusive, obscene, inappropriate, or otherwise offensive language that is intended to harass another or is in gross disregard of the offensive nature of the communication and that is part of a communication that the recipient has not solicited or agreed to be a party to is presumptively harassing behavior and is prohibited.

**Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003**

- b. This provision on harassment shall be construed in the context that the law school environment is one in which vigorous dialogue and debate are intended to take place.
- c. Recommended action if a student believes that he/she is a victim of harassment:
 - (i) *What to do if you suspect that you are the victim of harassing e-mail:*
 - 1. Do not delete the e-mail. You need to keep it as evidence.
 - 2. Assess the situation. If you believe that you are in danger, contact your local law enforcement agency immediately! On campus, contact security.
 - 3. Tell the harasser to stop: Reply to the harassing e-mail with a firm but polite message telling him or her to refrain from sending you any more mail.
 - 4. If the harasser does not stop: Report the situation to the appropriate address below.
 - (ii) *Where and how to report suspected harassment:*
 - 1. security@law.howard.edu (We need to provide some information to campus security)
 - 2. Send e-mail describing the harassment. Include a copy of the original harassing e-mail if you wish, but it's not necessary.
 - 3. Send a copy of the message you sent telling the harasser to stop
 - 4. Forward a copy, with full header, of the harassing message you received after you told the perpetrator to stop. Remember to forward this message: don't bounce it or send it as a MINE attachment

Nothing in the above recommendations about how to proceed if a student believes that he/she is a victim of harassment should be viewed as a prerequisite to the student making a report of what he/she believes to be harassing behavior. Suspected harassing actions by others should be reported immediately to the System Administrator, irrespective of whether the student has followed the above recommendations for reporting suspected harassment.

2. PROHIBITED ACTIVITIES

Prohibited activities involving the Network include, but are not limited to, the following:

- a. Vandalism of computer equipment.
- b. Tampering with hardware or software.
- c. Unauthorized use of someone else's account folders or passwords.
- d. Sending/receiving messages with someone else's name on it with the intent to deceive, to defraud, or to misrepresent the person whose name is used.
- e. Removing or breaking network cables or damaging hardware.

- f. Using Law School resources in any manner that violates local, state or federal law.

System Administrators may be bound to report prohibited activities constituting suspected criminal behavior to law enforcement authorities.

3. ACCESSING INAPPROPRIATE MATERIAL

Students must not access, download, or transfer any material that is inappropriate and/or inconsistent with the educational mission of the Law School.

Students should obtain approval from the System Administrator before downloading any software and/or applications from the Internet which are clearly not related to the educational mission and operation of the Law School or are unrelated to the protection of the computer system (e.g., virus definition files would be an exception). If a student is uncertain about the appropriateness of an intended download, the student should consult the System Administrator.

If a student is unsure of the appropriateness of downloading material or the appropriateness of engaging in any other activity concerning the Law School network, a student should consult the System Administrator.

4. COPYRIGHT INFRINGEMENT AND PLAGIARISM

Students must not access, store, reproduce, distribute, or display any material including graphics, sound clips, music and data CDs, pictures, or text in a manner which violates the copyright of the material. This includes plagiarism or unauthorized copying of electronic documents. Most software is protected both by copyright law and contractual restrictions. Under no circumstances should students load or download any software onto the Howard University Network or desktops, personal or otherwise, without first obtaining permission from a System Administrator. Students must not use the Howard University Network to create, store, transfer or operate software in a manner that violates the rights of the holder of the copyright to the software.

5. PRIVACY VIOLATIONS

Students should not seek information about, browse, obtain copies of, modify files, passwords, or tapes belonging to others at the Law School or elsewhere, unless specifically authorized to do so by those individuals. If a student comes into contact with another individual's account and personal information, the finder should report that information to a System Administrator. A System Administrator, may to the extent permitted by law, assume access rights to a student user's private files under the following circumstances:

1. When required to do so for maintenance of the Law School's computer resources;
2. In emergencies; or

**Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003**

3. In the course of investigating possible wrongdoing.

6. MISUSE

Students should not misuse the resources of the Howard University Network. In addition to those matters covered elsewhere in these *Guidelines*, misuse shall be considered the use of any resources that interferes with the Law School's educational and administrative mission or operation. Misuse includes but is not limited to:

1. Game-playing to the extent that it interferes with the use of the system for educational and administrative purposes;
2. Internet chat and/or invitations to chat to the extent that such activity interferes with the use of the system for educational and administrative purposes;
3. Sending or forwarding chain letters;
4. Unauthorized storage on network resources;
5. Forwarding 'junk' mail to others when permission to forward such "junk" mail has not been obtained from the intended recipients ;
6. Excessive use of the Law School's computers and/or network for personal work unrelated to the educational mission or operation of the Law School;
7. Excessive use of the Law School's computers and/or network for work that is of a commercial nature and is unrelated to the educational mission or operation of the Law School.

7. CONSIDERATE BEHAVIOR

In addition to being conscious of the obligation to refrain from prohibited activities and misuse of network resources, students should also be aware that the network resources are community-owned and used. The communal nature of the resources creates an obligation on the part of each student to be aware of the needs and interests of other users of the network resources. Students must be sensitive; therefore, to the special need for software and services that may be available in only one or limited locations. Students should limit their use of such software and services to a reasonable time period and should permit access to those who have been waiting and/or who may have an emergency.

Students should be respectful to others both internal and external to the Law School and to the University. The maintenance of good "etiquette" in electronic communications is necessary at all times.

To ease network congestion, students should download only the information that is actually needed and that is appropriate. Logout when finished with the computer.

8. COMPUTER VIRUSES

Viruses are unauthorized computer programs that may destroy or damage computer files on an infected computer. A virus might be located in any file or disk obtained from a third party. If a student has any doubts or concerns about the source of any file that the student plans to load onto a Law School computer, the student should obtain permission from a System Administrator before loading the file. It is also the student's responsibility to be sure that her/his files are backed up at an alternate location.

If a student is found to have been responsible for a computer becoming infected with viruses, or any other destructive code, the student may be held liable for any resulting damage or data loss on the Law School Network. Virus protection is available under a site license owned by the Law School. *It is the responsibility of each student to be sure that her/his virus protection is updated in a timely manner.*

9. SAFETY

The Howard University Network and connected information networks are "public places." Students must always remember that they share this space with many other users and that their actions "on-line" can be monitored by others. It is likely that outsiders are aware of all activities taking place while the student is on the Internet. When using the Internet and communicating with others, keep the following in mind: you cannot see other users, so you don't know if they are who they claim to be. Exercise caution when communicating with peoples anywhere. Be careful about giving any information on-line. This includes supplying your name and e-mail address to Web sites requiring membership. Doing so may result in your receiving unsolicited e-mail.

Students should think carefully about what they are saying and how they are saying it. Be respectful in all of communications. Remember that you represent Howard University School of Law when you are on the Internet. Follow the rule that if you would not say something in person, by all means do not say it electronically!

A student must log out when finished using the Network. A failure of a student to log-out and the subsequent misuse of the student's access information by another may result in the student being held responsible for any misuse or prohibited activity conducted under the student's access information.

10. E-MAIL OWNERSHIP

All e-mail information inbound and outbound is maintained and considered public information on the Information Network of the Law School. While the Law School makes every effort to maintain the confidentiality of the School's internal e-mail system, there are circumstances in which it is necessary for the System Administrator to access or to copy e-mail messages or any

**Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003**

other electronically stored data or files. All electronic communications as well as the systems on which such communications are transmitted, received, or stored are the property of the Howard University School of Law. The System Administrator reserves the right to access such systems and the data and files stored on them, and nothing in this *Policy and Guidelines* document shall be interpreted to limit such right of access.

11. BLANKET OR MASS E-MAIL TRANSMISSIONS

- a. A “blanket” or “mass e-mail” is a transmission to multiple persons who have not explicitly agreed, prior to the transmission, to receive such transmission.
- b. Students must not transmit, cause to be transmitted or forward mass transmissions without the approval of the mass transmission panel as defined in this provision.
- c. The mass transmission panel shall consist of one student representative from each class and may include additional persons as the student body governing organization shall deem appropriate. The panel shall meet as often as necessary, but not less than once per week, to consider and to act on requests by students to transmit mass transmissions. The panel shall name a chair and shall determine the structures and procedures necessary to carry out its work. The panel shall make a determination as to whether the requested mass transmission is consistent with the educational mission and operation of the Law School.
- d. Should there be a request for an emergency transmission, and the transmission panel is unable to convene in a timely manner to review and to act on the request, the chair of the panel shall so-notify the Assistant Dean for Student Affairs, and the Assistant Dean shall make a determination as to whether the requested mass transmission is consistent with the educational mission and operation of the Law School.
- e. Mass transmissions made on behalf of student body governing organizations and Law School-approved student organizations are permitted to be made without prior approval of the mass transmission panel, provided that the transmissions are clearly related to the function and operation of the student body governing organization or the student organization and are authorized by an officer of the organization.
- g. Any decision of the mass transmission panel may be appealed to the Assistant Dean for Student Affairs solely on the question as to whether the panel’s decision is a clear abuse of discretion. There shall be no further appeal beyond the Assistant Dean for Student Affairs.
- h. The Assistant Dean for Student Affairs shall review from time to time the performance of the mass transmission panel. The Assistant Dean shall promulgate policies as to the use of mass transmissions consistent with the Law School’s

**Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003**

educational purpose if the mass transmission panel fails to monitor and to make decisions consistent with the *Policy & Guidelines*.

- i. Any policies promulgated by the Assistant Dean for Student Affairs may be reviewed by an ad hoc committee of three faculty members appointed by the Dean of the School of Law. The sole issue before the ad hoc committee shall be whether the policy(ies) promulgated by the Assistant Dean for Student Affairs is a violation of University or Law School policies and procedures. The procedures set forth in the Code of Student Conduct for the disposition of student grievances shall determine time limits and any other procedural issues that may arise.

12. NETWORK SECURITY

It is the job of all of us to keep the Howard University Network secure. **Students should never share their accounts or passwords with anyone.** Also know that the Administrators of this or any other system will never ask a student for this information, the Administrators already know it. If a student has forgotten her/his password or thinks someone else might have access to her/his account, the student should report it to a System Administrator immediately.

The best way to keep for a student to keep her/his account secure is to have a proper password that she/he changes periodically. Should a student discover any gap in the system or network security, the student should report it to the System Administrator immediately. Students should refrain from exploiting any such gaps.

This policy may be amended from time to time. The most current version will be available on the Howard University School of Law website at <http://www.law.howard.edu>.

13. SANCTIONS FOR VIOLATION OF THIS POLICY AND GUIDELINES

Once promulgated, each student is responsible for having obtained a copy of this *Policy and Guidelines* and is responsible for having read and understood their rights and obligations as contained herein. Any alleged or suspected violation of this *Policy and Guidelines* shall constitute an alleged breach of the Code of Student Conduct and shall be subject to investigation and disposition in accordance with the procedures set forth in the then current H-Book.

14. CONSTRUCTION AND INTERPRETATION OF POLICY AND GUIDELINES

This document is to be construed in a manner that is consistent with a free and open exchange of ideas and opinions that is traditionally expected in an institution of higher learning. Nothing herein shall be interpreted to restrict the free exercise of expression, except that such free exercise shall not be considered a license to harass any other member of the community nor shall

**Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003**

such free exercise be considered a license to act in an unlawful manner or in a manner that is in contravention of the policies and regulations of the University or the School of Law.

Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003

**Howard University School of Law Information Network
Student Acceptable Use Policy and Guidelines
2002-2003**

STUDENT CONTRACT

Student Name: _____ ID# _____
(PLEASE PRINT CLEARLY)

I have read the *Howard University School of Law Information Network Student Acceptable Use Policy and Guidelines 2002-2003* and I understand my rights and obligations under the *Policy and Guidelines*. I agree to abide by this *Policy and Guidelines* both in letter and in spirit. I understand that failure to respect these privileges and rights and to live up to obligations as set forth in the *Policy and Guidelines* will result in appropriate disciplinary action, which may include the full sanctions allowed under Code of Student Conduct as contained in the Howard University H-Book.

Student Signature

Date

**Howard University School of Law
Information Network & E-mail
Student Acceptable Use Policy and Guidelines 2002-2003**

Revised Draft Prepared and Respectfully Submitted by the Computer-Use and Technology Committee:

Professors: Gregory Berry
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Staff: Frank King, Director, Information Systems & Technology
Samuel McClendon, Associate Dean for Administration & Operations

Students: Donnie R. Cureton, Jr
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Faculty action at regularly scheduled meeting:	November 7, 2002

Approved by the Howard School of Law Faculty at a regularly scheduled meeting of the faculty on:

November 7, 2002.