

Harrisburg University of Science and Technology

Third-Party, Web-Based [Cloud] Computer Records Policy

Policy Statement:

It is the policy of Harrisburg University of Science and Technology that any and all user-generated content developed during the use of third-party, web-based (referred to as “cloud-based”) technologies used in the classroom or coursework, which could include cloud-based instructional tools, cloud-based teaching and learning environments, and cloud-based server storage, is the property of the individual faculty, student, or staff who developed the content and that the University is not responsible, and shall be held harmless, for any theft, damage, manipulation or loss that may be incurred as a result of the failure by the third party to properly maintain or safeguard that content.

Reason for Policy:

The University encourages and supports the use of new instructional tools and emerging technologies in open, digital teaching and learning environments. The use of web-based applications and cloud-based storage also bring new concerns about intellectual property and privacy. The Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is the federal law that protects the privacy of a student’s education records. Generally, any work related to a course or program of study created by the individual is considered a part of the “student’s education record.” Accordingly, any work related to a course or program of study should not include personally identifiable information of the individual. Examples of “personally identifiable information” are: an individual’s full name (if not common), Social Security number, date of birth, birthplace, face or fingerprints, credit card numbers, driver’s license number, vehicle registration plate number, digital identity, or grades. Any of these data, when combined with other personal information, may identify an individual. Users of third-party, web-based technologies are strongly cautioned to avoid posting personally identifiable information in any computerized application.

A license agreement permits the University to provide access through its servers for the student to utilize the MicroSoft *SkyDrive* cloud-based computer server storage utility to store the student’s ePortfolio during the period of enrollment in a program of study. The University requires that each degree-seeking undergraduate student develop an ePortfolio. An ePortfolio is defined as: *An organized, media-rich collection of documents, videos, and other exhibits that allows the student to demonstrate competence to a multitude of audiences.* Additionally, faculty, students, or staff are provided access to and use other web-based technologies and social media where user-generated content is stored.

The individual user of a third-party, web-based technology application, when establishing an account, is required to agree to the conditions of a Terms of Service or End-User Agreement, whereby the individual user accepts full responsibility for all content maintained in the application. Furthermore, the user agrees to a condition that, in no event will the software manufacturer be liable for any damages, whether direct, indirect, special, incidental, economic, compensatory, or consequential, arising out of the use of or inability to use the software or user documentation. Accordingly, the user is solely and exclusively responsible for any and all content.

Action Subsequent to Completion of a Program of Study or Termination of a Period of Employment:

Any and all documents, videos, and other exhibits accumulated in an ePortfolio or other file, folder or collection by an individual who utilizes a third-party, cloud-based application or storage utility during a program of study or period of employment will no longer be accessible through the University's servers following the completion of the program of study or termination of a period of employment. Direct access to the materials held by the provider is conditional upon the Terms of Service or End-User Agreement accepted by the individual when the account was established.

Approved: July 12, 2011