

Monash University Procedure

Procedure Title	Acceptable Use of Information Technology Facilities by Students Procedures
Parent Policy	Acceptable Use of Information Technology Facilities by Students Policy
Date Effective	13-August-2012
Review Date	13-August-2015
Procedure Owner	Chief Information Officer
Category	Operational
Version Number	2.1
Content Enquiries	Education Policy Unit
Scope	<ul style="list-style-type: none"> • all Australian campuses • Monash South Africa • Monash College Pty Ltd • all students
Purpose	The purpose of the Acceptable Use of Information Technology Facilities by Students Policy is to protect the essential interests of the University without inhibiting the use of the information technology environment, which is intended for the greater benefit of students, staff and the University generally.
PROCEDURE STATEMENT	

1. What are the Information Technology Facilities?

The Acceptable Use of Information Technology Facilities by Students Policy and Procedures govern all Information and Communication Technology (ICT) facilities and services provided by the University to assist or support teaching, learning, research and administrative activities. This includes, but is not limited to, the use of:

- all computers and all associated ICT networks, internet access, email, hardware, data storage, computer accounts, software (both proprietary and those developed by the University) and telephony services,
- all physical spaces using information technology and designated for teaching, study, research and administration across the University, such as computing laboratories, study areas and learning spaces,
- ICT services provided by third parties that have been engaged by the University, and
- equipment owned or leased by users when used to connect to the University networks or third party services that have been engaged by the University.

Responsibility

Students
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2. Access to the ICT facilities

Users of the ICT facilities must be aware of the conditions on which access is provided.

Access to the ICT facilities is restricted to authorised users. Under these procedures authorised users are enrolled students of Monash University and enrolled students of another educational institution who are access the Monash wireless via Eduroam or an authorisation granting access to specific Monash owned or controlled systems.

Login access to the ICT facilities is granted by the eSolutions Division. Access to some faculty-controlled facilities is granted by authorised faculty staff.

The Administrator of an ICT facility may restrict or withdraw an individual user's access to a service, or withdraw access for student owned equipment, if there is evidence of the user misusing ICT facilities, or otherwise breaching the Acceptable Use policy or the law. In addition disciplinary action may be taken against users of the ICT facilities under Monash University [Part 7 Student Discipline of Monash University \(Council\) Regulations](#).

Unlawful use of ICT facilities may also lead to criminal or civil legal action being taken against individual students. This could result in serious consequences such as a fine, damages and/or costs being awarded against the individual or even imprisonment. The University will not defend or support any student who uses ICT facilities for an unlawful purpose.

Responsibility

Students
eSolutions Division
Authorised Faculty Staff

3. Responsibilities of Users

Each user is responsible for:

- usage of the unique computer accounts which the University has authorised for the user's benefit;
- selecting and keeping a secure password for each of these accounts, including not sharing passwords and logging off after using a computer. Users must not compromise or attempt to compromise the security of any ICT facility belonging to Monash or other organisations or individuals, nor exploit or attempt to exploit any security deficiency;
- using the ICT facilities in an ethical and lawful way, in accordance with Australian laws/relevant local laws where a student is based in another country;
- co-operating with other users of the ICT facilities to ensure fair and equitable access to the facilities;
- observing the obligations under these Procedures;
- observing the Terms of Service or Acceptable Use policies of third party products or services that have been engaged by the University.

The University accepts no responsibility for:

- loss or damage or consequential loss or damage, arising from the use of its ICT facilities for academic or personal purposes;
- loss of data or interference with files arising from its efforts to maintain the ICT facilities.

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4. Misuse of IT Facilities

- **Unauthorised access to accounts** - Users are expressly forbidden **unauthorised** access to accounts, data or files on Monash ICT facilities, or on ICT facilities belonging to other organisations.
- **Student Computing Laboratories** - Users of student computing facilities are required to abide by all Rules and Guidelines set by the Facility Administrator. These shall normally be displayed on adjacent noticeboards.
- **Peer to peer filesharing programs** - Installation or use of peer to peer filesharing programs such as Kazaa, BitTorrent, DC++ (Direct Connect), etc. is not permitted on computers connected to the Monash network.
- **Unlawful activity** - Users are not permitted to use Monash ICT facilities for unlawful activity, e.g. infringement copyright, defamation, etc. See [Copyright Compliance Policy](#).
- **Database, online journals, eBooks** - use of electronic resources provided by Monash is governed by individual licence agreements and is for non-commercial research and study purposes only. Users are required to comply with use restrictions set out on the specific site or stated in the licence agreement, and must not systematically download, distribute or retain substantial portions of information. See [Terms and conditions for use of electronic resources](#).
- Pornography - Users are not permitted to use the University's ICT facilities to access pornographic material or to create, store or distribute pornographic material. It will not be a defence to claim that the recipient was a consenting adult.
- **Game Playing** - Game playing is not allowed on Monash ICT facilities, except as a formal component of a University academic subject or through a University sponsored event.
- **Assignment services** - Users are not permitted to use ICT facilities to sell or purchase or to offer to write assignments or other assessable work or to request help with such work not permitted by the assessment conditions.
- **Online assessment** - During online assessments (e.g. exams), users must use only those ICT facilities permitted for the assessment.
- **No Business Activities** - Users are not permitted to run a business or to publish a journal or magazine (unless authorised by the University) on Monash ICT facilities.
- **Monash Logo** - Users are not permitted to use the University's crest or logo on their personal web pages, e-mail, or other messaging facilities or to use the University's name in a manner likely to be misleading.

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5. Email and Collaboration

Users are entitled to use the University's email and collaboration facilities for reasonable, non-commercial private purposes, provided such use is lawful and conforms with the obligations under the Acceptable Use and other relevant University policy (for example, the social media policy). Collaboration facilities may include but are not limited to calendar and scheduling services, chat services, social networking services, online document sharing and collaboration, discussion forums, and electronic conferences. Monash University reserves the right to withdraw this permission in the event that such use places the ICT facilities at risk or poses a security or other threat or does not respect the privacy and personal rights of others.

Users must not:

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- publish their Monash e-mail address on any private business promotional material including a business card
- use their Monash e-mail or collaboration facilities to conduct a private business
- send, post or upload defamatory material
- send aggressive or rude material to a member of staff or another student
- use the IT facilities to threaten or harass another person
- send, post or upload sexually explicit material
- send bulk unsolicited emails
- send spam (defined as unsolicited commercial electronic messaging - refer [Spam Act 2003 \(Cth\)](#). A single message can be spam. The message does not need to be sent nor received in bulk to be spam.)
- propagate chain mail (email sent to a number of people asking the recipient to send copies of the email with the same request to a number of recipients).
- impersonate another person by sending, posting or uploading any material which appears to have come from another person's computer or falsely represents themselves as being of a different gender, race etc.
- plagiarise or infringe copyright or trademarks, or breach trade practices legislation.

Responsibility

Students

6. Internet Usage

During their studies, students will be expected to make reasonable use of the Internet for research and communications with staff and other students.

Internet usage is not free. The University pays for internet access as part of student educational programs. Internet access which results in excessive use of the internet or breaches this Acceptable Use policy may result in the student personally being charged the cost of this access and any additional charges which may apply.

All internet transactions are recorded and can be traced to a particular username. For this reason students must keep their username and password secure. If a user has reason to believe that others may have obtained and could be using their username, then the user must report it immediately to the IT Service Desk.

Students using databases, online journals, eBooks and other electronic information resources provided by Monash must restrict their use to a reasonable level to support their study and research at Monash. Excessive use can be detected by information providers and reported to the University for investigation. Using software including, scripts, agents, or robots is prohibited and may result in loss of access to the resource for the whole Monash community.

Students need to be aware of the copyright implications of using the internet. When students download, reproduce, share or email material from the Internet, they risk being in breach of copyright law if they are not aware of their rights and obligations. See - [Copyright information for Monash Students](#).

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7. Privacy and Surveillance

The University does not generally monitor email, personal web sites, files and data stored on University computers or traversing the University network. However, the University reserves the right to access and monitor all activity on the University provided ICT network including email, websites, server logs and electronic files and any computer or electronic device connected to the Monash University network including personally owned equipment, should it determine that there is reason to do so. Such reason would include, but not be limited to, suspected or reported breaches of this Acceptable Use policy, or breach of any Statutes, Regulations or policies of the University, or suspected breaches of the law.

The University also reserves the right to access and monitor the activity of students using third party services that have been engaged by the University. Use of third party products and services engaged by the University is also subject to the privacy and other terms and conditions of that service.

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8. Relevant Laws

Users need to be aware of conduct which may breach laws outside of the University and lead to criminal or civil proceedings and/or penalties for which they will be held personally accountable.

These laws include (for details see the Related Legislation section below):

8.1. Copyright

Text (including song lyrics), computer programs, illustrations (including maps and diagrams) photographs, music recordings, videos, films and television broadcasts are all protected by copyright. The duration of copyright protection is generally 70 years following the death of the author. A user must not copy, send or place materials on the web without permission from the copyright owner, unless a relevant exception under the Copyright Act applies. Infringement of another person's copyright could result in personal liability for damages.

Users should assume that all materials published on the web are in copyright, unless explicitly stated otherwise. If a user wishes to include material from another webpage in one of their own pages, they should create a hypertext link pointing to the material rather than copy it.

Conduct which will infringe copyright

Examples of conduct which will infringe copyright if undertaken without the permission of the copyright owner and where no relevant copyright exception applies include but are not limited to:

1. downloading a film, MP3 recordings, or software from the internet using University internet access or computers;
2. uploading audio files, video files, software or commercial photographs, to a University website and making these available to the public;
3. providing on a University website, links to other websites that directly offer copyright infringing material or direct users to copyright infringing material, including audio files such as MP3 recordings, video files, software or commercial photographs;
4. sending copyright material, including audio files, such as MP3 recordings, video files, commercial photographs or software, to another person using University e-mail;

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5. storing copyright material, including audio files, such as MP3 recordings, video files, commercial photographs or software, on University computers or servers.

Copyright infringement could apply to any file format, including, but not limited to MP3.

8.3. Trade Marks

A user must not copy a trade mark or logo belonging to another party. Trade mark infringement will expose the user to liability for damages.

8.4. Competition and Consumer Legislation

Competition and consumer legislation contains provisions which prohibit passing off and misleading and deceptive conduct. If a user were to copy material from an external site onto a Monash website (including features such as logos and trademarks) so that persons accessing the website would believe that Monash had been authorised to carry the material, this would constitute passing off or deceptive or misleading conduct.

8.5. Spam

Users must not send unsolicited commercial electronic messages. Any commercial messages that are sent electronically (including email, instant messaging or telephone accounts) must include information about the individual or organisation who authorised the sending of the message and a functional unsubscribe facility.

8.6. Anti-discrimination

Laws and the University [Equal Opportunity Policy](#) prohibit sexual harassment and discrimination, vilification or victimisation on grounds such as race, gender, sexual preference, disability, or status as a parent or carer. University ICT facilities must not be used to humiliate, intimidate or offend others on the basis of their race, gender, or any other attribute prescribed under anti-discrimination legislation.

8.7. Defamation

A user should not publish a statement about another person which could harm that other person's reputation. There is no need for the person to have been named specifically if he/she can reasonably be identified. Photographs and cartoons can also be defamatory if they hold someone up to ridicule or contempt. In a defamation case, truth is not always a defence.

8.8. Censorship

Laws prohibit publication of some pornography (in particular where it involves children, bestiality, violence, cruelty and/or exploitation). A breach of these laws would constitute a criminal offence.

8.9. Incitement to commit an offence

Users must not publish material which is an incitement to commit an offence or instruction in crime e.g., material on how to prepare explosive devices, or how to steal or provide a link to a site that offers file-sharing software, use of which is likely to result in infringement of copyright or which aids the proliferation of weapons or otherwise aids terrorist activity.

8.10. International sanction laws

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Australian law implements United Nations Security Council sanctions. The Australian government has also enacted broader sanctions affecting a wider range of assistance provided to a wider range of foreign governments, entities and individuals in the Autonomous Sanctions Act. These laws apply to Monash University and in many instances its campuses. They also apply to all persons in Australia. Students should be aware that they may be held liable for any activity that infringes these sanctions laws. For more information about the content of the laws go to Department of Foreign Affairs and Trade [sanctions](#).

Responsibility

Students
eSolutions Division

9. Need Help?

Users requiring assistance with interpretation of the policy, or who wish to report a breach of this policy should contact the [IT Service Desk](#).

Responsibility

Students
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Responsibility for implementation	Chief Information Officer PVC and President: Monash South Africa
Status	Revised
Approval Body	Name: Vice-President (Administration) Meeting: 00 Date: 13-August-2012 Agenda item: 0
Definitions	
Legislation Mandating Compliance	<u>Australian Legislation</u> Copyright Act (1968) (Commonwealth) Trade Marks Act (1995) (Commonwealth) Competition and Consumer Act (2010) (Commonwealth) Spam Act (2003) (Commonwealth) Wrongs Act 1958 (Victoria) (see especially Part I Criminal Defamation) Classification (Publication, Films & Computer Games) (Enforcement) Act 1995 (Victoria) (re censorship) Crimes Act 1958 (Victoria) (see Division 11 Incitement, ss.321G-321L, re incitement to commit an offence) Autonomous Sanctions Act (2011) (Commonwealth)

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	<p>Weapons of Mass Destruction (Prevention of Proliferation) Act (1995) (Commonwealth)</p> <p><u>Anti-discrimination legislation:</u></p> <p>Age Discrimination Act 2004 (Commonwealth)</p> <p>Disability Discrimination Act 1992 (Commonwealth)</p> <p>Equal Opportunity Act 2010 (Victoria)</p> <p>Equal Opportunity for Women in the Workplace Act 1999 (Commonwealth)</p> <p>Racial Discrimination Act 1975 (Commonwealth)</p> <p>Sex Discrimination Act 1984 (Commonwealth)</p> <p><u>South African Legislation</u></p> <p>Copyright Act (1978)</p> <p>Trade Marks Act No 194 (1993)</p> <p>Electronic Communication and Transaction Act (2002) (s.45 Unsolicited goods, services or communication relates to spam)</p> <p>Promotion of Equality and Prevention of Unfair Discrimination Act (2000)</p> <p>Films and Publications Act (1996)</p>
Related Policies	
Related Documents	Part 7 Student Discipline of Monash University (Council) Regulations