

13.13 SOFTWARE AND COMPUTER USAGE

Temple University has adopted an extensive software policy and an extensive computer usage policy that govern the usage of software, hardware, computer related equipment and resources acquired by Temple University and/or used by any person employed by, or affiliated with, Temple University. Any Temple University employee, visitor, student, retiree, consultant, and/or temporary employee who has access to or who uses the Temple University network, electronic mail and/or other computer related resources to conduct Temple University business must review and abide by these policies. The Temple University's Software Policy, No. 04.71.12 and the Computer Usage Policy, No. 04.71.11 can be viewed electronically at <http://policies.temple.edu>.

Using Peer-to-Peer file sharing programs to illegally download or share copyrighted materials including music, games and videos is strictly prohibited.

In addition, any person using Temple University computer equipment, software, or other computer resources must review and abide by the following sections of this manual:

- Use of Communications Systems (Section 14.7);
- Voice Mail and E-Mail (Section 14.9);
- Internet Usage and Computer Games (Section 14.10); and
- Use of University Property (Section 14.19).

13.19 ETHICS REPORTING POLICY AND PROCEDURE

Temple University has a responsibility for the stewardship of its resources and the public and private support that enables it to pursue its mission. Temple University is committed to compliance with applicable laws and regulations and to promulgating University policies and procedures to interpret that apply to University; including laws, regulations, policies and procedures that strengthen and promote ethical practices and ethical treatment of all those involved in the conducting of University business.

The University has in place a system of internal controls and operating procedures that are intended to detect and prevent or deter improper activities. Even the best systems of internal control, however, cannot provide absolute safeguard against waste, fraud, abuse and other irregularities.

All employees are expected to maintain the highest ethical standards set forth in this manual, official University policies, and/or applicable law. Employees are expected to report any suspected

violations of laws, regulations and/or University policies and procedures that come to their attention. Inappropriate activity can range from clearly illegal activity, such as the theft of University funds, to activity that is lawful but unethical, such as divulging confidential information not otherwise prohibited by law or the unauthorized signing on behalf of the University. Disciplinary actions for violations or for improper retaliation against anyone who reports possible violations will be determined on a case by case basis and may include actions up to and including discharge.

To report a suspected violation of laws, regulations, University policies and procedures, employees are encouraged to do any one of the following:

1. Report to Management - violations may be reported through standard management channels beginning with the immediate supervisor. If for any reason it is not appropriate to report suspected violations to the immediate supervisor, employees may go to a higher level of management within their school/college/department.

2. Report to Internal Audit - violations may be reported to the Department of Internal Audit. Please refer to the Confidential Contact Form at Internal Audits' website at www.temple.edu/internalaudits. This site also provides examples of where to report specific types of concerns.

3. Report to Human Resources - violations may be reported to the Department of Human Resources.

4. Report to Office of University Counsel violations may be reported to the Office of University Counsel.

The University will maintain as confidential all reports of suspected violations to the extent permitted by law. Employees are permitted to make anonymous reports although in doing so it is requested that the employee provide as much detail as possible in order for the University to properly investigate the anonymous report.

The University is committed to investigating and taking necessary corrective actions for all suspected violations of its policies, procedures and/or applicable laws. To protect the integrity of the internal investigative process, in no instance will a university official who is specifically named in the complaint be the recipient of the complaint or learn the identity of the reporting individual or witnesses during the internal investigation unless disclosure is otherwise required by law or for a legitimate University business purpose.

Employees reporting suspected violations pursuant to this section and/or any employee who participates in good faith in an investigation is protected from all retaliation under the University's Anti-retaliation policy.

14.6 WORKPLACE SURVEILLANCE AND SEARCHES

Temple University may authorize the use of reasonable surveillance and search measures as necessary to ensure an appropriate work environment or compliance with University policies and applicable law. Subject to legal requirements, the University reserves the right to inspect and search all work areas, desks, computers, file cabinets, lockers, lunch boxes, or other containers, and personal vehicles in University parking lots or public streets within campus boundaries or any other area within University control. In addition, all records contained in computers (including voice mail and e-mail) and storage devices (including removable media) are open to inspection by the University in accordance with University policies, subject to applicable legal requirements.

14.7 USE OF COMMUNICATION SYSTEMS

Most communication services and equipment have toll charges or other usage-related expenses. Employees should be aware of these charges and should consider cost and efficiency needs when choosing the proper vehicle for each communication.

All communication services and equipment, including the messages transmitted or stored by them, are the sole property of the University and may be opened, reviewed, and/or retained by Temple University in the normal course of business. Employees therefore should refrain from using a Temple University address (physical or electronic) to receive personal communications. Any employee who chooses to use Temple University communication systems and equipment for personal reasons must limit the usage in a manner that does not interfere with the performance of the employee's job duties or that otherwise might bring disrepute or embarrassment to the University.

Communication systems may not be used to solicit or recruit for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

Employees should exercise care so that personal correspondence does not appear to be an official communication of the University. Employees should not use Temple University stationery or postage for personal letters. Employees are not permitted to place personal mail in the stacks of Temple University mail that the University runs through its postage meter. Although the monetary value of a single postage stamp may appear insignificant to an individual employee, it is significant on an aggregate basis. Consequently, using the University mail system

to obtain postage for personal mail is considered theft of University property.

University land-line and cellular telephones are provided to certain employees to facilitate the conduct of University business. Employees are required to reimburse Temple University for all charges resulting from their personal use of the telephone. (see Section 14.20, Procurement and Use of Cellular Equipment).

University computers and computer systems may be used and University networks may be accessed only by individuals authorized by the University. Issuance of an account and access to any University system must be approved by the Office of Computer Services. Questions regarding authorization and permitted uses must be referred to the Chief Information Security Officer. (see Temple University's Computer and Network Security Policy, No. 04.72.12 at <http://policies.temple.edu>.)

All employees, consultants, contractors, temporary employees, and student workers as well as visitors are prohibited from using all communication services and equipment to violate any University policy including, but not limited to, Temple University's policies on Non-Discrimination (see Section 13.1) and, Anti-Harassment Including Sexual Harassment (see Section 13.2).

14.9 VOICE MAIL, E-MAIL, LISTSERVS AND DISCUSSION FORUMS

As with other communication systems, the Temple University voice mail and electronic mail systems are provided to enable Temple University employees to conduct University business and to perform their duties. Accordingly, employees should not have an expectation of privacy with regard to any voice mail or electronic messages (including e-mail) created, sent, or received.

Temple University encourages the exchange of information between members of its community. To foster such communications, Temple University permits the use of its computer servers by its various Schools, Colleges, programs and administrative departments for a listserv and/or discussion forum related to the academic mission and/or administrative objectives of Temple University.

Employees are not permitted to use voice mail, e-mail, a listserv or a discussion forum to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.

Temple University employees may not use the voice mail and electronic mail systems, a listserv or a discussion forum to send, forward, or create any messages which violate University policy including, but not limited to, Temple University's policies on Non-Discrimination and Anti-Harassment Including Sexual Harassment. (see Sections 13.1 and 13.2).

^λ Employees may not use the voice mail and electronic mail systems to send (record or upload) or receive (retrieve or download) unauthorized copyrighted materials, trade secrets, proprietary financial information, or similar unauthorized materials.

- Employees are advised that voice mail and electronic mail messages are not private or confidential to the individuals sending or receiving the communication. Marking or designating the communication will serve only to put those accessing the message on notice that the University, and not the individual, is asserting the confidentiality of the communication as to itself. To the extent permitted by applicable law, Temple University reserves its right to review, audit, intercept, access, and disclose all messages created, sent, received or stored using the University's voice mail or electronic mail systems for any legitimate Temple University business purpose including, but not limited to, investigations into whether the University's resources are being used in violation of University policies or for illegal purposes. The contents of voice mail or electronic mail created, sent, received or stored using the University's voice mail or electronic mail systems may be accessed or disclosed to or by Temple University without the permission of the employee. (see Section 14.6)
- While Temple University has measures in place to secure e-mail services, once an e-mail is transmitted across the public Internet, the contents is not protected. Employees should not send highly confidential communications via email without consulting the Department of Computer Services to obtain encryption software.
- Unsolicited e-mail is to be treated with caution. Employees should not open or respond to suspicious and/or unsolicited email. and not responded to. All users are to ensure that all e-mail is addressed to the correct recipients, especially when forwarding e-mails.

Limited, occasional or incidental use of voice mail and e-mail (sending and receiving) for personal purposes is acceptable as long as such use does not affect Temple University's ability to do business. Employees may not use a listserv or discussion forum for

any personal purpose

- Notwithstanding Temple University's rights to retrieve and/or read any voice mail or electronic mail messages, employees generally are required to treat all such messages as confidential to the University. Absent express authorization, employees are not permitted to retrieve or read any e-mail messages or listen to any voice mail messages that are not sent to them or intended for them. (see Temple University Computer Usage Policy, No. 04.71.11 at <http://policies.temple.edu>).

From time-to-time an mail is sent or a voice mail left in error. Any employee who receives an email or voice mail from another Temple University employee in error shall stop reading the email or listening to the voicemail as soon as the employee realizes the email was sent or the voicemail was left in error. The employee shall take reasonable steps to notify the person sending the email or leaving the voicemail of the error.

- Temple University permits the use of its computer servers by its various Schools, Colleges, programs and administrative units for a listserv and/or discussion forums related to the academic mission and/or administrative objectives of Temple University. No employee is permitted to use a Listserv or discussion forum for personal matters.
- By their nature, a listserv and/or discussion forum is not confidential. Temple University reserves its right to review, audit, intercept, access, and disclose all messages created, sent, received or stored using a listserv or a discussion forum on a University server for any legitimate Temple University business purpose including, but not limited to, investigations into whether the University's resources are being used in violation of University policies or for illegal purposes. Temple University may in its sole discretion restrict any employees' access to or ability to use a listserv or participate in a discussion forum if determines that the user or users have violated any Temple University policy or directive in connection with the use of such listserv or discussion forum.
- Any employee who discovers a violation of this policy must notify his/her supervisor immediately. If the supervisor is the offending party, the employee should notify the VP of Computer and Information Services and/or the Department of Human Resources.
- Any employee who violates this policy or uses the voice mail or electronic mail systems for improper purposes may be subject to disciplinary action, up to and including discharge.

14.10 INTERNET USAGE AND COMPUTER GAMES

Temple University's computer systems are the University's property and access is provided to employees as needed to facilitate job performance.

Employees should not use the Internet for personal during working time. Personal use should be limited to non-working time such as during lunch, authorized work breaks and after working hours.

Users of Temple University's computer system are subject to the same standards that apply to other employee communications, including the Non-Discrimination Policy (see Section 13.1) and Anti-Harassment, Including Sexual Harassment Policy (see Section 13.2). When using the computer system, employees should not download, create, forward or send materials in violation of any Temple University policy. (see Section 14.9). Employees are required to read and comply with Temple University's Computer Usage Policy, No. 04.71.11 at <http://policies.temple.edu>.

Any employee who receives materials on his/her computer system that could violate a University Policy or procedure, or is otherwise prohibited by law, is required to contact the Vice President of Computer and Information Services and/or the Human Resources Department to report the receipt of the material. Any employee who uses the computer system for improper purposes or is found to have improper material on a computer under the employee's control is subject to disciplinary action, up to and including discharge.