

receipt of the committee's decision.

If the appeal and record of previous actions indicates that a hearing is not warranted, the appropriate vice president or dean (president, if applicable) will notify the student, employee, and committee chairperson within five (5) calendar days of receipt of the appeal. If the appropriate vice president or dean (president, if applicable) grants the appeal, a hearing will be held within ten (10) calendar days of receipt of the appeal and all parties will be notified as to the time, date and location. The appropriate vice president or dean will make a recommendation to the president.

The president's decision will be final. The student, employee and committee chairperson will be notified within five (5) calendar days of the hearing. A copy of the appeal and the final decision will be filed in the president's office.

Implemented on June 14, 1985

VCCS COMPUTER ETHICS POLICY

Thousands of customers share VCCS information technology resources. Everyone must use these resources responsibly since misuse by even a few individuals has the potential to disrupt VCCS business or the work of others. Therefore you must exercise ethical behavior when using these resources.

State Law (Article 7.1 of Title 18.2 of the Code of Virginia) classifies damage to computer hardware or software (18.2-152.4), unauthorized examination (18.2-152.5), or unauthorized use (18.2-152.6) of computer systems as misdemeanor crimes. Computer fraud (18.2-152.3) and use of a computer as an instrument of forgery (18.2-152.14) can be felonies. VCCS internal procedures for enforcement of its policy are independent of possible prosecution under the law.

Definition

VCCS information technology resources include mainframe computers, minicomputers, microcomputers, networks, software, data, facilities and related supplies.

Guidelines

The following guidelines shall govern the use of all VCCS information technology resources:

1. You must use only those computer resources that you have the authority to use. You must not provide false or misleading information to gain access to computing resources. The VCCS may regard these actions as criminal acts and may treat them accordingly. You must not use these resources to gain unauthorized access to computing resources of other institutions, organizations or individuals.
2. You must not authorize anyone to use your computer accounts for any reason. You are responsible for all use of your accounts. You must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of your account by unauthorized persons. You must not, for example, share your password with anyone.
3. You must use your computer resources only for authorized purposes. Students or staff, for example, may not use their accounts for private consulting. You must not use your computer resources for unlawful purposes, such as the installation of fraudulently or illegally obtained software. Use of external networks connected to the VCCS information technology resources must comply with the policies of acceptable use promulgated by the organizations responsible for those networks.
4. Other than material known to be in the public domain, you must not access, alter, copy, move or remove information, proprietary software or other files (including programs, members of subroutine libraries, data and electronic mail) without prior authorization. The College or VCCS data trustee, security officer, appropriate college official or other responsible party may grant authorization to use electronically stored materials in accordance with policies, copyright laws and procedures. You must not copy, distribute or disclose third party proprietary software without prior authorization from the licensor. You must not install proprietary software on systems not properly licensed for its use.
5. You must not use any computing facility irresponsibly or needlessly affect the work of others. This includes:
 - Transmitting or making accessible offensive, annoying or harassing material;
 - Intentionally, recklessly, or negligently damaging systems;
 - Intentionally damaging or violating the privacy of information not belonging to you;

- Intentionally misusing resources or allowing misuse of resources by others;
 - Loading software or data from untrustworthy sources onto official systems without prior approval.
6. You should report any violation of these regulations by another individual and any information relating to a flaw or bypass of computing facility security to the Information Security Officer or the Internal Audit department.

Enforcement Procedures

1. Faculty, staff and students at the college or VCCS should immediately report violations of information security policies to the local Chief Information Officer (CIO) who will research the information about the case and identify the offender. If state or federal law is apparently violated then the research shall be conducted in conjunction with appropriate legal authorities in order to protect legal evidence.
2. The College president will report any alleged violations of state and federal law to the appropriate authorities.
3. If the alleged offender is an employee, the CIO will notify the offender's supervisor. The supervisor, in conjunction with the College or System Human Resources officer and the CIO will follow the Human Resource published procedure for adjudication of the alleged violation.
4. If the alleged offender is a student, the CIO will notify the vice president of finance and administration. The vice president, in cooperation with the CIO, will follow the published student procedure for adjudication of the alleged violation.
5. All formal disciplinary findings and actions taken under this policy may be pursued by the accused through the appropriate grievance procedure.

The VCCS Computer Ethics Guidelines shall remain in effect from November 30, 2000 until superseded or suspended.

Information Technology Student/Patron Acceptable Use Agreement

Version 2.1 Approved February 22, 2006

As a user of the Virginia Community College System's (VCCS) information technology resources, I understand and agree to abide by the following acceptable use agreement terms. These terms govern my access to and use of the information technology applications, services and resources of the VCCS and the information they generate.

The College granted access to me as a necessary privilege in order to perform authorized functions at the college where I am currently enrolled. I will not knowingly permit the use of my entrusted access control mechanism for any purposes other than those required to perform authorized functions related to my status as a student. These include logon identification, password, workstation identification, user identification, file protection keys or production read or write keys.

I will not disclose information concerning any access control mechanism unless properly authorized to do so by my enrolling college. I will not use any access mechanism that the VCCS has not expressly assigned to me.

I will treat all information maintained on the VCCS computer systems as strictly confidential and will not release information to any unauthorized person. I agree to abide by all applicable state, federal, VCCS, and College policies, procedures and standards that relate to the VCCS Information Security Standard and the VCCS Information Technology Acceptable Use Standard. I will follow all the security procedures of the VCCS computer systems and protect the data contained therein.

If I observe any incidents of non-compliance with the terms of the agreement, I am responsible for reporting them to the Information Security Officer and management of my college.

I understand that VCCS Information Security Office, or appropriate designated College officials, reserve the right without notice to limit or restrict any individual's access and to inspect, remove or otherwise alter any data, file, or system resource that may undermine the authorized use of any VCCS or College IT resources.

I understand that it is my responsibility to read and abide by this agreement, even if I do not agree with it. If I have any questions about the VCCS Information Technology Acceptable Use Agreement, I understand that I need to contact the College Information Security Officer or appropriate College official.

By acknowledging this agreement, I hereby certify that I understand the preceding terms and provisions and that I accept the responsibility of adhering to the same. I further acknowledge that should I violate this agreement I will be subject to disciplinary action.

INTELLECTUAL PROPERTY POLICY

ESCC policy regarding intellectual property is consistent with applicable law and SCHEV and VCCS policies. Detailed descriptions of VCCS intellectual property policy are in Section 12 of the VCCS Policy Manual. The dean of instruction is the college intellectual property administrator. The president designates a committee to assist in the administration of the intellectual property policy.

The College may claim an interest in intellectual property when it asserts a right to ownership or the right to a license for its use. The college may choose not to claim an interest in intellectual property even though it might legally be able to do so.

Intellectual Property includes but is not limited to any material defined within one or more of the following categories:

- A potentially patentable machine, product, composition of matter, process, or improvement, in any of these;
- An issued patent;
- A legal right which is part of a patent; or
- Anything that is copyrightable.

Some examples of copyrightable intellectual property include:

- Written Materials - literary, dramatic, and musical materials or works, published or unpublished;
- Courseware - lectures, printed materials, images and other items used in the delivery of a course, regardless of the physical medium of expression;
- Visual and/or Recorded Materials - sound, visual, audio-visual, and television films or tapes, video tapes, motion pictures or other recordings or transcriptions, published or unpublished; and
- Computer Related Materials - computer programs, procedures and other documents involved in the operation and maintenance of a data processing system, including program listings, compiler tapes, a library of sub-routines, user and programmer manuals, specifications, and data bases.

The VCCS claims exclusive ownership of intellectual property produced by a VCCS employee when produced as a result of assigned duty or produced with the significant use of college resources, including funds and facilities controlled by the college but provided by other private or public organizations. Employees using college resources to create intellectual property must advise the intellectual property administrator (dean of instruction) of such use. The creator owns instructional materials produced as a result of routine teaching duties.

Decisions regarding but not limited to ownership, royalty payments, and publication of intellectual property resulting in disputes may be appealed. The decision resolving such disputes are made by the president and are final.

The college must annually collect and report college activity regarding intellectual property to SCHEV.

PHOTOGRAPHY AND VIDEOTAPING POLICY

The purpose of this policy is to inform the Eastern Shore Community College community of the College's photography and videotaping regulations. This policy will apply to all ESCC faculty, staff, students and visitors.

ESCC is a public institution. Therefore photographs of faculty, staff, students and visitors in common areas of the College or at public ceremonies or events can be used in printed and electronic public relations materials without their permission. The Development Office does not attempt to collect photo release forms from members of ESCC's faculty, staff, or student body. Instead we make the assumption that ESCC faculty, staff and students are our best resources for marketing the College to its constituencies and that they will welcome involvement in these activities.

Although the individual has no privacy rights in this instance and no signed release is required, every effort will be made by the photographer to notify individuals within the shoot area that photographs are being taken for promotional use. Individuals may then choose to exclude themselves from the photograph. Individuals

(including faculty, staff and students) may also request that their photograph not be used in any College-related print or electronic media by contacting (in writing) the Director of Development.

A disclaimer will be included on special event invitations programs (Commencement ceremonies, Heritage Celebration, special events, etc.) specifying that a photographer will be present. For example: *Thank you so much for joining us today. Photographs taken at this event may be used in perpetuity for ESCC and ESCC Foundation printed and electronic media. If you do not wish your image to be used, please contact Eve Belote, ESCC's Director of Development, at ebelote@es.vccs.edu or 757-789-1767 within two business days.*

Any photographer or videographer working on behalf of ESCC should notify his or her subjects that their images may be used in College-related print and electronic media. The individual designated with planning College events at which a photographer will be present will be responsible for ensuring that a disclaimer (see the above example) is included in the event program.

Approved by Eastern Shore Community College Board 1/8/08

WEAPONS POLICY

Possession or use of firearms, explosives, or any other dangerous or deadly weapons is not appropriate to the college experience except when carried by bona fide law enforcement officials in their official capacities. Therefore students, employees, and patrons conducting business with the college are not permitted to possess these items on College property. This applies to whether the weapon is functional or not. Any device designed to look like a weapon and/or is used by an individual to cause reasonable apprehension or harm is considered a weapon by this policy. Exceptions may be granted when requested in writing and approved in advance by the Vice-President of Finance and Administration.

Effective 4-14-09

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