



Marketing and Computer Information Systems Department Policy on Software Theft

POLICY ON SOFTWARE THEFT, UNAUTHORIZED ACCESS, AND VANDALISM
DEPARTMENT OF COMPUTER INFORMATION SYSTEMS

Software Defined: Software will be considered as any data, information, designs, or ideas, which were, are, or are intended to become, computer files, programs, systems of programs, or related input or output data. It may be recorded in any form, including electronically, magnetically, optically, or on paper, and may or may not be located inside a computer system as such. For purposes of this policy, the software in question is any owned, used or created within the scope of the instructional or administrative operations of the University.

Software Theft: Software theft will be considered as the unauthorized acquisition of ANY computer software as defined above, by any means, where permission or license is not expressly given to the person acquiring it by the owner/creator of that software. This includes software owned or created by students, the University, as well as any other software (either commercially or privately created) which is used in or for University labs, offices or courses. Examples of software theft may include but are not limited to the following:

1. Copying software from University equipment for private use.
2. Removing software packages from labs or offices or other place of storage without permission, or installing where not authorized by University personnel.
3. Acquiring without permission someone else's systems, disks, programs, files, notes, or designs, from their place of storage or disposal. For purpose of this definition, it does not matter whether the software materials obtained were complete, working, preliminary, or discarded.

Unauthorized Access: Unauthorized access is gaining access into any computer, network, storage medium, system or sub-system, program, file, user area or other private repository where software may reside, without the express permission of the owner of the software. Cases of documental unauthorized access will be treated the same as cases of theft.

Software Vandalism: Vandalism will be considered to be any willful and unauthorized tampering or contaminations introduced which potentially or actually cause alteration, disabling, or destruction of software or hardware belonging to another. In general, the degree of vandalism will be judged not by the original intent or apparent innocence of the tampering, but by the potential scope and severity of damage, regardless of actual damages. This definition also



includes the willful introduction of computer viruses or any parasitic or self-propagating programs into files, systems, or networks. This applies whether done personally or through others. In the case of virus-type vandalism, the incident will be treated as though it were a case of extensive and malicious damage, regardless of the degree of actual damages incurred.

Official Position on Violations: Software theft, unauthorized access, or vandalism will be reported as CRIMES to the campus police, Dean of Students, and other authorities as appropriate. Violators will be subject to State law, as well as all pertinent University policies, including potential disciplinary probation, dismissal from courses, failing grade in courses, and expulsion from the University.

Official Action to be Taken on Violations:

1. When a case of software theft, unauthorized access, or vandalism is reported or suspected, the lab manager, department head and/or Dean of the College will be notified and will conduct a preliminary investigation.
2. The preliminary investigation will determine the facts regarding the nature of the case, probable suspects, degrees of proof, and extent of damage done. A determination will be made by the preliminary investigators whether to recommend filing charges with the police and University authorities.
3. If the incident is turned over to the police and Dean of Students, the head of the department involved and the lab manager will work closely with the University authorities to assist in the investigation and determination of extent of prosecution and/or punishment.