

# TEMPLE UNIVERSITY

## POLICIES AND PROCEDURES MANUAL

**Title:** Software

**Policy Number:** 04.71.12

**Issuing Authority:** Office of the Vice President for Computer & Financial Services and CIO

**Responsible Officer:** Vice President for Computer & Financial Services and CIO

**Date Created:** November 2002

**Date Last Amended/Reviewed:** June 16, 2010

**Date Scheduled for Review:** May 2014

**Reviewing Office:** Office of the Vice President for Computer & Financial Services and CIO

### Scope of Policy & Rationale

This Software policy regulates the direct and indirect use of licensed software, both on-campus and off-campus by:

- 1) establishing standards of conduct with respect to software acquisition, copying, transfer, and use
- 2) appraising each University User of the seriousness of software misuse
- 3) setting forth disciplinary procedures for such misuse

University Users must carefully read this policy and be certain that they understand and agree to abide by it. Violations of this policy may result in: (i) suspension or revocation of an individual's computer account and other computer privileges, (ii) disciplinary action as described in the [Student Code of Conduct](#), (copies available from the Student Center or Student Affairs Office), (iii) disciplinary procedures of Temple University under the relevant policies for faculty, staff, administration, and students, and/or (iv) civil or criminal prosecution under federal and/or state law. Penalties under such laws include fines, orders of restitution, and imprisonment.

This policy applies to all software acquired by or on behalf of Temple University (wherever used) and all software (however acquired) used on Temple University Technology Resources (collectively, "software")

### Definitions

- a. Access Control List – a technology control that restricts, by user, the information assets and technology resources that a user is allowed to access.
- b. Account Owner – an individual who has been assigned credentials to access one or more of Temple University's technology resources.

- c. Authorized Access - access by an authorized individual to a computer resource in a manner that is appropriate for the given circumstances.
- d. Authorized Modification - a change to any data or system, in any form, that is done for reasons that are both appropriate and university related, and that has been authorized by the appropriate university official.
- e. Computers – includes, without limitation, mainframes, server, mini, micro, super computer, desktop, portable, laptops, power/net books, and mobile computing devices (“MCD”) such as smart phones; and other electronic devices which connect to Temple University’s network.
- f. Electronic Information Asset – electronically stored information resource that, as a portion or whole, make up a field, record, file, document, image, database, report, or other useful intelligible information that has some value to Temple University as the owner and/or custodian.
- g. Local Security Protections - security options that can be set on an individual system.
- h. Non-public Technology Resources – A technology resource that is restricted to users who have been granted authorized access and that are not available for general usage. These technology resources are typically managed with access control lists.
- i. Technology Resources – Any one or more of the following in which Temple University has an ownership, lease, license, proprietary, managerial, administrative, maintenance or other legal or equitable interest: computers, electronic communications systems, university network, data storage media, devices and systems, terminals, printers, software, files, documentation, accounts, and any other hardware, software, information, or other technology attached or connected to, installed in, or otherwise used in connection or associated with any of the foregoing. The use of a computer or other equipment that is not technology resources (e.g., a personally owned computer) in conjunction with technology resources (e.g., the university network) shall constitute the use of technology resources and shall be governed by the Computer Usage policy.
- j. Privileged Access - an authorized user who has been granted additional rights or powers, typically reserved for the system administrator, on a computer system.
- k. Shared or Generic Account - an account that is used by more than one individual to access a system for the purpose of sharing data, files, or programs.

- l. System Administrator – an individual who has been assigned the responsibility of administering and managing a computer system or server that performs functions beyond normal desktop or personal computing tasks. Systems administered by a system administrator usually support multiple users. System administrators typically have access credentials that allow privileged access.
- m. University Network – All components that may be used to effect operation of Temple University computer networks, including, routers; switches; firewalls; computers; copper and fiber cabling; wireless communications and links; equipment closets and enclosures and other facilities; network electronics; telephone lines, modems, and other peripherals and equipment; data storage media, devices and systems; software; and other computers and/or networks to which the university network may be connected, such as the Internet or those of other institutions.
- n. University Users or Users – Temple University faculty, staff, administration, students, and other authorized individuals as outlined in Computer Services Guest Access Policy.
- o. Workforce Member – an employee or guest/vendor/contract worker who has been granted access to technology resources.

## **I. General Provisions**

- A. Software may only be used in compliance with applicable license and purchasing agreements.
- B. Any User who violates the Software policy will be subject to (i) suspension or revocation of his/her computer account, (ii) disciplinary action as described in the Student Code of Conduct and disciplinary procedures including suspension, dismissal, or expulsion, (iii) disciplinary procedures of Temple University under the relevant policies and rules for faculty, staff, administration, and students including suspension or termination of employment (employees), and/or (iv) civil or criminal prosecution under federal and/or state law. Noncompliance with certain provisions of the Software Policy may also constitute a violation of federal and/or state law. Penalties under such laws include fines, orders of restitution, and imprisonment.

## **II. Software Usage Standards**

- A. Each User is individually responsible for reading, understanding, and adhering to all licenses, notices, and agreements in connection with software which he or she acquires, copies, transmits, or uses or seeks to acquire, copy, transmit, or use. Unless otherwise provided in the applicable license or contract document, any duplication of

copyrighted software, except for backup and archival purposes, may be a violation of federal and state law. In addition to violating such laws, unauthorized duplication of software is a violation of the Software policy and the Technology Usage policy.

B. Standards for software Usage:

**1. Initial Back-up Copies of Software**

- a. All software which is university property must be copied prior to its initial use and the resulting "master" copy must be stored in a safe place.
- b. Master copies may not be used for ordinary on-going activities, but must be reserved for recovery from computer virus infections, hard disk crashes, and other computer problems which render the original or installed copy unattainable or unusable.
- c. The production and use of back-up copies of software must comply with the applicable license agreement.

**2. Acquiring Authorized Copies of Software Needed for Classroom, Laboratory, Research, and Business Activities**

- a. When a User's legitimate activities in the fulfillment of the university's mission including course teaching, laboratory exercises, research, or university-related work activities dictate a need for the university's acquisition of software not already licensed to the university or additional copies of licensed software, the User shall request that his/her budget unit head and/or business manager make appropriate arrangements with the university's Purchasing Department, Computer Business Services Department and/or applicable vendors for the acquisition of appropriate new or additional licensed copies.
- b. Nothing contained in the Software policy shall create: (i) a User's entitlement to software, (ii) an obligation for the university to acquire software, (iii) a delegation of authority to any individual to acquire software on behalf of the university; or (iv) liability of the university for a User's noncompliance with the Software policy.

**3. No User is authorized to make copies of any software for any purpose other than authorized licensed copies or backup copies. Ownership of Software**

- a. All software acquired for or on behalf of the university or developed by university employees or contract personnel on behalf of the university is and shall be deemed university property. All such software must be used in compliance with applicable purchase and license agreements.

**4. Transfer of SOFTWARE**

- a. No User may sell, rent, sublicense, lend, transmit, distribute, give, or otherwise convey or make available software or an interest therein to any unauthorized individual or entity.

#### **5. Decompiling SOFTWARE**

- a. No User shall decompile, disassemble, or reverse-engineer any software except in those rare circumstances in which the university's it contracts administrator and all applicable software licenses and agreements expressly permit it.

#### **6. Right to Audit**

- a. Notwithstanding any privacy rights which might otherwise exist or apply, (i) Temple University and its agents shall have the right to audit all resources to ascertain compliance with the Software policy and (ii) Temple University may permit the software licensors and their agents to audit some or all Resources to ascertain compliance with their license, purchase, or other applicable agreements.

#### **7. Questions/Reporting Noncompliance**

- a. Any User who has questions about software use or the Software policy shall promptly refer the question to the university's it contracts administrator.
- b. Any User who suspects an incident of noncompliance with the Software policy by another User shall promptly notify the applicable budget head or department manager or the university's it contracts administrator.

### **Notes**

1. Dates of official enactment and amendments:  
Adopted by the Vice President for Computer and Information Services on February 10, 1998. Last updated on March 24 and April 3, 2003.
2. History:  
Formatted into new template and reviewed by Computer Services on June 16, 2010.
3. Cross References:  
Temple University Technology Usage Policy # 04.71.11  
Temple University Student Code of Conduct Policy #03.70.12