

**University of Wisconsin Colleges**  
**Administrative Policy #20**  
**SOFTWARE POLICY**

Implemented: March, 1992

Revised: 12/5/01

Approved by Chancellor: 12/5/01

Recommended by Chancellor's Council: 12/4/01

Recommended by IITC: 6/1/01

## **I. Purpose**

The purpose of this policy (the "Software Policy") is to:

1. establish standards of conduct with respect to software acquisition, copying, transfer and use,
2. inform each UW Colleges faculty, staff, and student user ("User") of the seriousness of software misuse, and
3. set forth disciplinary procedures for such misuse.

## **II. General Provisions**

### 1. Application

This policy applies to all software acquired by or on behalf of UW Colleges (wherever used) and all software (however acquired) used on UW Colleges Resources (collectively, "SOFTWARE"). "Resources" means UW Colleges' computers, computer systems, networks, facilities, equipment, software, files, documentation, accounts, and information associated with any of them.

### 2. Agreements

SOFTWARE may only be used in compliance with applicable license (including "shrink-wrap") and purchasing agreements.

### 3. Discipline

Any User who violates the Software Policy may be subject to some or all of the following actions:

- a. suspension or revocation of his/her computer account(s),
- b. disciplinary procedures of UW Colleges under the relevant policies and rules for faculty, staff, and students including suspension or termination of employment (employees), and/or
- c. civil or criminal prosecution under federal and/or state law. Noncompliance with certain provisions of the Software Policy may also constitute a violation of federal and/or state law. Penalties under such laws include fines, orders of restitution, and imprisonment.

## III. Software Usage Standards

### 1. Statement of Responsibilities

Each User is individually responsible for reading, understanding and adhering to all licenses, notices and agreements in connection with SOFTWARE which he or she acquires, copies, transmits or uses or seeks to acquire, copy, transmit or use. Unless otherwise provided in the applicable license or contract document, any duplication of copyrighted software may be a violation of federal and state law. In addition to violating such laws, unauthorized duplication of software is a violation of this Software Policy and the Guidelines for Appropriate Use of UW Colleges Information Technology Resources.

### 2. Standards for SOFTWARE Usage

- a. Acquiring Authorized Copies of SOFTWARE Needed for Classroom, Laboratory, Research and Business Activities
  - i. When a User's legitimate activities in the fulfillment of UW Colleges' mission, including course teaching, laboratory exercises, research or related UW Colleges work activities dictate a need for UW Colleges' acquisition of software not already licensed to UW Colleges or additional copies of licensed software, the User shall request that his/her Business Manager (or their designee) make appropriate arrangements for the acquisition of appropriate new or additional licensed copies.
  - ii. Nothing contained in the Software Policy shall create:
    1. a User's entitlement to software,
    2. an obligation for UW Colleges to acquire software,
    3. a delegation of authority to any individual to acquire software on behalf of the University or
    4. liability of UW Colleges for a User's noncompliance with the Software Policy.

- iii. No User is authorized to make copies of any SOFTWARE for any purpose other than that authorized by the license agreement.
- b. Transfer of SOFTWARE
  - i. No User may sell, rent, sublicense, lend, transmit, distribute, give or otherwise convey or make available SOFTWARE or an interest therein to any unauthorized individual or entity.
- c. Decompiling SOFTWARE
  - i. No User shall decompile, disassemble or reverse-engineer any SOFTWARE except in those rare circumstances in which applicable SOFTWARE license and agreements expressly permit it.
- d. Right to Audit
  - i. Notwithstanding any privacy rights which might otherwise exist or apply,
    - 1. UW Colleges and its agents shall have the right to audit all Resources to ascertain compliance with the UW Colleges Software Policy and
    - 2. UW Colleges may, at its discretion, permit the SOFTWARE Licensors and their agents to audit some or all Resources to ascertain compliance with their license, purchase, or other applicable agreements.
- e. Questions/Reporting Noncompliance
  - i. Any User who has questions about SOFTWARE use or the Software Policy shall promptly refer the question to the UW Colleges' Chief Information Officer.
  - ii. Any User who suspects an incident of noncompliance with the Software Policy by another User shall promptly notify the appropriate campus dean or the UW Colleges' Chief Information Officer