

*University Libraries:
Policy on the Use of Information Technology Resources*

[approved by ACT on 11 September 2002 and becomes effective on that date]

University of Louisville

Louisville, Kentucky USA

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Policies in Force

The University of Louisville (“UofL”) enters into arrangements with various Internet service providers (“ISPs”) from time to time whose policies would control the acceptable use of any and all network services provided to the UofL community. UofL also has implemented university-wide guidelines and limitations on acceptable uses of computing resources at the university, including computing accounts, resources, and remote access to intranet services. In addition, Kentucky statute defines specific crimes that might arise from certain uses of state computing resources and sets forth corresponding criminal penalties for unacceptable uses [see Appendix A attached].

1. [Sprint Acceptable Use Policy](#)
2. [UofL Information Technology Computer Security and Account Policies](#)
3. [UofL Computer Account Usage Agreement](#)
4. [UofL.net Remote Acceptable Usage Guidelines and Limitations](#)
5. [UofL.net Remote Terms & Conditions](#)

Policy on the Use of Information Technology Resources in University Libraries.

This policy governs the use of computing and information technology resources within and controlled by University Libraries (“Libraries”), including any and all resources provided by others in arrangement with the Libraries. University Libraries holds full authority to apply this Policy to determine acceptable uses of Libraries information technology resources, including applying sanctions for unacceptable uses under its authority within UofL and consistent with broader UofL IT policies and university governance. To the extent that this policy might from time to time become inconsistent with overarching UofL and ISP policies, university authorities would rely on the broader policies to determine whether a use is acceptable and appropriate in consultation with University Libraries. University Libraries reserves the right to revise this policy to reflect the dynamics of rapidly evolving technologies and changing legal conditions.

Office of Libraries Technology

The Office of Libraries Technology (“OLT”) oversees the multitude of information technology resources available to library users and the Libraries community. One of OLT’s crucial responsibilities is to ensure that such resources are widely available to the great and growing range of users within the UofL and Louisville communities.

In order to successfully maintain the *integrity* of network and computing resources and in order to best fulfill the University Libraries mission to “[s]erve the University and metropolitan communities in their quest for information by providing excellent resources with friendly and knowledgeable assistance,” OLT holds full authority to implement and administer the *Policy on the Use of Information Technology Resources in University Libraries* under the direction of the University Librarian and in accordance with Libraries and university governance policies.

Integrity of Libraries Resources

The Director of OLT will enjoy sole discretion to maintain the integrity and operation of IT resources in University Libraries and to investigate complaints and occurrences related to the Libraries adoption and implementation of this policy, including applying various sanctions and penalties for unacceptable uses. Such sanctions could include, but are not limited to, suspending, restricting, and denying a user access to Libraries information technology resources. OLT reserves the right to and its sole discretion will inspect, remove, and alter any file, data, and system resource(s) that potentially could or will impair or undermine the use of Libraries facilities and resources. OLT also works with the UofL IT authorities to maintain the integrity of university-wide systems and will request in some circumstance that the university limit, restrict, or deny access to all UofL IT resources. Potential criminal activities will be reported to appropriate authorities for further investigation and resolution.

Public Users of Libraries IT resources will enjoy a limited right to appeal adverse determinations made by the Director of OLT. The University Librarian, or a governance committee or structure appointed by the Dean of the University Libraries, will review such appeals. Appeals shall be informal, and procedures shall accord with applicable university policies and administrative requirements.

Other users of Libraries IT resources, such as Faculty, Staff, and like users, may enjoy other appellate opportunities governed by other UofL policies and procedures.

All users of Information Technology Resources at University Libraries are responsible for reading and understanding this policy and acknowledge the application of this policy to their activities by making use of Information Technology Resources at University Libraries. If you do not understand this policy or its application, you should contact the Office of Libraries Technology.

Allocation of Libraries Resources

University Libraries makes computing and other information technology resources available primarily to serve the needs of its faculty, staff, and students in pursuing research, study, scholarship, and teaching for nonprofit, noncommercial purposes. The Libraries also are open and available to the general public to service of the needs of the Louisville and broader communities to pursue like nonprofit, noncommercial activities.

Information technology resources in University Libraries are finite and must serve a broad, diverse, and growing range of users and patrons. Members of the UofL academic community will receive highest priority in allocating IT resources in University Libraries. The Libraries reserves the right to limit uses by the general public. Such limitations might include, but would not be limited to, setting time limits on access, requiring identification and authentication for the use of certain resources, withdrawing or changing the terms of access or use of IT resources at any time and at the sole discretion of University Libraries, and applying other restrictions as necessary to best facilitate the Libraries and university mission.

Public Use of Information Resources

“Public Users” would include members of the general public, walk-in patrons in the library, students at UofL, and in the absence of prior arrangements with University Libraries, any faculty and staff of UofL not directly affiliated with or employed by the Libraries. This section of the policy applies to the use of public workstations and like facilities made available for general use within the Libraries.

Conditions, limitations, and use of Resources:

- A. Users may make use of public workstations and like facilities solely for nonprofit, noncommercial, and educational purposes consistent with the Libraries mission.
- B. The Internet and Web are unregulated resources. The Libraries does not monitor or control information available on or from these sources. Some content and software may be of dubious appropriateness, accuracy, reliability, timeliness, validity, and value and may infringe copyright and other rights.
- C. The Internet and Web are not generally anonymous. A range of perhaps trivial, sometimes crucial, information about you can and often will be collected through various means and technologies when you visit websites and like offerings. If you are concerned about your privacy, you should examine privacy policies on visited sites. You also should avoid using public machines to access “secured” sites that require you to enter personal information in order to access the site.
- D. The Libraries supports fully patron rights to access freely all legally available information within the range of Libraries resources. Not all materials available from such resources, including the Internet, however, are appropriate or suitable for public display. You should use the highest standard of judgment and discretion in deciding whether displaying such materials is acceptable and lawful in a public environment.

- E. U.S. copyright law governs, among other activities, the making of copies of copyrighted materials. Under current law, nearly all information that is “original” and “fixed in a tangible” medium of expression is protected automatically by copyright. University Libraries also licenses some electronically available materials. Terms of the licenses would govern the use of these materials. Users are solely responsible for making appropriate and lawful uses of copyrighted and licensed materials in making use of Libraries resources and technologies.
- F. The Libraries encourages and fully supports diversity and the expression of a wide-range of perspectives and ideas in a civil society and consistent with the *Library Bill of Rights* and *Access to Electronic Information, Services, and Networks: An Interpretation of the Library Bill of Rights* principles set forth by the American Library Association. In support of these principles, the Libraries strictly prohibits the use of Libraries resources to disrupt, impair, limit, or otherwise harm the rights and activities of others through means such as harassment, offensive conduct, hate mail, derogatory comments, and like forms of inappropriate or unlawful expressions and activities. The Libraries also prohibits making use of Libraries resources to pursue or conduct illegal activities, to access or transmit material violating applicable laws or regulations, and to alter, delete, reconfigure, damage, destroy, or otherwise harm network integrity at UofL and elsewhere, other servers and technology infrastructure, and Libraries property, such as workstations, laptops, or other information resources.
- G. Parents or legal guardians of children assume full responsibility and liability for the activities of their children while the children visit University Libraries and when the children use University Libraries information resources, including accessing the Internet and the Web. Remember: The Internet and Web are unregulated resources, and the Libraries does not monitor or control information available from them.
- H. Users in most circumstances may download information and data to a pre-formatted diskette provided by the user. Diskettes also may be purchased at the CopyIT Center. All downloading must conform to applicable laws and this Policy. Virus checking is the responsibility of the user. The Libraries is not responsible for any loss or damage to personal disks when downloading materials.
- I. Libraries computers typically provide a wide selection of commonly used and current software and software tools. No other software may be loaded onto a Libraries computer or other information resource.
- J. Members of the UofL academic community are given priority over the general public for the use of the Library’s computers. The Libraries reserves the ability to set time limits on the use of resources and the right to ask any person to cease using a computer if the library staff has a reasonable basis to believe that person is violating university or library policy or applicable law.

Penalties for Misuse

Penalties will be imposed in accordance with established university policies and will depend upon the nature and severity of the violation. Any user who is found to be continually abusing the Policy or other Libraries policies may be subject to suspension from the Libraries. Certain violations also may lead to a complete suspension of the use of all UofL IT resources. The Libraries will summon Campus Security to remove anyone who is suspected of misusing computers and violating university or Libraries policies. If the violation constitutes a crime or potential crime, the matter will be referred to appropriate law enforcement authorities.

Appendix A: Kentucky Computer Crime Law

[as reproduced from <http://www.louisville.edu/it/dcs/secpolcy.html#30> on 11 Sep. 2002]

Information resources are valuable University assets. The willful and knowing unauthorized use, alteration, or destruction of these assets is a computer related crime, punishable under KRS 434, Kentucky Revised Statutes.

Every employee shall be held responsible for systems and data security to the degree that his or her job requires the use of information and associated systems. Fulfillment of security responsibilities shall be mandatory and violations of security requirements may be cause for disciplinary action, up to and including dismissal or criminal penalties under KRS 434 or similar laws.

The following is a summary of the provisions of the Kentucky Computer Crime Law, KRS 434.

Section 1 provides definitions of computer terms applicable to law.

Section 2 defines "unlawful access to a computer in the first degree" as:

1. A person is guilty of unlawful access to a computer in the first degree when he knowingly and willfully, directly or indirectly accesses, causes to be accessed, or attempts to access any computer software, computer program, data, computer, computer system, computer network, or any part thereof, for the purpose of:
 - devising or executing any scheme or artifice to defraud;
 - obtaining money, property, or services for themselves or another by means of false or fraudulent pretenses, representations, or promises;
 - altering, damaging, destroying, or attempting to alter, damage, or destroy any computer, computer system, or computer network, or any computer software, program, or data.
2. Accessing, attempting to access, or causing to be accessed any computer software, computer program, data, computer, computer system, computer network, or any part thereof, even though fraud, false or fraudulent pretenses, representations, or promises may have been involved in the access shall not constitute a violation of this section if the sole purpose of the access was to obtain information and not to commit any other act prescribed by this Section.
3. Unlawful access to a computer in the first degree is a Class C

felony.

Section 3 defines "unlawful access to a computer in the second degree" as:

1. A person is guilty of unlawful access to a computer in the second degree when he, without authorization, knowingly and willfully, directly or indirectly accesses, causes to be accessed, or attempts to access any computer software, computer program, data, computer system, computer network, or any part thereof.
2. Unlawful access to a computer in the second degree is a Class A misdemeanor.

Section 4 defines "misuse of computer information" as:

1. A person is guilty of misuse of computer information when he:
 - receives, conceals, uses, or aids another in doing so, any proceeds of a violation of Section 2 of this Law;
 - receives, conceals, uses or aids another in doing so, any books, records, documents, property, financial instrument, computer software, computer program, or other material, property or objects, knowing the same to have been used in or obtained from a violation of Section 2 of this Law.
2. Misuse of computer information is a Class C felony.

Section 5 outlines the jurisdiction for any crimes committed under the provisions of Section 2,3, or 4.

1. For the purpose of venue under the provisions of KRS Section 2,3, or 4 of this Law, any violation of these Sections shall be considered to have been committed:

in a county in which any act was performed in furtherance of any transaction violating Section 2, 3, or 4;

in any county in which any violator had control or possession of any proceeds of said violation or of any books, records, documents, property, financial instrument, computer software, computer program, or other material, objects or items which were used in furtherance of said violation;

and in any county from which, to which or through which any access to a computer, computer system, or computer network was made whether by wires, electromagnetic waves, microwaves, or any other means of communication.