

F. Confidentiality

The College reserves the right to access all information stored on College computers without notice. File owners will be notified of file access and/or maintenance, in advance, if such notice is practical. When performing maintenance, every effort is made to insure the privacy of a user's files. However, if policy violations are discovered, they will be reported immediately to the appropriate systems administrator.

G. System Usage

Electronic communications facilities (such as e-mail) are for College related activities only. Fraudulent, harassing or obscene messages and/or materials are not to be sent or stored.

H. System Performance

No one should deliberately attempt to degrade the performance of a computer system or to deprive authorized personnel of resources or access to any College computer system.

I. Unauthorized Access

Loopholes in computer security systems or knowledge of a special password should not be used to damage the computer system, obtain extra resources, take resources from another user, gain access to systems or use systems for which proper authorization has not been given.

J. Copyright

Computer software protected by copyright is not to be copied from, into, or by using campus computing facilities, except as permitted by law or by the contract with the owner of the copyright.

K. Violations

Appropriate disciplinary action will be taken against individuals found to have engaged in prohibited use of the College AS400 or PC network/internet resources. The following sanctions could be imposed for a violation of any of the policies and procedures stated herein.

1. Immediate loss of access.
2. Additional disciplinary action to be determined by the college in line with existing policies.
3. Legal action, when applicable.

L. Additional Guidelines

System administrators will establish more detailed guidelines, as needed, for specific computer systems and networks. These guidelines will cover such issues as allowable connect time and disk space, handling of unretrievable mail, responsibility for account approval and other items related to administering the system.

Policy on Intellectual Property Rights

Based upon the State Board of Education policy 321.01: copyright, Trademark, and Patent Ownership, it is the policy of NW-SCC that in a situation where a student or college employee develops an intellectual property, and such development arises in whole or in part from the use of college resources (including the work time of any college employee),

the College shall have complete and exclusive ownership of all resulting copyrights and/or patents. However, it shall be the policy of NW-SCC that in such a situation, the employee/student who develops the textbook, workbook, technology, or other product shall be entitled to a designated share of any royalties or license fees received by the College from such a copyright or patent, provided that prior to the development of the respective product, there shall be a contract executed between NW-SCC and the employee by which the employee will be authorized to use the resources of NW-SCC in the product's development. In particular, the contract shall specify:

- A. The nature, scope, type, and number of NW-SCC resources which are anticipated to be used in the product's development.
- B. The proportionate share of royalties or fees which the employee/student shall be eligible to receive and shall further specify the types of documentation to be provided to the College as to what College resources were used and what outside resources were used to develop the product.
- C. That the portion of any royalties or fees to be received by the employee/student must have a direct relationship to the verifiable amount of the employee's/student's personal time, resources, and/or funds which are to be used in the product's development, as compared to the verifiable amount of all time, resources, and funds to be devoted to the development of the product.
- D. That any compensation to the employee/student arising from the development of the product must be made from proceeds derived directly from the publication, manufacture, sale, lease, or distribution of the products, and not from any State or Federal funds.
- E. That the contract does not provide an exemption from, and does not imply compliance with, the Alabama Ethics Law, and that it shall be subject to the scrutiny of the Alabama Ethics Commission, which shall be provided with a copy of the contract.
- F. That prior to the payment of any compensation to any college employee/student under a contract of the type described above, such contract or payment must be approved in writing by the appropriate dean level administrator.

All revenue derived from the creation and production of intellectual property by any NW-SCC employee/student, which is not designated as the employee/student share, shall be placed into the College's general fund to cover the cost of the College resources which were used in the development of the product.

Any NW-SCC employee/student who is interested in entering into an agreement with the College for the development of any intellectual property subject to this policy shall begin the process by submitting to the appropriate dean a written proposal which describes in detail the proposal, and which contains a list of all anticipated college resources needed for the development of the product as well as all resources to be provided by the employee or any other person or source other than the College.