



INFORMATION TECHNOLOGY LAMAR UNIVERSITY

POLICY NAME	Appropriate Use Policy
POLICY NUMBER	10.01.01
POLICY SECTION	Information Technology
EFFECTIVE DATE	3/27/2012

1.0 OVERVIEW AND PURPOSE

Information resources are vital assets used in pursuit of Lamar University's mission. This Lamar University Policy establishes guidelines for the appropriate use of information resources by educating individuals regarding information resources and the responsibility accepted by virtue of use.

2.0 SCOPE

This policy applies to all Lamar University information resources, whether administered remotely, centrally or departmentally, and regardless of where they reside. Any external individual, application, or device accessing or utilizing Lamar University Information Resources is subject to this policy.

3.0 DEFINITIONS

Information Resource – Defined in §2054.003(7), Government Code and/or other applicable state or federal legislation as follows:

Procedures, equipment, and software that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and associated personnel including consultants and contractors.*

**Modification of this definition through state or federal legislation shall supersede the above.*

Information Resources of Lamar University include, but are not limited to:

- All components of the Lamar University information network, both physical and logical.
- Any device owned by Lamar University or used to connect to the Lamar University network. These devices include computers (both stationary and mobile), printers, and communication devices.
- All software purchased by or used to support Lamar University.
- All electronic data, including email, and the storage media on which the data resides (both stationary and mobile).
- Lamar University credentials used to access licensed external resources.

4.0 POLICY

1. Information resources are provided for accomplishing tasks related to Lamar University's mission. Lamar University may restrict the use of or access to its information resources due to specific research, teaching or other purposes in keeping with the mission.



2. Individuals with authorized access to information technology resources must ensure that their access permissions are not accessible to or usable by any other individuals.
3. Subject to State of Texas law and Lamar University policy, incidental personal use of information resources by Lamar University employees is tolerated, subject to review and restriction by the employee's supervisor. Such personal use must not violate any applicable policies and statutes, must not interfere with the employee's job performance, must not result in any additional expense to Lamar University, and must not be used for personal gain. Information technology resources may not be used in an extensive or regularly recurring manner for activities that are unrelated to business purposes.
4. Any unauthorized or illegal access, use, alteration, duplication, destruction, or disclosure of any information resource is prohibited.
5. Lamar University will take reasonable precautions to protect the privacy and confidentiality of electronic documents. However, individuals using Lamar University information resources have no right to privacy in their use of these resources. Information resource usage is subject to review and disclosure in accordance with:
 - a. the Texas Public Information Act, the federal Freedom of Information Act, and other related laws, Regents' Rules, and Lamar University policies;
 - b. other policies or legal requirements, such as subpoenas and court orders;
 - c. efforts to protect and sustain operational performance and integrity;
 - d. security reviews, audits, and investigations by authorized individuals in the performance of their assigned duties; and
 - e. such other purposes required to allow Lamar University officials to fulfill their responsibilities when acting in their official capacity.

Request for non-consensual access as described in 6 (a-e) must be submitted to Information Technology Services, Information Security Officer (ISO) using the approved non-consensual access form. Although ongoing monitoring is not standard procedure, anyone using Lamar University information resources expressly consents to monitoring for the above purposes. If such monitoring reveals evidence of possible criminal activity, Lamar University officials may provide that evidence to law enforcement.

6. The Lamar University issued email address is the official communication standard for electronic mail delivery. Students, faculty, and staff are responsible for monitoring their official email account. Lamar University is not responsible for e-mail messages forwarded to any other address.
7. Lamar University is not responsible for the content of documents, exchanges or messages that reflect only the personal ideas, comments and opinions of an individual.
8. Lamar University is not responsible for contracted services between LU students and Third Party vendors. However, any individual utilizing of a third party service agrees to abide by the terms and conditions of the service provider.

5.0 ENFORCEMENT

Failure to adhere to the provisions of this policy statement may result in:

1. Loss of Lamar University Information Resources access privileges,
2. Disciplinary action up to and including termination for employees, contractors or consultants, dismissal for interns and volunteers, or suspension or expulsion in the case of a student, or
3. civil or criminal prosecution.

6.0 RELATED DOCUMENTS

Statutes pertaining to the use of Lamar University information resources include, the following:

- a. The Federal Family Educational Rights and Privacy Act (FERPA) – restricts access to personally-identifiable information from students' education records.
- b. Texas Administrative Code, Title 1, Part 10, Chapter 202 – Regulations from the Department of Information Resources establishing information security requirements for Texas state agencies and higher education institutions.
- c. Texas Penal Code, Chapter 33: Computer Crimes – Texas law pertaining to computer crimes. This statute specifically prohibits unauthorized use of Lamar University computers, unauthorized access to stored data, or dissemination of passwords or other confidential information to facilitate unauthorized access to Lamar University's computer system or data.
- d. Texas Penal Code, §37.10: Tampering with Governmental Record – Prohibits any alteration, destruction, or false entry of data that impairs the validity, legibility or availability of any record maintained by the Lamar University.
- e. United States Code, Title 18, Chapter 47, §1030: Fraud and Related Activity in Connection with Computers – Federal law specifically pertaining to computer crimes. Among other stipulations, prohibits unauthorized and fraudulent access to information resources, accessing a computer to obtain restricted information without authorization; altering, damaging, or destroying information on a government computer without authorization; trafficking in passwords or similar information used to gain unauthorized access to a government computer; and transmitting viruses and other malicious software.
- f. Copyright Act of 1976 – Federal law that forms the primary basis of copyright law in the United States, as amended by subsequent legislation. The Act spells out the basic rights of copyright holders, codifies the doctrine of "fair use," and for most new copyrights, adopts a unitary ownership period based on the date of the author's death rather than the prior scheme of fixed initial and renewal terms.
- g. Digital Millennium Copyright Act (DMCA) – Signed into law on October 20, 1998, as Public Law 105-304. Created to address the digitally networked environment, the DMCA implements the World Intellectual Property Organization (WIPO) Internet Treaties; establishes safe harbors for online service providers; permits temporary copies of programs during the performance of computer maintenance; and makes miscellaneous amendments to the Copyright Act, including amendments that facilitate Internet broadcasting.
- h. Electronic Communications Privacy Act (U.S.C., Title 18) – Prohibits the interception or disclosure of electronic communication and defines those situations in which disclosure is legal.



- i. Computer Software Rental Amendments Act of 1990 – Deals with the unauthorized rental, lease, or lending of copyrighted software.
- j. Texas Government Code §556.004 – Prohibits using state resources or programs to influence elections or to achieve any other political purpose.
- k. Health Insurance Portability and Accountability Act (HIPAA) – Public Law 104-191, August 21, 1996. The final standards were published in February, 2003 and emphasize security management principles and broad management controls as primary vehicles for protecting patient health information. HIPAA was enhanced in 2009 by the HITECH Act, which extended HIPAA’s provisions to the business associates of covered entities and imposed new notification requirements on covered entities, their business associates, and the vendors of personal health records for breaches of protected health information.
- l. Federal Information Security Management Act of 2002 (FISMA), 44 U.S.C. § 3541, Public Law 107-296 – Required every federal agency to develop, document, and implement an agency-wide information security program. The law was amended by FISMA 2010, which changed the focus from paperwork compliance to continuous monitoring and threat mitigation.

7.0 REVISION AND RESPONSIBILITY

Oversight Responsibility: Information Technology

Review Schedule: Every three years

Last Review Date: July 19, 2017

Next Review Date: July 19, 2020

8.0 APPROVAL

Kenneth Evans
President, Lamar University

April 8, 2014
Date of Approval

Priscilla Parsons
Chief Information Officer, Lamar University

April 8, 2014
Date of Approval

9.0 REVISION HISTORY

Revision Number	Approved Date	Description of Changes
1	3/27/2012	Initial Version
2	4/17/2013	Section 4.0 - Added the following item: "Students, faculty and staff using information technology resources for purposes of exchanging, publishing or circulating official documents must follow Lamar University requirements concerning content, style and use of logo, seals, or other official insignia."



3	4/8/2014	Section 4.0 – Amended statement #6 by replacing “the legitimate interests of Lamar University and other users.” to “allow institutional officials to fulfill their responsibilities when acting in their official capacity. Request for non-consensual access as described in 6 (a-e) must be submitted to Information Technology Services, Information Security Officer (ISO) using the approved non-consensual access form.”
4	7/19/2017	Throughout document, replaced “university” with “Lamar University” and various grammatical corrections. Moved statement 3 in Section 4.0 Policy to the end of the sentence in Section 2.0 Scope statement.