

## POLICY

Effective Date: 12/02/02  
 Revised:  
 Approved by:

Authority: RCW [28B.35.120\(12\)](#); RCW [42.52](#);  
 RCW [42.56](#); RCW [42.17A](#);  
 WAC [292-110-010](#); SAAM [12.20.05](#)

Cancels:

See Also:

<p>FRM-U5400.05A  <a href="#">POL-U3000.02</a>  <a href="#">POL-U5346.03</a>          ATUS Policy          ATUS Policy</p>	<p>Request to Use University Resources to Support Non-Profit Organization          Using Electronic Methods for University Communications          Safeguarding University Assets  <a href="#">Western Washington University Policy for Responsible Computing          User Agreement for WWU Network and Computing Resources</a></p>
--	---

### **POL-U5400.05      USING UNIVERSITY RESOURCES**

***Western is committed to high ethical standards including having the expectation that all employees must be responsible stewards of University resources regardless of funding source. This policy applies to all University faculty, staff, and student employees.***

#### **Definitions:**

Personal Use – Personal use may include use for personal benefit or for the benefit or gain of other individuals or outside organizations.

Research Employee – a person employed by the University to engage in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities (RCW [42.52.010\(23\)](#)).

University Resources – University resources include, but are not limited to, University-owned equipment, supplies, materials, and facilities.

#### **1. University Ethics Officer Oversees Compliance**

The President delegates the role of Ethics Officer to the Assistant Vice President for Human Resources (AVP) giving the AVP responsibility of enforcing compliance of this policy.

#### **2. University Resources May Be Used Only for the Purpose of Carrying Out the University's Mission Statement and Strategic Plan**

University resources may be used:

- a) To support academic and administrative functions,
- b) To assist employees in conducting their official duties,

## POLICY

- c) To assist employees during non-work hours in enhancing their job related skills, and
- d) For activities that have an official state purpose or for organizational effectiveness, but is not directly related to an individual employee's official duty.

When criteria c) and d) above apply, prior written supervisor approval is required.

### 3. **Employees Are Responsible for Their Own Actions**

Responsibility and accountability for the appropriate use of University resources ultimately rests with the:

- a) Employee acting on behalf of him/herself regardless if authorized by a supervisor, or
- b) Employee who authorizes a non-employee (i.e. volunteer) to use University resources.

### 4. **Employees Are Permitted to Make Occasional Limited Personal Use**

Occasional limited use of University resources by faculty, staff and student employees, including e-mail and the Internet, is permitted for use other than official job purposes only if all of the following criteria are met:

- a) There is little or no cost to the state,
- b) Any use is brief,
- c) Any use occurs infrequently,
- d) The use does not interfere with the performance of any employee's official duties,
- e) The use does not compromise the security or integrity of state property, information or software, and
- f) The use is not a prohibited use as set forth in Section 6 below.

Criteria for occasional limited use must comply with the rules adopted by the state Executive Ethics Board, as they exist now or may be amended. In the event those rules are more restrictive than the University's, the Executive Ethics Board rules apply.

Employees should ensure that any personal use of state resources is the most efficient in terms of overall time and resources.

**Exception:** University vehicles may never be used for personal use.

## POLICY

### 5. Employees Are Strictly Prohibited From Using University Resources for Certain Activities

The University strictly prohibits certain private activity and certain uses of state resources. Any use of University resources to support such activity clearly undermines public confidence in state government and reflects negatively on state employees generally.

The following private uses of University resources are prohibited at all times:

- a) **Outside business** - any use for the purpose of conducting an outside business or private employment.
- b) **Soliciting** - any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including, but not limited to, a private business, a non-profit organization, or a political party.

Exception: Supporting an outside non-profit group is allowed if provided for by law or authorized by the President of the University or designee (see FRM-U5400.05A). Examples include:

- Conducting and/or participating in the WA State Combined Fund Drive,
  - Organizing a campus blood drive for the Puget Sound Blood Center, or
  - Organizing employee participation in and funding raising for a charity “fun run,” such as the *Jingle Bell Run* for the Arthritis Foundation.
- c) **Campaigning** - any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such use of state resources is specifically prohibited by RCW [42.52.180](#), subject to the exceptions in RCW [42.52.180\(2\)](#).
  - d) **Lobbying** - any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by RCW [42.17A.635](#).
  - e) **Prohibited by law or University policy** - any use related to conduct that is prohibited by a federal or state law or rule or a state agency policy including, but not limited to:
    - **Illegal discrimination** – creation or transmission of messages or materials for malicious intent including, but not limited to, harassment or intimidation.
    - **Illegal pornography** – creation or transmission of illegally obscene materials.

## POLICY

- **Copyright infringement** - transmission of copyrighted material without the necessary permissions or payment.
- **Chain letters** - dissemination of chain letters or petitions.
- f) **Conversion for private use** - any private use of any state property that has been removed from state facilities or other official duty stations, even if there is no cost to the state. *Exception:* See section #6 below.
- g) **University-owned cell phones** - personal use of University-owned cell phones is prohibited.
- h) **Creation or transmission of inappropriate communications or materials** – such as, but not limited to, obscene, sexually or racially explicit messages, or materials that are not work related.

### 6. **De Minimus Use Allowed by Research Employees**

In order to encourage the ethical transfer of technology for the economic benefit of the State of Washington, the Washington Legislature enacted 2005 Washington laws ch. 106 (2005 Ethics Act Amendment), which amended the Washington State Ethics in Public Service Act to allow the University to develop, adopt, and implement, upon approval by the Governor, administrative processes that apply in place of the obligations imposed on universities and Research Employees under specified sections of the Ethics Act. This policy has been adopted by the University and is contingent upon approval by the Governor in accordance with the provisions of the 2005 Ethics Act Amendment (RCW [42.52.220](#)(1) and [42.52.360](#)(2)(c)).

Notwithstanding Section 5(f) of this policy, RCW 42.52.360(2)(c) allows the University to permit acceptable de minimus uses of University facilities and other resources by Research Employees for the purpose of conducting outside work activities that are related to their research and technology transfer, or are incidental thereto. The Ethics Act recognizes that limited use of University resources by Research Employees for outside work purposes does not undermine public trust and confidence, and can advance the mission of the University.

### 7. **Employees Shall Have No Expectation of Privacy Regarding Use of University Resources**

Electronic mail, facsimile transmissions, internet use, and voice mail are technologies that may create an electronic record. This is what separates these from other forms of communication such as a telephone conversation. An electronic record can be reproduced and, therefore, may be subject to disclosure under the Public Records Act ([RCW 42.56](#)). Further, electronic records may be disclosed for audit or legitimate state operational or management purposes. Requests for disclosure of e-mail follow the same procedures as disclosure of printed records.

## POLICY

Electronic records created or stored on an employee-owned electronic device for the purpose of carrying out official state University business may be subject to disclosure under the Public Records Act.

**8. Employees Who Receive Unsolicited Messages Are Not In Violation of This Policy**

This policy does not apply to unsolicited messages that may be received via the University's electronic messaging systems. Employees should promptly delete received messages that violate Section 6 above.

**9. Ethics Officer Ensures Training is Provided**

Training on acceptable use of University resources will be made available to new and current employees in various formats and processes.