

Adopted
June 6, 2009
Revised
August 30, 2016
Reviewed
August 30, 2016

BP 3720 COMPUTER AND NETWORK USE

References:

Education Code Section 70902;
Government Code Sections 8314 and 3543.1(b);
Penal Code Section 502;
California Constitution, Article 1 Section 1;
17 U.S. Code Sections 101 et seq.

The District Computer and Network systems are the sole property of the District. They may not be used by any person without the proper authorization of the District. This policy applies to all District students, faculty, and staff and to others granted use of District computer and network resources. This policy refers to all District computer and network resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and computer communication facilities owned, leased, operated, or contracted by the District.

This policy is necessary to ensure the ability of the District to effectively fulfill its educational mission, goals, and objectives and to protect the District and its employees from potential liability for illegal use, to ensure compliance with State and Federal laws to

prevent misuse and to protect the District's computer and network resources.

The District Chancellor, upon the input, advice, and consultation with the shared governance groups including the unions and Academic Senates, shall establish procedures that provide guidelines for the appropriate use of information technologies that will apply uniformly to all members of the College community using the District's computer and network resources. The procedures shall include that users must respect software copyrights and licenses, respect the integrity of the computer-based information resources, refrain from seeking to gain unauthorized access, adhere to data protection laws and respect the rights of other computer users.

The District recognizes that principles of academic freedom and shared governance, freedom of speech, Constitutional rights of privacy under the California Constitution and privacy of information hold important implications for electronic mail, electronic communications, data protection, and all computer and network resources. Electronic mail and computer services shall have privacy protection comparable to that which is traditionally afforded sealed mail and telephone conversations as afforded by law. Information Technology staff implement network security protections to safeguard and protect private data but cannot guarantee that all computer and network resources will be kept private given the possibility of access by unauthorized or authorized users.

The District respects the rights of employee organizations as set forth in Education Code Section 3543.1(b) to have access to the District's electronic mail system and other communication systems in order to communicate with their members. This policy is not intended to cover, and does not pertain to, the content of communications among bargaining unit representatives and their

members concerning bargaining and personnel matters and nothing in this policy shall be deemed to restrict the content of such communications in any way. This policy is also not intended to cover and does not pertain to the content of communication between faculty members and their students, since that communication is part of teaching performance, the observation of which is governed by the contract between AFT 6157 and the District.

This policy and District procedures do not waive any users' rights protected by state or federal law, including rights of privacy. This policy and District procedures do not limit authorized Information Technology (IT) employees or contractors from performing necessary IT functions (e.g., systems administration, data protection, troubleshooting, etc.) as described in their job descriptions or contracts. These guidelines apply to all electronic mail, electronic communications, and computer and network resources provided or owned by the District. The computer and network resources of the District are for the use of persons legitimately affiliated with the District and who have been granted use of District computer and network resources (as faculty, staff, students or administrators & consultants) to facilitate the exchange of information consistent with the academic, educational, administrative and research purposes of the District. They are not to be used by any person without the proper authorization of the District.