

UC Davis Policy and Procedure Manual

Chapter 310, Communications and Technology

Section 23, Electronic Communications—Allowable Use

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Supersedes: Section 310-16, 10/5/04

Responsible Department: Information and Educational Technology

Source Document: University of California Electronic Communications Policy

[Exhibit A. Acceptable Use Policy](#)

I. Purpose

This section provides UC Davis (UCD) implementing procedures for the allowable use of University Electronic Communications (EC). The UC and UCD EC policies apply to all EC resources owned by the University; provided by the University through contracts and other agreements; users and uses of University EC resources; and all University EC records in the possession of University employees or other users of University EC resources. See also Section 310-24, Electronic Communications—Privacy and Access to Records.

II. Definitions

The UC EC policy, Appendix A, defines terms used in this policy. Some terms are further defined at UCD as follows:

- A. Department head—the head of a teaching, research, administrative, or other organizational unit as designated by the Chancellor. For students, "department head" shall be the Director of Student Judicial Affairs.
- B. Record (EC record)—EC records residing on University-owned or –controlled EC resources are University records for the purposes of this policy and subject to disclosure as required by the California Public Records Act.
- C. Restricted personal information—unencrypted data in which the individual's first and last name appears in combination with the Social Security number, driver's license number, California identification card number, or credit card or account number together with the security code, access code, or password that would permit access to the account.
- D. Security Coordinator—the Electronic Information Security Guidelines Coordinator, as designated by the Chancellor pursuant to UC Business and Finance Bulletin IS-3.
- E. System administrator—department designee who has the physical or logical control over EC resources.

III. Policy

The use of electronic communications resources is limited by restrictions that apply to all University property and by constraints necessary for the reliable operation of electronic communications systems and services. The University reserves the right to deny use of its electronic communications services when necessary to satisfy these restrictions and constraints.

IV. Allowable Users

- A. University users may be granted access to University EC resources and services for purposes in

accordance with allowable use. University users are defined as follows:

1. UCD students, staff, academic appointees, and emeriti. Department heads may grant access in support of teaching, research, public service, and patient care mission of the University, and the administrative functions that support that mission.
2. Other individuals who are affiliated with the University, including those in program, contract, or license relationships. Department heads may grant access for the term of the affiliation, when such access supports the mission of the University and is not in competition with commercial providers.

These individuals must be sponsored by a UCD department and must complete a Temporary Affiliate form (<http://email.ucdavis.edu>).

- a. Students, academic appointees, and staff at other UC campuses.
 - b. University Extension students enrolled in courses requiring access.
 - c. Retirees.
 - d. Volunteers.
 - e. Contractors, independent consultants, and certain agents of the University other than employees may be given access for the sole purpose of conducting their business on behalf of the University, unless agreed otherwise in writing.
- B. Public users. Individuals and organizations that are not University users may only access University EC resources under programs sponsored by the University, as authorized by the Vice Provost—Information & Educational Technology or other administrator designated by the Chancellor for the purpose of public access in accordance with allowable use.
- C. Separation from the University
1. Access to records. If a separating individual is unable or unwilling to turn over the University records in his or her possession, the department may seek the records through the procedures for access without consent. (See Section 310-24.)
 2. Mail forwarding upon separation.
 - a. Forwarding services for email may be provided indefinitely, subject to biennial renewal, for separated users unless they leave for disciplinary reasons.
 - b. Separated employees whose mail is being forwarded must agree that any mail that pertains to the University's business will be returned to the department. The department head may require that all mail forwarded to a terminated user from the UCD address also be forwarded to a departmental account.

V. Allowable Uses

A. Acceptable Use Policy

All users must comply with the Acceptable Use Policy (Exhibit A) and with applicable laws and

University policies (see References, below). Users must acknowledge, in writing, that they have read and understand the Acceptable Use Policy before they are allowed access to UC Davis electronic communications resources.

B. Use for University purposes

Access to EC resources is provided at the discretion of the department in consideration of educational requirements, job demands, departmental needs, and cost and efficiency factors. EC resources may be provided to UCD employees and others for the purpose of conducting the University's business and such other purposes that conform to the Acceptable Use Policy.

C. Incidental Personal Use

1. University users may use EC resources for incidental personal purposes provided that such use does not directly or indirectly interfere with the University's operation of EC resource; does not interfere with the user's employment or other obligations to the University; does not burden the University with noticeable incremental costs; and does not violate the law or University policy. Accordingly, regular or voluminous personal messages delivered via lengthy email lists are impermissible.
 - a. University users are prohibited from, among other things, using EC resources in a manner that creates a hostile working environment (including sexual or other forms of harassment) in violation of the law, or violates obscenity laws.
 - b. When noticeable incremental costs for personal use are incurred (e.g., telephone long distance charges), users shall reimburse the University.
2. Incidental personal use on behalf of an outside organization is permitted only under the circumstances listed below. Before such use, users shall verify with their supervisors that the proposed use complies with UC and UCD policy. A UCD EC resource shall not be published as the point of contact for non-University activities.
 - a. Charities. UCD EC resources may be used only for charitable activities that have been approved by the Chancellor (e.g., the United Way campaign). Before such use, the user must obtain written authorization from the Chancellor or designee.
 - b. Professional and public service organizations. UCD EC resources may be used on behalf of outside professional or public service organizations when the individual is participating as a representative of the University in the activities of an organization of which the University is a member, or when the individual is a member of an organization in support of the University's mission.
 - c. Civic committees or task forces. UCD EC resources may be used on behalf of national, state, and local committees or task forces when associated with an approved University activity.

D. Policy violations

Uses that violate this policy, other University policies, or any federal or state law or regulation may result in:

1. Service restriction;

2. Corrective action under applicable University policies and collective bargaining agreements; and/or
3. Civil lawsuit or criminal prosecution.

VI. Restrictions on Use

- A. Use of University EC resources is accorded at the discretion of the University and can be restricted or revoked without prior notice and without consent of the user.
1. A system administrator may temporarily restrict access to perform required maintenance. The system administrator shall give reasonable notice if possible.
 2. A system administrator may temporarily restrict access to control an emergency or prevent damage or loss. The system administrator shall notify the department head and users as soon as possible.
 3. A system administrator may restrict or rescind a user's access as described in UC Policy, III.E, Access Restriction. The system administrator shall:
 - a. Obtain approval from the department head prior to restricting the individual user's access.
 - b. Notify the user of the reason for the restriction and the name of the person who authorized the restriction.
 - c. Restore access when authorized to do so by the department head who authorized the restriction.

B. Recourse

The decision to restrict access may be appealed to the Vice Provost—Information and Educational Technology within 30 days of notification.

C. Copyright infringement

As permitted by the Digital Millennium Copyright Act (DMCA), the University may suspend access to EC systems by any user allegedly violating copyright law upon receipt of a DMCA notification. (See Section 250-05.)

VII. References and Related Policies

- A. Office of the President: University of California Electronic Communications Policy (<http://www.ucop.edu/ucophome/policies/ec/>).
- B. UCD Policy and Procedure Manual (<http://manuals.ucdavis.edu/PPM/about.htm>):
1. Section 250-02, Use of Copyrighted Materials.
 2. Section 250-05, Digital Millennium Copyright Act.

3. Section 270-20, Use of University Properties.
 4. Section 270-25, Commercial Activities.
 5. Section 310-10, Telecommunications Services.
 6. Section 310-24, Electronic Communications—Privacy and Access to Records.
 7. Section 310-65, Use of the University's Name and Seal.
 8. Section 310-70, World Wide Web (pending approval).
- C. State of California, Education Code Section 92000 (<http://www.leginfo.ca.gov/calaw.html>).
- D. Digital Millennium Copyright Act of 1998 (U.S. Code Title 17, Section 512) (<http://uscode.house.gov/search/criteria.shtml>).
- E. UC Davis Principles of Community (<http://occr.ucdavis.edu/poc/>).
- F. Business and Finance Bulletin IS-3, Electronic Information Security (<http://www.ucop.edu/ucophome/policies/bfb/is3.pdf>).