

Policy 4-003: World Wide Web Resources Policy

I. Purpose

To outline the University's policy for students, faculty and staff concerning the use of the University's World Wide Web information resources.

II. Introduction

Academic freedom, the decentralized nature of the World Wide Web, and the diverse purposes served by University Web sites require that as much freedom as possible be granted to those creating and maintaining Web sites. The University of Utah supports and encourages freedom of expression and an open environment for the pursuit of knowledge; however, the contents of all Web pages under University jurisdiction must comply with local, state and federal laws and University of Utah policies, rules, and regulations. The service to students and community of the University of Utah is determined, in part, by the quality of information it publishes electronically. A set of minimum standards and guidelines for Web sites of University of Utah units and affiliates is necessary to maintain the accuracy, consistency and integrity of such sites.

III. References

[Policy 4-001](#), University Institutional Data Management Policy

[Policy 4-002](#) , Information Resources Policy

[Policy 3-019](#) , Internal Audit Policy

[Policy 3-150](#), Auxiliary Enterprises Operation

[Policy 1-006](#), Conflicts of Interest

[Policies 7-013](#) , [7-014](#) , [7-003](#), Copyright Policy

[Policy 1-007](#), University Speech Policies

[Policy 6-400](#), Code of Student Rights and Responsibilities

[Policy 6-316](#), Code of Faculty Rights and Responsibilities

IV. Definitions

- A. Web Site is a collection of Web pages, or collection of related Web sites, that has a coherent purpose and is managed by one person or group. A Web Page is a unit of information delivered to a user in a format intended for display in a Web browser or Web appliance.
- B. Institutional University of Utah Web sites and pages are those published by organizational units that present or represent the University's official academic, research and/or administrative programs, plans, and/or policies. Such pages are sponsored or sanctioned by the appropriate University unit. The physical location or ownership of the Web server(s) from which such pages are served does not alter their status as official pages.
- C. Academic Web site is any site or page, outside the scope of Institutional University sites and pages, created by or for a faculty member to present or support the teaching, research or professional activities of that individual.
- D. Non-institutional University of Utah Web sites and pages are those hosted on a Web server owned or contracted by the University but outside the defined scope of institutional University Web sites. Such Non-institutional University sites include but are not limited to personal Web pages of University faculty, staff, and students; Web sites of non-University organizations hosted by the University as a courtesy or service; Web pages of student organizations recognized by ASUU; and academic Web sites and pages.
- E. Web Home Page is any Web page that serves as the primary portal, table of contents, or designated entry point for a Web site.

- F. Official University Portal is a Web page or site that serves as a gateway to University Web sites or to a combination of University Web sites and non-university sites. When a visitor accesses a portal, the Web host system identifies (authenticates) the user and delivers a page that was either personalized by the user and/or customized by the host for that user.
- G. Web Site Owner is any person or organizational unit serving as the primary provider or publisher of a Web site.
- H. Web-based Electronic Commerce (Web e-commerce) is the provision of Web pages for transactions (exchanging money or secure information) for the ordering and payment of University goods and services. Such transactions may be between units of the University and businesses or other organizations, or between units of the University and individuals.

V. Scope

- A. This policy applies to all members of the University of Utah community, and governs all networked World Wide Web storage and communications systems utilizing University networks or name space, regardless of ownership, whether individually controlled or shared. The use and management of University Information Resources is governed by the University Information Resources Policy ([Policy 4-002](#)). The policies presented herein are specific to the subset of World Wide Web information resources.
- B. Organizational units have broad discretion in establishing additional reasonable and appropriate "conditions of use" for Web information resources under their control. Such policies shall be consistent with this policy although they may provide more detail, guidelines, and/or restrictions. Such policies supplement this policy but do not supercede or replace it.

VI. Policies

- A. Non-institutional Web Sites and Pages.

1. The site owner is solely responsible for the content of Non-institutional Web sites. The views, opinions, and conclusions expressed on such pages are those of site owner and not necessarily those of the University of Utah; however, as specified in the University Information Resources Policy ([Policy 4-002](#)), the University reserves the right to remove from any University Web server any page that is found to be in violation of the law or University policies.
2. University of Utah resources may not be used to create Web pages primarily for personal business or personal commercial gain.
3. Academic Freedom. Freedom of speech on academic Web pages is governed by the University Speech Policies ([Policy 1-007](#)) and Code of Faculty Rights and Responsibilities ([Policy 6-316](#)).
4. Disclaimer and Contact Information. The home page of a Non-institutional University Web site must include:
 - a. a link to the University of Utah Web Disclaimer or the following disclaimer text: *The views, opinions and conclusions expressed in these pages are strictly those of the page author. The contents of the site have not been reviewed or approved by the University of Utah.*
 - b. the name of the site owner or Webmaster, or other ownership contact information, so that responses to those pages can be directed to the appropriate individual(s).
5. ADA Compliance. Students with disabilities may request reasonable accommodations for access to materials on academic Web pages required for a University of Utah course in which they are registered. Reasonable prior notice needs to be given to the instructor and to the Center for Disability Services in order to establish the existence of a disability and/or to determine reasonable accommodation for access to required Web-based course materials.

6. Design Standards. The design standards in section VI.E.2 of this document do not apply to Non-institutional University Web sites. Webmasters of such sites are encouraged to apply the design standards but are not required to do so.
7. Use of University Name, Seal, or Trademarks. The University of Utah has an established licensing program to control the use of the name, symbols, emblems, logos, and mascots associated with the University. Unauthorized use of any such representations may be trademark infringement in violation of state and federal laws. Faculty and staff are authorized to use the University's logos and name for non-commercial purposes on their non-institutional Web pages to indicate their formal affiliation with the University. All other uses on non-institutional Web pages of the symbols, emblems, logos and mascots associated with the University are authorized only with the approval of the Office of Information Technology. Any commercial use of the names, symbols, emblems, logos and mascots associated with the University is prohibited unless an appropriate license is obtained from the University or its authorized agent.
8. Non-institutional Web sites are subject to the copyright provisions set forth in section VI.B.2 of this policy.
9. Non-institutional Web sites and pages may not contain commercial speech.

B. Institutional Sites and Pages.

1. Related Information Resources Policy. University of Utah Web pages are information resources subject to the policies and Procedures covered in the University's Information Resources policy, [Policy 4-002](#).
2. Copyright. Contents of all University Web pages are subject to University of Utah copyright standards covered in the University's Copyright Policy, [Policy 7-013](#) (Copying of Copyrighted Works), [Policy 7-014](#) (Performance or Display of Copyrighted Works) and [Policy 7-003](#)(Ownership).

- a. Title II of the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512, limits the liability of Internet Service Providers ("ISP") for certain infringements. The University of Utah is an ISP for its own community of students, faculty and staff, and for some other nonprofit state agencies and organizations.
 - i. Designated Agent. As an ISP, the University has designated an agent to receive notices from copyright owners alleging infringements. Contact information for this agent is available on the University Webmaster Resources page and the University Disclaimer page.
 - ii. Repeat infringers. The University will terminate the service of any user who repeatedly infringes the rights of copyright owners.
 - iii. Take-down and notice Procedures. If the University receives an infringement notice that substantially conforms to the requirements of the DMCA, the University's Designated Agent will make efforts to notify the Web Site Owner of the allegation of infringement and secure voluntary take-down of the work, or disable access to the work. Upon receipt of such notice or take-down, the Web Site Owner may file a counter-notification to the University that complies with the requirements of the DMCA. Consistent with the provisions of the DMCA, the University will not be liable to the owner of the page for any harm he or she might suffer because of the University's action in disabling access to a page so long as it:
 - takes reasonable steps to notify the Web Site Owner about the allegations in a confirming notice that the University has received;
 - promptly sends a copy of any substantially confirming counter-notice to the complainer indicating that it will restore access in 10 business days; and
 - restores access to the allegedly infringing work within 10 to 14 business days after the day it receives counter-notice, unless it first

receives a notice from the complaining party that he or she has filed an action seeking a court order to restrain the Web Site Owner from further copyright infringement.

3. Accessibility. The University of Utah is committed to the principle of universal access to official information and encourages Web page design for accessibility to audiences using alternate communication channels (e.g., text-to-speech or text-to-Braille browsers). Resources for designing and validating accessible Web pages are available through links on the University Webmaster Resources site.
 - a. ADA Notice and Alternative Delivery: If Web page accessibility for an Institutional University Web site is not feasible, then alternate methods should be made available for access to the non-accessible Web page content. Institutional University Web sites containing non-accessible pages must include on their home page, in a prominent location, the following notice: "In accordance with the Americans with Disabilities Act, the information in this site is available in alternate formats upon request."
4. Disclaimers: Institutional University Web sites must include, in a prominent location, a link to the University of Utah Web Site Disclaimer. The URL of the disclaimer is available through the University Webmaster Resources site.
5. Use of University Name, Seal, or Trademarks. Organizational units may use, on Institutional University Web sites, the authorized logos trademarks and wordmarks of the University of Utah.
6. Privacy policy: Site visitors do not have to routinely provide personal information to visit University Web sites or to download information.
 - a. Institutional University sites may request personally identifiable information in order to provide requested services if:
 - i. That information is necessary to the requested service.

- ii. A privacy policy statement is provided which describes how the collected information will be used (sample privacy policy statements are available from the University Webmaster Resources site); and
 - iii. The privacy policy, or a link to it, is prominently displayed on the Web page requesting the information; and
 - iv. The collection and use of the information complies with the University Institutional Data Management Policy ([Policy 4-001](#)), Information Resources Policy ([Policy 4-002](#)), the Student Records provisions of the Student Code of Rights and Responsibilities ([Policy 6-400](#)) and the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations; and
 - v. Transaction and storage security is provided for protected information. Such security is subject to review or audit by the University Institutional Security Office.
- b. E-mail addresses obtained as a result of a request to a University Web site will not be sold or given to private companies or other organizations for marketing purposes.

7. Commercial use

- a. Commercial speech means speech that proposes a commercial transaction including speech of any form that advertises a product or service for profit or for business purpose.
 - i. Commercial speech does not include donor recognition on an organizational unit's Web page. If donor recognition includes information about the donor's products, services, facilities, or includes a hyperlink to the donor's Web page, the additional information may constitute commercial speech and be subject to this policy. Webmasters should contact the Office of Information Technology if

clarification is needed regarding a particular link or page's status as commercial speech.

- ii. For purposes of this policy, commercial speech does not include links to products that are the sole resource available to meet a site requirement or need (e.g., a link to the PDF reader software download page does not constitute commercial speech).
 - iii. For purposes of this policy, commercial speech does not include links from a University Web page to commercial sites if the sole purpose of the links is pedagogical (e.g., if an academic department's Web page contains links to commercial sites, the links do not constitute commercial speech when the links' purpose is to provide students with good and bad Web design examples).
- b. With the exception of Auxiliary Enterprises identified in section [Policy 3-150](#) and Web publications governed by the Publications Council or Student Broadcast Council ([Policy 6-401](#)) Institutional Web pages may contain commercial speech only if:
- i. the organizational Unit is authorized by the Office of Information Technology to have commercial speech on its Web page, and
 - ii. the commercial speech directly relates to the Unit's educational or service mission, and
 - iii. the Unit meets the conditions of 7(e) and 7(f), below.
- c. Unit Web pages of Auxiliary Enterprises may contain commercial speech that does not relate to the Auxiliary Unit's service mission, as long as the commercial speech meets the conditions of 7(e) and (f), below.
- d. Prior to entering any contract to post commercial speech or a hyperlink to commercial speech on a Unit Web page, a Unit must ensure the contract for such advertising:

- i. receives approval from the President, the President's designee, or the University Publications Council; and
 - ii. is reviewed by the University Office of General Counsel and the University Accounting Contract and Grant Analyst for legal and financial issues; and
 - iii. is non-exclusive and is limited to no more than a one (1) year commitment, absent approval by the President or the President's designee.
- e. If a Unit has commercial speech or hyperlinks to commercial speech on the Unit's Web page, the Unit may not use arbitrary, capricious, or view-point based criteria to determine what commercial speech will be allowed on the Unit's Web page.
- f. Unit Web pages may advertise the University's services and goods.

8. University Portals

- a. Establishment and maintenance of a primary, official University Web portal is a responsibility of the University Webmaster. Such a portal can only be implemented under the guidance of the Web Advisory Committee and the approval of the Vice President of Academic Affairs.
- b. University Web portals other than the university's official portal may be created if they serve the mission of the sponsoring Unit. Any such Unit desiring to establish a University Web portal must receive prior approval to do so from the Web Advisory Committee and the Vice President of Academic Affairs if the portal meets any of the following criteria:
 - i. The portal site is intended to serve members of the University community beyond the faculty, staff and/or students of the sponsoring unit; or

- ii. The portal site infrastructure requires access to University of Utah enterprise database resources; or
 - iii. The portal site contains commercial speech or advertisements; or
 - iv. The portal site is funded wholly or in part by a commercial sponsor or partnership.
9. Electronic Commerce: E-commerce services provided by University Web sites must be in support of the University's mission. Sites engaging in Web-based e-commerce must:
- a. Register with the University Webmaster and declare their provision of e-commerce services in that registration; and
 - b. Provide data security for e-commerce transactions:
 - i. in the server-to-client connection; and
 - ii. in the processing , storage and use of transaction information.
 - c. Be certified as a secure e-commerce site by the University Institutional Security Office prior to initiating e-commerce traffic. Recertification is required after any change in e-commerce infrastructure which may substantially affect e-commerce transaction security; and
 - d. Be certified as audited for financial and operating practices by the University Internal Audit Department (Policy and Procedures 3-019) prior to initiating e-commerce traffic; and
 - e. Be subject periodically to audit by the University Internal Audit Department after e-commerce services have commenced.
10. Web site registration

- a. Institutional University of Utah Web sites must be registered, by their Webmasters, with the University of Utah Webmaster. Registration information is available on the University Webmaster Resources page.
- b. Webmasters of registered University sites are provided access to supplemental support services available from the University Webmaster and/or Web Advisory Committee.
- c. Only registered sites may provide e-commerce services, and then only within the limitations and requirements specified in the e-commerce provision of this policy (VI.9).

C. Webmaster Roles and Responsibilities

1. Webmasters are encouraged to monitor the accuracy and timeliness of information presented in University Web sites under their control.
2. The Webmaster's cognizant supervisor is responsible for ensuring Webmaster compliance with this policy.
3. The University Webmaster and the Webmaster's associated Web development team is responsible for the management of the University's Web site in support of the University's mission of teaching, research, and service.
4. The University Webmaster is responsible for maintaining a database of all registered University of Utah Web sites.
5. The University Webmaster and Web development team will be advised by a standing university-wide Web Advisory Board whose members are appointed by the President of the University.
6. It is the responsibility of the Web Advisory Board to formulate strategic plans for the development of University Web services, to advise and support the University Webmaster and Web development team, and to provide Web

design and construction resources for Webmasters such as image archives, templates, design guides and support forums.

D. Design Standards

1. The University does not mandate a single "look and feel" for University Web pages. Organizational units have primary control of the appearance and content of their Web pages. The set of minimum standards defined below is to ensure that Institutional University Web pages integrate with the University's home page and with the University's other means of communication.
2. Institutional University of Utah Web site home pages must include the following:
 - a. An official University of Utah logo or the text "University of Utah" serving as a hypertext link to the [University of Utah home page](#). This text may be image-based if accessibility techniques are applied to the image.
 - b. The unit's area code and telephone number for the Web site owner. Units without telephone service must provide the area code and telephone number for a parent unit or for the University operator (801.581.7200).
 - c. The physical address and (if applicable) mail drop address for the site owner.
 - d. Contact information for the site Webmaster, Web Site Owner or other designated contact person.
 - e. A link to the University of Utah Web Disclaimer page.

VII. Enforcement

The policies and Procedures for enforcement set forth in the University Information Resources Policy ([Policy 4-002, Section V.D](#)) are incorporated by reference here.

[Note: Parts VIII-IX of this Regulation are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.]

VIII. Contacts

The designated contact officials for this Policy are:

- A. Policy Owner (primary contact person for questions and advice): Director of Planning and Policy/Office of Information Technology.
- B. Policy Officer: Only the Chief Information Officer.

These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in University Rule 1-001:

"A 'Policy Officer' will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases.... "

"The Policy Officer will identify an 'Owner' for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... [and] bears the responsibility for determining -requirements of particular Policies... ." University Rule 1-001-III-B & E

IX. History

Approved: Academic Senate 3/5/01

Approved: Board of Trustees 5/14/01