THE CITY UNIVERSITY OF NEW YORK

Amendments to Policy on Acceptable Use of Computer Resources

RESOLVED, That the Board of Trustees of The City University of New York approve the amendments to the University’s Policy on Acceptable Use of Computer Resources set forth on Attachment I.

EXPLANATION: These amendments are intended to clarify a number of points that have arisen since the Policy was first approved in 2007, including that:

- The Policy applies to all faculty, whether full-time, part-time or adjunct.
- The Policy applies to both former and current Users of CUNY computer resources.
- CUNY’s rights pursuant to the Policy to review a User’s CUNY account include the right to review personal messages and other information.
- Information in a User’s CUNY account, including personal messages, may also be subject to disclosure under FOIL.
- CUNY Users may include their CUNY affiliation on e-mail and other correspondence and publications, so long as they do not state or imply that they are speaking on behalf of the University.
- CUNY has the right and obligation to copy a User’s account or hard drive, without inspecting it, at any time for preservation of evidence, without notice to the User. This is consistent with CUNY’s longstanding practice of backing up computer files on its servers to protect Users against loss of data, as well as CUNY’s legal duty under the Federal Rules of Civil Procedure and state requirements to preserve electronic records as soon as it reasonably anticipates litigation of a matter. Please see the Office of General Counsel’s memorandum regarding “E-Discovery” for additional information: http://www.cuny.edu/about/administration/offices/la/advisories/ediscovery.pdf.
- In instances of proposed CUNY review of a Central Office employee’s account without notice, the Chancellor or his or her designee shall determine if the criteria under the Policy for such review have been met.
- CUNY Users may request an exception or waiver of one or more provisions of the Policy. This may be appropriate in situations when, for example, a forensic computing professor wants to demonstrate how computer hackers override security systems.

In addition, technical amendments have been made to reflect changes in technology and the types of computer resources used at CUNY.