



EAGLE-Net Alliance Acceptable Use Policy

Introduction

The EAGLE-Net Alliance (“EAGLE-Net”) provides access to a high-speed broadband network infrastructure and communication resources to K-12 school districts, BOCES administration offices, libraries, government offices and non-profit entities (collectively referred to as Network Users). This access is provided via the Educational Access Gateway Learning Environment Network (“the Network”) that is managed and operated by the EAGLE-Net Alliance.

It is understood and agreed that Network Users will adhere to and apply the EAGLE-Net Acceptable Use Policy (AUP) governing information resources accessed both internally and externally to its domain. It is not the intent of this AUP to substitute for or replace Network Users existing AUPs. However, in matters pertaining to use of the Network, this EAGLE-Net AUP supersedes existing Network Users AUPs.

Purpose

The purpose of the AUP is to help ensure that use of the Network is consistent with the foregoing purposes and to ensure that the Network can be operated reliably and lawfully.

Scope

The AUP applies to all uses of the Network whether such use originates or terminates with devices directly attached to the Network or with devices that are attached to networks that directly or indirectly interconnect with the Network. It also applies regardless of whether such devices are operated by employees of Network Users that own such devices or by other agents or third parties.

Network Users Must Comply With the Following:

External Network Usage – Rules for complying with the AUP and any security policies of the Internet Service Providers (ISP) and/or backbone providers.

Operating Policies – Issued from time-to-time by EAGLE-Net, these policy statements include, but are not limited to, rules governing routing, use of Network numbers, and Network bandwidth. Should there be a conflict between the EAGLE-Net AUP and the policies developed by Network Users in this regard; the EAGLE-Net AUP shall prevail. Operating policies, when adopted, shall be posted on the EAGLE-Net Web Site (<http://www.co-eaglenet.net/>).

Law – Local, state, and federal laws, statutes and regulations which address such matters as unlawful access, injury to any computer, computer system, computer network, computer program, data and/or data systems, or information and/or information systems to which EAGLE-Net provides access and/or services. This includes but is not limited to

laws and regulations regarding copyright, patents and trademarks, such as the federal copyright law, which prohibits the reproduction, distribution to the public, public performance or display, or creation of a derivative work without permission of the copyright owner, requires that service providers remove or block access to infringing works on notice, and requires that service providers terminate the accounts of users who repeatedly infringe copyright. Users shall secure appropriate permission to distribute protected material prior to distribution of any such material over the Network.

General Acceptable Use:

Examples of acceptable use include, but are not limited to, the following:

- Activities that are part of the support infrastructure needed for instruction, scholarship, and institutional management of the participant institutions.
- Instructional applications engaged in by students, faculty, and staff.
- Communication and exchange for professional development, to maintain currency, or to debate issues in a field or sub-field of knowledge.
- Subject matters/discipline associations, government-advisory, or standard activities related to the user's research, instructional, and/or administrative activities.
- Applying for or administering grants or contracts for instruction, professional infrastructure upgrades, and student support services.
- Announcements of new products or services used in instruction and institutional research.
- Access to information resources, computers, and people throughout the world.
- Interaction with students, faculty, and staff by electronic mail and other means of electronic communication.
- Access to libraries, information resources, databases, and news from commercial and non-commercial sources.
- Importation of licensed software or other copyrighted material for fair use or with permission.
- Administrative, academic, and research-related discussion groups.
- E-commerce activities in support of the administrative and academic programs of participant institutions.

Unacceptable Uses:

Examples of unacceptable use include, but are not limited to, the following:

- Any illegal use of the Network, or use in support of illegal activities, is prohibited. Illegal use shall be defined as use that violates local, state and/or federal law. This includes, but is not limited to, the following: stalking others, transmitting or originating any unlawful, fraudulent or defamatory communications, transmitting copyrighted material beyond the scope of fair use without permission of the copyright owner, or any communications where the message or its transmission or distribution, would constitute or would encourage conduct that is a criminal offense.

- Activities that interfere with or disrupt network users, services, or equipment. Such interference or disruption includes, but is not limited to, distribution of unsolicited advertising or mass mailings; “spamming;” propagation of computer worms or viruses; and using the Network to make or attempt to make unauthorized entry to other computational, informational or communications devices or resources. For the purpose of this AUP, “unsolicited advertising” includes any transmission that describes goods, products, or services that is initiated by a vendor, provider, retailer, or manufacturer of the described goods, products, or services, or by a third party retained by, affiliated with, or related to the vendor, providers, retailers, or manufacturer.
- Use by an individual or by a third party retained by, affiliated with or related to an individual, in furtherance of that individual’s profit-making activities (consulting for pay, sales or distribution of commercial products or services for profit, etc.) or use by for-profit companies, unless specifically authorized by EAGLE-Net.

Services Provided to Third Parties:

Network Users and their authorized agents are prohibited from acting as a host site or hub for external agencies or other organizations wishing to gain access to the Network except as authorized in writing by EAGLE-Net.

Adverse Affects Prohibited:

EAGLE-Net may judge any use that adversely affects the operation of the Network or jeopardizes the use by or performance of other members as inappropriate. These are activities that exceed normal bandwidth demands and/or affect the integrity of the Network.

Enforcement and Violations:

EAGLE-Net or its designee(s) will review alleged violations of the AUP and report violations to the appropriate Network User. In addition to any legal sanctions, violations of the policy which are not promptly remedied by the Network User may result in action by EAGLE-Net up to and including the termination of services. EAGLE-Net is entitled to treat any breach of the AUP as a breach of contract and may exercise all appropriate contractual remedies, as well as remedies specified herein. Network Users shall be responsible to EAGLE-Net, and any institution acting as an authorized agent for EAGLE-Net, in the delivery of networking, for any damages incurred by EAGLE-Net or its authorized agent arising from any violation of the AUP.

Network Users who have been taken off-line and/or had their services terminated may be reinstated once they have presented to EAGLE-Net convincing evidence, satisfactory to EAGLE-Net, that they have remedied the impropriety leading to such action.



Complaints:

Complaints regarding violations of the AUP or comments on the AUP may be addressed to support@co-eaglenet.net

Modifications to Acceptable Use Policy:

This policy may be amended from time-to-time by EAGLE-Net.