USA Software Policy

The following software policy was developed by a faculty committee and has been approved by the University Deans and President as a University policy.

The reproduction and use of computer software on University equipment or by University employees or students in pursuit of University business or instruction shall be in accordance with copyright law (as set forth in Title 17, United States Code) and the manufacturer's condition of sale. Specifically:

- No University employee or student shall reproduce or allow the reproduction of software in violation of copyright law or the conditions of sale.
- No University employee or student shall accept or use software which is not known to be provided in accordance with copyright law or conditions of sale.
- It is the individual responsibility of each user to determine that the use of software is in accord with this policy.

Practices and Guidelines for the Software Policy

The policy stated above applies to:

- The use of copyrighted or licensed software by University departments and employees on University equipment.
- The use of software purchased with University funds on non-University equipment.
- The use of software for instructional purposes.

The University interprets the copyright laws and manufacturers' terms of sale as described below.

- **Back-up copies.** You may make as many back-up copies as are necessary to protect your software in the event your original fails. Such copies are NOT to be used simultaneously on another machine. The law permits you to make such back-up copies even if the manufacturer does not provide you a process to make one.
- **Multiple-loading or booting from one disk into multiple machines at the same time.** You may not simultaneously load one copy of a copyrighted program into a number of different machines, even if it is physically possible. Although you may use your legal copy in different machines at different times (so that you are only using one copy at a time), you may not permit multiple concurrent uses of the package. It would be legal to load and run it on one computer, turn that computer off, and then run it on another computer. For example, Adobe Photoshop is sold for use on one computer, but it is possible to sequentially load it into a number of different computers and then run them at the same time. This is a clear violation of the law; you have caused the “proliferation of simultaneous users” (the legal term for this process). The fact that it is physically possible is irrelevant.
- **Networks.** The concept of “proliferation of simultaneous users” also applies to networks. Unless you purchased the software with an explicit “network license”, downloading the
program to multiple stations at the same time violates the copyright law. As in the preceding example, the fact that it is physically possible to download the software on your network is irrelevant.

**Instructional Responsibilities**

Academic Departments and individual course instructors should take measures to ensure that students are informed of the legal and ethical issues regarding software copyrighting, as well as University policy on this matter. As a minimum, departments should:

- Post the University policy regarding software copying in a conspicuous location adjacent to any departmental microcomputers which may be accessible to students.
- Include a statement of the University policy in syllabi for courses using microcomputers.
- Read and explain the University policy in any classes using microcomputers.

**Use of Software in Course Work**

Departments and individual faculty are responsible for insuring that any copyrighted software made accessible to students be done so in accordance with University policy and all legal requirements. Specifically, faculty shall be careful to respect the following points:

- Neither departments nor faculty shall impose requirements which would encourage students to copy software in violation of University policy. Instructors shall not make assignments without verifying that a sufficient quantity of legal copies of software will be readily accessible to students for the completion of course assignments.
- Difficulty or expense involved in acquiring sufficient copies does not constitute a reason for violating University policy.
- Any copyrighted software made accessible to students shall bear the following statement conspicuously placed on both documentation and physical media:

  *This software is issued subject to University policy and may not be copied for any purpose whatsoever. Violation of this policy may lead to either disciplinary or legal action.*

  (The University Computer Center will provide labels for this purpose on request.)

- Software placed on course reserve in the University libraries, computer laboratories, or other campus sites must be in compliance with University software policy. Forms to certify compliance are available at Library circulation units.