

University of the Philippines Los Baños
THE UNIVERSITY LIBRARY
RULES & REGULATION

revised edition



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University of the Philippines Los Baños
Office of the Vice-Chancellor for Academic Affairs

The University Library

Rules and Regulations

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**Proposed Revisions for
ARTICLE X
UNIVERSITY LIBRARY RULES AND REGULATIONS**

I. Library Users. Users of the University Library (*Library Organic Act, Part I. Art. IX, Sec.16, page 8*)

A. Use of Libraries by Members (*Library Organic Act, Art IX, Sec, 16, page 8*).

The following members of the UP System may use the library resources subject to the rules and regulations governing their use:

- All bona fide students, faculty and employees, members of the Board of Regents and officials of the University
- Retired faculty members specifically granted off-campus-reading privileges by the Board of Regents
- Visiting scholars with university appointments
- Cross registrants from other colleges and universities, and special students

B. Use of Libraries by Non-members (*Library Organic Act, Part I. Art. IX, Sec. 17 page 9*).

The following non-members of the University may use the library resources within library premises subject to the rules and regulations governing their use:

- Alumni, former faculty members and students honorably discharged from the University
- Graduate students from other schools
- Government and private researchers
- *Part-time Lecturers and ICS

II. Use of Library Resources (*Organic Act Art X, Sec 1 “Types of Library Resources”*)

The use of the different types of library resources by bonafide students, faculty, Research, Extension and Professional Staff (REPS), and administrative staff shall be subject to the following conditions:

a) General Reference Books

General reference resources (encyclopedias, dictionaries, atlases, etc.) shall be for room use only. These resources may be issued for classroom use upon request of a faculty member and shall be returned within the day.

b) Periodicals

Periodicals shall be for room use only. However, faculty and officials of the University may borrow a periodical, other than the latest issue, for a period of not more than one (1) week.

c) Reserve Books

Reserve books (required reading materials for courses offered during the semester/mid year term) shall be lent for room use only and recalled two hours after it is issued. It may also be borrowed an hour before library closing time for overnight use upon reservation/request and be returned within the first hour of library service of the next working day. Total of two (2) reserve books may be borrowed for home use at a time.

d) Circulation Books

Books for home use are usually loaned for two (2) weeks or in a specified period of time. (See sections 6-8, Library Organic Act).

e) Electronic Resources

Periodicals shall be for room use only. However, faculty and officials of the University may borrow a periodical, other than the latest issue, for a period of not more than one (1) week.

f) UPLB Publications

Intellectual and knowledge output of UPLB constituents such as Theses/Dissertations, Special Collections, Terminal Reports, Professorial Chair Lectures, Syllabus, Manuals, etc shall be for Room Use and may be viewed or read online subject to specific guidelines below.

f.1. Borrowing of theses and dissertations are subject to the following rules and regulations:

- f.1.1) Access to theses and dissertations shall be through Onsite Visit or Online Request. The University Library has the right to withhold public access to selected theses and dissertations with a non-disclosure agreement. (Memorandum No. PAEP 2012-03).
- f.1.2) Onsite clients are required to submit an accomplished “Request Form” together with their valid Identification card. The use of Form 5 is allowed (for Freshmen students only) for three Library visits per semester.
- f.1.3) Clients may borrow a maximum of three (3) materials at a time.
- f.1.4) “Certification with Notation,” (USCS Form 02) must be accomplished before materials are allowed to be photocopied.
- f.1.5) Online Request for scanning/photocopy/reservation may be availed via bit.ly/AccessToSpecialMaterials or through the official email address at uscs-mainlib.uplb@up.edu.ph
- f.1.6) Currently enrolled students and employed Faculty, REPS, and Staff of UP are required to provide a copy of their validated ID.
- f.1.7) UP Alumni and Non-UP clients may avail of the online request service of the section with corresponding fees set by the University Library.
- f.1.8) Theses and dissertations published from 2012 up to the present, which are classified as “Public” by the author and adviser may be scanned except for Biographical statement and Acknowledgement. Meanwhile, signatures are covered in compliance with the Data Privacy Act of 2012 or RA 10173.
- f.1.9) Theses and dissertations published from 2012 up to the present which are classified as “Restricted”, may be requested if there is written permission from the author/adviser or College Dean.
- f.1.10) For theses and dissertations copyrighted 2011 below, only the Abstract, Review of Related Literature, and Bibliography may be served to the clients. Full text may be requested if there is written permission from the author or adviser or College Dean.
- f.1.11) The soft copy will be emailed via link and requestors will be given a “Viewing Access” for the whole semester. The link will expire at the end of the semester.

f.2 Special Collections.

Special collections (rare books, books in personal papers of Filipiniana and Archives Sections, Audio-visual materials, microforms, diskettes, art collections, certain types of Fine Arts books, etc.,) shall be for room use only. The use of archival materials such as: official records, personal papers, manuscripts, diaries, legal papers, memorabilia, etc. shall be subject to any restrictions that may have been imposed on particular records by the originating office in the University of the Philippines System or the donor as stipulated in the deed of donation.

f.3. Terminal Reports/Professorial Chair Lectures/ Syllabus/Manuals, etc

- f.3.1) Onsite clients are required to submit an accomplished “Request Form” (USCS Form 01) together with their valid Identification card. The use of Form 5 is allowed (for Freshmen students only)for three Library visits per semester.
- f.3.2) Clients may borrow a maximum of three (3) materials at a time.
- f.3.3) UPLB Publications may be photocopied up to 1 chapter or no more than 10% of the total pages. “Certification with Notation,” (USCS Form 02) must be accomplished before materials are allowed to be photocopied.
- f.3.4) Online Request for scanning/photocopy/reservation may be availed via bit.ly/AccessToSpecialMaterials or through the official email address at uscs-mainlib.uplb@up.edu.ph
- f.3.5) UP Alumni and Non-UP clients may avail of the online request service of the section with corresponding fees set by the University Library.
- f.3.6) Currently enrolled students and employed Faculty, REPS, and Staff of UP are required to provide a copy of their validated ID.
- f.3.7) UPLB Books, Terminal Reports, and Professorial Chair Lectures may be requested for up to 1 chapter or no more than 10% of the total pages.
- f.3.8) Terminal reports categorized by TTBDO as patent/UM will be subjected to further evaluation by TTBDO.
- f.3.9) The soft copy will be emailedvia link and requestors will be givena “Viewing Access”for the whole semester. The link will expire at the end of the semester.

III. Computer and Internet Use

Undergraduate students shall have twenty (20) hours free use of computer/Internet every term. To avail of this privilege, students must present their Valid Identification Card to the Librarian at the Transaction Desk and must log-in/log-out in the Computer Usage Tracking System (CUTS) before/after using the library computers.

IV. Computing Equipment Use

Computing equipment in the library must not be used for the creation, display, importation, circulation or storage of offensive material (see Annex - B. Acceptable Use Policy for Information Technology). These library equipment can only be used by bona fide members of the University who have registered for library privileges subject to the following rules and regulations:

- a) A valid identification card must be deposited at the Learning Commons for the entire borrowing period
- b) All computing devices (computers & laptops) including its peripherals and/or accessories are for OFFICIAL and ACADEMIC use only and should only be used inside the premises of the Library building.
- c) Items are available on a first-come, first-served basis, and may be checked out for a maximum of three (3) hours. The borrower may request for a two-hour extension if there is no standing request for the next hour.
- d) Items must be returned in person 30 minutes before the Learning Commons closes regardless of the amount of time left on the loan. Users shall be required to wait so the staff can verify the borrowed device. Late return is subject to a fine of Php 50.00 per hour. Failure to return the device is subject to an additional fine of Php 100.00 per day and holding of his/her borrowing privileges for a month.
- e) Users who may wish to borrow any item for a longer period may signify in writing as to the intent of use and purpose and must seek approval from the University Librarian.
- f) Users may borrow only one (1) laptop or tablet at a time.
- g) Holds and reservations of laptops/ tablets are not allowed.
- h) Users may not add, delete, or change any programs/applications without the permission of the Learning Commons librarian.
- i) The library shall not be responsible for recovering files saved in the computing devices. Any files saved on the devices shall be deleted.
- j) Users shall be responsible for the full replacement and repair costs if the laptop/tablet or any peripherals borrowed are lost or damaged as determined by the library.
- k) The Library reserves the right to decline usage to any borrower at any time.
 - Power charging for personal laptop/netbook (handheld gadgets) is allowed for 1 hour in any floor level/Sections of the Library, provided that the users should register first at the Counter where the station is located.

V. Electronic Library Users Records and Library Card.

The use of the electronic library card, computer use cards, temporary cards and of any passwords issued by the library will be the responsibility of the user to whom they are issued. Personal details of borrowers of library materials may not be disclosed to other readers, nor shall any person use the computerized facilities of the library to obtain or process data.

a) Use of Electronic Library Card (iLib)

- a.1) iLib account is necessary for borrowing library materials.
- a.2) Once account has been created, client will be notified via email with the login details (username and password)

b) Registration for Library Privileges.

Bona fide members of the University who register for library privileges shall be required to obtain the following:

- b.1) Student identification card and Form 5 or SAIS screenshot; or
- b.2) Faculty/staff identification or appointment papers

Specific Guidelines on Student's Identification Card:

- b.1.1)* The ID of a student is issued by the Registrar.
- b.1.2)* The duly authorized staff of the student's College library/Main Library issues a signed ID sticker upon presentation of his Form 5 provided he has no outstanding account with the U.P. Library or upon Checking and verifying the attachments from the accomplished google form for ID validation.
- b.1.3)* The ID of a cross-registrant from within or outside the University and that of a special student and/or non-degree student is countersigned by the duly authorized staff of his college library (e.g. he was advised in that college or his Form 5 is signed by the College Secretary). However, if he was advised by the Registrar his ID is countersigned by the Main Library of the Constituent University where he is enrolled provided he has paid his library fee and has no outstanding account with the U.P. Library.
- b.1.4)* The ID of a student on residence will only be countersigned upon payment of his library fee as manifested in his Form 5. Otherwise, he is treated as an alumnus or former student.
- b.1.5)* A student who has no ID (e.g. new student or one who has lost his ID) may be issued a temporary ID by his college library or, in the case of a cross-registrant, a special student, or a non-degree student, upon presentation of his Form 5 and receipt from the Registrar that he has paid for his ID and which should include a "1×1" ID size picture, provided that he has paid his library fee and has no outstanding account with the UP library.

VI. Borrowing Privileges.

The use of the electronic library card, computer use cards, temporary cards and of any passwords issued by the library will be the responsibility of the user to whom they are issued. Personal details of borrowers of library materials may not be disclosed to other readers, nor shall any person use the computerized facilities of the library to obtain or process data.

a) Undergraduate and Graduate Students (*Organic Act Art X, Sec 3*)

Undergraduate students of the University may borrow not more than **five (5) books** while Graduate students may borrow not more than **ten (10) books** at a time for a period of two weeks and renewable only once on the due date. Books borrowed during the mid-year term are non-renewable. Active UP Webmail account is required to be able to borrow library materials.

b) REPS and Administrative Staff (*Organic Act Art X, Sec 4*)

REPS of the University may borrow not more than **ten (10) books** while administrative staff may borrow not more than **five (5) books** at a time for a period of two weeks and renewable only once on the due date. REPS and administrative staff who are currently enrolled in that course may borrow reserved books for home use. Books borrowed during the mid-year term are non-renewable. Active UP Webmail account is required to be able to borrow library materials.

b.1 Specific Guidelines:

- b.1.1)* Any student, faculty and staff who has a countersigned ID, with active UP Web Mail may borrow circulation books from any UP library subject to its rules and regulations.
- b.1.2)* A student who has a countersigned ID may reserve for overnight use, one or two materials, provided he is enrolled in the course(s) wherein said materials are required readings. He may take them out on or after the appointed hour.

b.1.3) However, if a student/faculty/staff has an overdue loan(s) he may not be allowed to borrow another item until he returns the book(s) and pays the fine(s) even if his total charges are less than the maximum (5 or 10) allowed.

b.1.4) Faculty members, REPS and Admin staff currently enrolled as student at the same time, shall follow the rules and apply the same borrowing privileges as students of the University regardless of their appointment.

c) Faculty and Officials of the University (*Organic Act Art X, Sec 5*)

Members of the faculty and officials of the University may borrow not more than ten (10) books at a time for a period of one month and renewable only once on the due date. Books borrowed during the mid-year term are non-renewable. Active UP Webmail account is required to be able to borrow library materials.

d) Part-time Lecturers and Visiting Scholars with University Appointment.

Part-time lecturers and visiting scholars with university appointments may borrow library materials for room-use only.

e) Alumni and Non UP researchers.

Alumni and non UP researchers, employees and students (at least 3rd year HS or Grade 9, Senior HS, undergraduate and graduate) shall be allowed to borrow/use the library resources/materials subject to the following rules and regulations:

- a) A valid identification card and a referral letter/endorsement from their respective institutions or Librarian must be presented upon entering the library or may be sent to the University Librarian for approval.
- b) Researchers/employees and students from government institutions are allowed for five (5) Mondays free of charge within a semester provided they have a referral letter/endorsement from their employer or Librarian. Otherwise, they have to pay a library fee of Php 20.00 per visit.
- c) Alumni, former Faculty members and students honorably discharged from the University may use the library resources for five (5) days free of charge within a semester. Beyond five days they will be charged Php 20.00 per visit, Php450.00 per year.
- d) Researchers/employees and students from private institutions are allowed to use the library resources with a library fee of Php 50.00 per visit. Researchers from other private institutions are charged with the same amount that their institution charges UP students per visit to their libraries.
- e) Alumni and government researchers and other non-UP/private clients shall be charged Php50.00 per hour of Internet Fee/Use of Library equipment/Use of personal equipment.

VII. Stack Privileges. (*Organic Act Art X, Sec 6*)

Bona fide members of the University may, for justifiable reason, be given access to the special collections on closed stacks, such as rare books, books in personal papers of Filipiniana archives, theses and dissertations, and periodicals.

VIII. Inter-Library Loans. (*Organic Act Art X, Sec 8*)

Government agencies and private institutions may upon written application borrow library materials from the University Libraries:

- a) When the resources and the needs of the University community allow this arrangement and when the policies of libraries concerned permit such arrangement.
- b) Books loaned out shall be in the name of the librarian requesting the loan. Books may be kept for two (2) weeks, renewable once, but may be recalled at any time when these materials are needed.

IX. Consortium Arrangement. (*Organic Act Art X, Sec 11*)

Library privileges in consortium arrangements shall be subject to the following:

- a) There is a consortium memorandum of agreement between UP and the other consortium members; and,
- b) Library privileges shall be granted on a reciprocal basis but shall not exceed the privileges granted to bona fide members of the University.

X. Record of Withdrawal (Borrowed by Clients/Temporary Transfer to Other Unit).

(*Organic Act Art X, Sec 9*)

A record of withdrawal shall be made of every material of any kind taken from any library. Any person who draws a book or periodical from a library shall be held accountable for it until its return.

XI. Use of Circulation and Reserve Books.

a) Reservation of Circulation Books

A circulation book on loan may be reserved either manually or online and must be claimed within three days upon its return.

b) Recall of Books (*Organic Act Art X, Sec 10*)

Any book on loan may be recalled if:

- a) Officials of the University have an urgent need of the book;
- b) a book is to be placed on "Reserve" for a course or is to be given shorter loan periods; or,
- c) it is overdue.

c) Failure to Return a Circulation Book (*Organic Act Art X, Sec 14*)

Any person who fails to return any book open to general circulation on its due date or after recall shall pay a fine of Php2.00 a day, exclusive of Sundays and holidays.

d) Failure to Return a Reserve Book (*Organic Act Art X, Sec 15*)

Any person who fails to return a reserve book shall pay a fine according to the following schedule:

- a) For the first hour or a fraction thereof after the hour appointed for return, one peso (Php1.00);
- b) For every succeeding hour, five pesos (Php5.00);
- c) For each full day, fifty pesos (Php50.00),

- A second offense within a semester shall subsequently suspend/curtail this privilege for the rest of the semester or mid year term.

e) Loss of a Circulation/Reserve Book (*Organic Act Art X, Sec 12*)

Any person who loses or fails to return a book within seven (7) days after the due date or recall shall either replace it with the same book or pay its current replacement value. In all cases the person shall pay a fine equivalent to 50% of the current cost of the book.

- a) Fines for foreign titles should not exceed 50% of the current cost of the book.
- b) Fines for Filipiniana titles should not exceed the current cost of the book.

f) Failure to Return a Library Material borrowed for Classroom Use or Photocopying Purposes

(Organic Act Art X, Sec 18)

Any person who fails to return a room-use/circulation/ general reference book and other restricted materials borrowed for classroom use or (photocopying purposes) shall pay a fine of Php50.00.

On the second offense the person shall have his library privileges suspended for one (1) week.

g) Withdrawal of a Reserve/Room Use Book without Reservation Permit *(Organic Act Art X, Sec 16)*

Any person who draws out a reserve book/room-use book for overnight use without an approved reservation shall pay a fine of Php50.00. For second offense, the library privilege to borrow from the reserve collections shall be suspended for two (2) weeks in addition to the fine.

XII. Loss of a Periodical. *(Organic Act Art X, Sec 13)*

Any person who loses or fails to return a periodical after recall shall either replace it with the same title and issue number within thirty (30) days or pay its current replacement value. In all cases the person shall pay a fine equivalent to 50% of the current cost of the periodical.

XIII. Reproduction of Theses, Dissertations and Archival Materials.

No theses, dissertations, and archival records may be reproduced in any way including photographing, photocopying, scanning, etc., unless proper forms and permission from the librarian are obtained. Anyone caught reproducing the materials will have their library privileges suspended not exceeding one month.

XIV. Violations of the Use of Special Collections and Archival Materials. *(Organic Act Art X, Sec 17)*

Infraction of the rule on the use of special collections and archival materials shall mean suspension of library privileges not exceeding one month.

XV. Mutilating or Stealing Library Properties. *(Organic Act Art X, Sec 19)*

Any person who shall deface, mutilate, appropriate for himself, or steal any library material or property (e.g. desktop/laptops, electronic book readers, microfilm/fiche readers and sound, video and DVD equipment) shall replace it or pay its current replacement value and pay a fine or not less than three hundred pesos (Php300.00) but not more than fifty percent (50%) of the current cost of the material, whichever is higher. This is without prejudice to the imposition, in appropriate cases, of an additional penalty of suspension or expulsion to be imposed after due process, by the Chancellor upon recommendation of the University Librarian through the Dean.

XVI. Identification Card.

a) Loss of Identification Card *(Organic Act Art X, Sec 20)*

Any bona fide member of the University who loses his identification card shall report the loss immediately to the College Library. An application for a duplicate identification card shall be made to the Registrar's Office and presented to the College Library for proper validation.

b) Falsification and Use of Someone Else's Identification Card *(Organic Act Art X, Sec 21)*

- a) Any person who falsifies the identification card shall after due process be suspended from the University for not more than one (1) semester.
- b) Any person who uses an identification card not his own shall have his library privileges suspended for not more than one (1) semester.
- c) Any person who shall allow use of his identification card by another person shall after due process have his library privileges suspended for not more than one (1) semester.

XVII. Refusal or Failure to Settle Library Accounts. (*Organic Act Art X, Sec 23*)

Any person who after due notice shall refuse or fail without just cause to settle library accounts or obligations:

- a) shall not be allowed to borrow materials from the library; and,
- b) shall not be issued a University clearance.

XVIII. Issuance of Library Clearance.

Library clearance shall be issued upon settlement of accountabilities.

XIX. Disorderly and Disruptive Behavior. (*Organic Act Art X, Sec 22*)

Any person engaged in any disorderly conduct such as drunken behavior, creating disorder, tumult, breach of peace, or serious disturbance, gross and deliberate discourtesy, possession of prohibited drugs or in disruptive behavior such as excessive noise, loud discussions, scandalous acts (such as exhibitionist acts, necking, etc.); or in improper behavior such as smoking, eating and playing cards within the library premises shall be excluded by the Librarian from the library premises and be subject to suspension of library privileges for not more than two (2) weeks.

XX. Suspension of Library Privileges.

When the person's library privilege is suspended,

- a) ID sticker is cancelled; and,
- b) Electronic library cards will be deactivated until the suspension is lifted.

XXI. Summary and Regular Procedures for Disciplinary Action by the Librarian.

(*Organic Act Art X, Sec 24*)

The University or College Librarian may proceed with disciplinary action against any person in cases of violations of provisions of the University Library Rules and Regulations. The summary and regular procedures for disciplinary action by the Librarian shall be provided in the implementing guidelines.

REFERENCES:

1. UPLB Operations Manual
2. UPD Rules and Regulations

Annex A - 3 UP LOS BANOS LIBRARIES

MAIN LIBRARY (Arts and Sciences; Agriculture and Food Science)

Technical Services

- Acquisitions

- Cataloging & Classification

User Education & Services

- Filipiniana, Serials and Indexing

- General References, Circulation & Reserve

- University Archives & Special Collections

- Learning Commons

- Administrative Services

COLLEGE LIBRARIES

- Forestry and Natural Resources

- Veterinary Medicine

- Economics & Management

- Human Ecology

- Engineering & Agricultural Technology

- Development Communications

- Public Affairs and Development

- Environmental Science and Management

SPECIAL RESEARCH LIBRARIES

- Molecular Biology & Biotechnology

- Postharvest Horticulture

HIGH SCHOOL LIBRARY

- UP Rural High School Library

APPROVED ACCEPTABLE USE POLICY FOR INFORMATION TECHNOLOGY (IT) RESOURCES OF THE UP SYSTEM

Section 1. Policy Statement

- 1) Computers and networks are powerful technologies for accessing and distributing information and knowledge. They are strategic technologies for the current and future needs of the UP SYSTEM.
- 2) For now, computing facilities and network infrastructure are a costly resource and thus must be used solely for teaching, learning, research, and other officially-sanctioned activities. Also, since these technologies allow individuals to access and copy information from remote sources, users must respect the rights of others, particularly to their privacy and intellectual property. There is therefore a need for rules and regulations to ensure equitable, secure and reliable access to these resources. The following regulations will govern the use of computing facilities, networks and other Information Technology (IT) resources of the University of the Philippines System.
- 3) These regulations aim to:
 - 1) ensure an information infrastructure that promotes the basic missions of the UP SYSTEM in teaching, learning and research;
 - 2) protect the integrity, reliability, availability, confidentiality and efficiency of the IT resources of the UP SYSTEM;
 - 3) establish processes for addressing policy violations and providing sanctions for violators;
 - 4) emphasize that the UP SYSTEM shall not be liable for any damages incurred from the use of IT resources and for any claims and suits arising from the unauthorized and irresponsible use of the same;
 - 5) warn users that use of IT resources for partisan political activities as defined in relevant rules and regulations of the Civil Service Commission or the University of the Philippines, or for any unauthorized commercial purposes is prohibited; and
 - 6) notify users of the existence of this Policy.

Section 2. Basic Standards

- 1) The same standards and principles of intellectual and academic freedom developed for university libraries shall be applied to material received from the network. The same standards of intellectual and academic freedom developed for faculty and student publication in traditional media shall be applied to publication in computer media.
- 2) As constituents of the academic community, faculty, students, and academic and non-academic staff should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the academic body. The constituents of the academic community should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. The actions of the constituents of the academic community within the areas of its jurisdictions should be reviewed only through orderly prescribed procedures.

Section 3. Definitions

- 1) *Agreement Form* means document in which the user undertakes to comply with this Policy. The form may be electronic.

- 2) *Confidential information* means data or information which on its face is not intended for unrestricted dissemination. Examples include student records, examination archives, proprietary technical information, disciplinary case records, administrative records, and the like.
- 3) *Document* when used in this Policy shall refer both to the paper and its electronic format.
- 4) *Information Technology System or IT System* includes computers, terminals, printers, networks, modem banks, online and offline storage media and related equipment, and software, databases and other data files that are owned, managed, or maintained by any unit of the University of the Philippines. For purposes of this Policy, any other equipment, computer unit or external network, when attached to, or used to access and/or interact with any component of, the IT System may also be considered part of the IT System.
- 5) *Private files* means information that a user would reasonably regard as private. Examples include the contents of electronic mail boxes, private file storage areas of individual users, and information stored in other areas that are not public, even if no measure has been taken to protect such information.
- 6) *System and Network Administrator* means a person designated to manage the particular system assigned to her/him, to oversee the day-to-day operation of the system, or to preliminarily determine who is permitted access to particular facilities and resources of the IT System, whether hired on a temporary, contractual or permanent basis.
- 7) *UP SYSTEM* means the University of the Philippines System and all its constituent units.
- 8) *User* means any person, whether authorized or not, who makes any use of the IT System or any of its components by any means or from any location.

Section 4. Scope And Applicability

a) General Coverage.

- 1) This Policy applies to all facilities within the IT System and all its users.
- 2) All users should be aware of these regulations, and should realize that when using the computers within the UP SYSTEM, they are bound by these regulations. Users may be required to sign a form agreeing to comply with this Policy. However, failure to sign the agreement form will not release users from coverage of this Policy.

b) Local and External Conditions of Use.

- 1) Individual units within the UP SYSTEM may define additional "conditions of use" for components of the IT System under their control.
- 2) These conditions must be consistent with this overall policy but may provide additional detail, guidelines, restrictions, and/or enforcement mechanisms. These units will be responsible for publishing the regulations they establish and their policies concerning the authorized and appropriate use of the equipment for which they are responsible. Copies of these policies should be given to the President, Vice-President for Development, the Intellectual Property Office and the Office of Legal Services.
- 3) Where use of external networks is involved, policies governing such use will be applicable and must be adhered to.

Section 5. General Responsibilities

a) General Responsibilities of Users.

In general, users of the IT System must:

- 1) use the IT System only for its intended purpose, and refrain from misusing or abusing it;
- 2) maintain the integrity, reliability, availability, confidentiality and efficiency of computer-based information resources;
- 3) refrain from seeking to gain unauthorized access or exceed authorized access;
- 4) respect software copyright and licenses and other intellectual property rights;
- 5) respect the rights of other computer users; and
- 6) be aware that although computing and information technology providers throughout the university are charged with preserving the integrity and security of resources, security sometimes can be breached through actions beyond their control. Users are therefore urged to take appropriate precautions such as safeguarding their account and password, taking full advantage of file security mechanisms, backing up critical data and promptly reporting any misuse or violations of the policy.

Every member of the University community has an obligation to report suspected violations of the Acceptable Use Policy for Information Technology of the U.P. System or any of its units. Reports should be directed to the system and network administrators, Chairs, Deans, Chancellors or the President.

b) General Responsibilities Of System And Network Administrators

- 1) System and network administrators and providers of University Information Technology resources have the additional responsibility of ensuring the integrity, confidentiality, and availability of the resources they are managing. Persons in these positions are granted significant trust to use their privileges appropriately for their intended purpose and only when required to maintain the system. Any private information seen in carrying out these duties must be treated in the strictest confidence, unless it relates to a violation or the security of the system.
- 2) System and network administrators are expected to treat the contents of electronic files as private and confidential. Any inspection of electronic files, and any action based upon such inspection, will be governed by this Policy, other university rules and all applicable laws.

c) General Responsibilities Of University Administrators

- 1) To be informed and knowledgeable about these policies.
- 2) To initiate systematic programs to inform academic and non-academic personnel of these policies.

Section 6. Appropriate Use

a) Appropriate Use

Users may only use the IT System for its authorized purposes, which is to support the research, education, clinical, administrative and other functions of the UP SYSTEM. The particular purposes of any of the components of the IT System, as well as the nature and scope of authorized incidental personal use, may vary according to the duties and responsibilities of a user.

b) Proper Authorization

Users may access only those facilities and components of the IT System that are consistent with their authorization coming from competent authorities.

c) Specific Proscriptions on Use

The following categories of use of the IT System are considered prohibited and/or inappropriate:

i. Uses Contrary To Law

- 1) **Unlawful use.** Users may not use the IT System for any activity that is contrary to any law or administrative rule or regulation, or to encourage any such unlawful activity. Violators shall suffer a penalty ranging from suspension for one year to expulsion or dismissal.
- 2) **Infringement of protected material.** Users must not infringe on the copyright and other property rights covering software, databases and all other copyrighted material such as text, images, icons, retrieved from or through the IT System. These acts shall include, but is not limited to, the unauthorized copying, reproduction, dissemination, distribution, importation, use, removal, alteration, substitution, modification, storage, unloading, downloading, communication, publication or broadcasting of such material. Users must properly attribute any material they copy from or through the IT System. Users are reminded that the infringement of intellectual property rights belonging to others through the use of telecommunications networks is a criminal offense under Section 33(b) of the Electronic Commerce Act. Violators shall suffer a penalty ranging from suspension for one month to expulsion or dismissal.
- 3) **Hacking.** Users may not use the IT System to gain unauthorized access into or interfere with another computer, system, server, information or communication system, or to obtain any access in order to corrupt, alter, steal or destroy any such system or information within such system or to introduce viruses. Users are reminded that all of the foregoing acts constitute the crime of Hacking under Section 33(a) of the Electronic Commerce Act and are punishable by mandatory imprisonment and/or a fine. Violators shall suffer a penalty ranging from suspension for one year to expulsion or dismissal. The penalty shall carry with it permanent withdrawal of all IT privileges.

ii. Uses Inconsistent With The Purposes Of The UP System

- 1) **Cheating.** Users may not use the IT System to engage in cheating or academic dishonesty. Acts prohibited under this provision include but are not limited to the following:
 - 1) Copying a computer file that contains another person's work and submitting it for one's own credit;
 - 2) Copying a computer file that contains another person's work and using it as a model for one's own work;
 - 3) Collaborating on a work, sharing the computer files and submitting the shared file, or a modification thereof, as one's individual work, when the work is supposed to be done individually; and
 - 4) Communicating with another person on-line during the conduct of an examination. Violators shall suffer a penalty of suspension for not less than one semester. Students found guilty of cheating shall be barred from graduating with honors, even if their weighted average is within the requirement for graduation with honors.
- 2) **Political use.** Users may not use the IT System for any partisan political activities. Violators shall suffer a penalty ranging from suspension for one month to one year.
- 3) **Unauthorized Commercial use**
 - 1) Users may not use the IT System for commercial purposes, except as permitted under other written policies of the UP SYSTEM or with the written approval of a competent authority.

- 2) Violators shall suffer a penalty ranging from suspension for one month to one year with fine. If the violator is a student, the fine shall be P1,000.00 or the amount equivalent to the earnings, whichever is higher. If the violator is a faculty member or an employee, the fine shall be one-half of his monthly salary or the amount equivalent to the earnings, whichever is higher.
- 4) **Personal use.** Users may not use the IT System for personal activities not related to appropriate University functions except in a purely incidental manner. Violators shall suffer a penalty ranging from suspension for one month to one year.
- 5) **Unauthorized gaming or entertainment.** Users may not play games or use entertainment software on or through the IT System unless authorized in writing by competent authorities. Violators shall suffer a penalty ranging from suspension for one week to one year; provided, that the penalty for habitual offense shall be expulsion or dismissal. The presence of game software or any part thereof may be presumptive evidence of unauthorized gaming or entertainment.
- 6) **Use contrary to University policy or contract.** Users may not use the IT System in violation of other policies of the University, or in any manner inconsistent with the contractual obligations of the University. Violators shall suffer a penalty ranging from suspension for one week to one year in addition to the penalty of the offense facilitated through IT network.

iii. Uses That Damage The Integrity, Reliability, Confidentiality And Efficiency Of The IT System

- 1) **Software and hardware installation and removal.** Unless properly authorized, users may not destroy, remove, modify or install any computer equipment, peripheral, operating system, disk partition, software, database, or other component of the IT System; or connect any computer unit or external network to the IT System. Violators shall suffer a penalty ranging from suspension for one month to expulsion.
- 2) **Unauthorized or destructive programs.** Unless properly authorized and part of her/his administrative or academic duties, users may not develop or use programs on the IT System that may or are intended to:
 - 1) interfere with the ability of the UP SYSTEM to enforce these policies;
 - 2) damage any software or hardware component of the system;
 - 3) modify normally protected or restricted portions of the system or user accounts;
 - 4) access private or restricted portions of the system; or
 - 5) interfere with or disrupt other computer users. Violators shall suffer a penalty ranging from suspension for one year to expulsion.
- 3) **Destructive acts.** Users may not attempt to crash, tie up, or deny any service on, the IT System. Violators shall suffer a penalty ranging from suspension for one year to expulsion.
- 4) **Unauthorized access.** Users may not attempt to gain unauthorized access, exceed authorized access, or enable unauthorized access to the IT System, or to other networks or systems of which the IT System is a part. Violators shall suffer a penalty ranging from suspension for one month to one year.

- 5) **Password protection.** A user who has been authorized to use a password-protected account may not disclose such password or otherwise makes the account available to others without permission of the system administrator. Violators shall suffer a penalty ranging from suspension for one week to one year.
- 6) **Concealing access.** Users may not conceal, delete, or modify information or records pertaining to access to the IT System at the time of access, or alter system logs after such access for the purpose of concealing identity or to hide unauthorized use. Users may not conceal their own identity or masquerade as other users when accessing, sending, receiving, processing or storing through or on the IT System. Violators shall suffer a penalty ranging from suspension for one year to expulsion.
- 7) **Prohibited material.** Users may not publish (on mailing lists, bulletin boards, and the World Wide Web) or disseminate prohibited materials over, or store such information on, the IT System. Prohibited materials under this provision include but are not limited to the following:
 - 1) Any collection of passwords, personal identification numbers (PINs), private digital certificates, credit card numbers, or other secure identification information;
 - 2) Any material that enables others to gain unauthorized access to a computer system. This may include instructions for gaining such access, computer code, or other devices. This would effectively preclude displaying items such as 'Hackers Guides', etc.;
 - 3) Any material that permits an unauthorized user, who has gained access to a system, to carry out any modification of the computer programs or data stored in the system; and
 - 4) Any material that incites or encourages others to carry out unauthorized access to or modification of a computer system. Violators shall suffer a penalty ranging from suspension for one year to expulsion.

iv. Uses That Encroach On The Rights Of The Users

- 1) **Wasteful and destructive practices.** Users may not encroach on others' access and use of the IT System through wasteful and destructive practices such as but not limited to the following:
 - 1) Sending chain-letters or excessive messages including spamming, either locally or off-campus; violators shall suffer a penalty ranging from suspension for one week to one month; spamming, includes the act of (1) repeated cross-posting the same message to as many newsgroups or mailing lists as possible, whether or not the message is germane to the stated topic of the newsgroups or mailing lists targeted, (2) maliciously sending out of unsolicited email in bulk, or (3) sending large unwanted or unnecessary files to a single email address.
 - 2) Printing excess copies of documents, files, data, or programs; violators shall suffer a penalty ranging from suspension for one week to one month;
 - 3) Running grossly inefficient programs when efficient alternatives are known by the user to be available; violators shall suffer a penalty ranging from suspension for one week to one month;
 - 4) Using more than one computer terminal at a time, unless specifically authorized by competent authority. Faculty members whose duties require the use of more than one computer shall be exempted. Violators shall suffer a penalty ranging from suspension for one week to one year;

- 5) Locking public access computers using screen savers or otherwise, unless specifically authorized by competent authority; violators shall suffer a penalty ranging from suspension for one week to one month;
 - 6) Not logging out of the system to allow other users to make use of the public access computer; violators shall suffer a penalty ranging from suspension for one week to one month; and
 - 7) Using a service which has been identified by the System Administrator as causing an excessive amount of traffic on the IT System or its external network links; violators shall suffer a penalty ranging from suspension for one week to one year.
- 2) **Offensive material.**
- 1) Users may not use the facilities of the IT System to produce, disseminate, or display material that could be considered offensive, pornographic, racially abusive, or libelous in nature.
 - 2) Users may not use electronic communication facilities (such as mail, chat, or systems with similar functions) to send messages which are fraudulent, maliciously harassing, obscene, threatening, or in violation of laws, administrative rules and regulations, or other policies of the University System or its constituent universities (CU). Violators shall suffer a penalty ranging from suspension for one month to expulsion or dismissal.
- 3) **Inappropriate messages.** Users may not send to a mailing list, including local or network news groups and bulletin boards, any unsolicited material inconsistent with the list's purpose. Users of an electronic mailing list are responsible for determining the purpose of the list before sending messages to or receiving messages from the list. Subscribers to an electronic mailing list are deemed to have solicited any material delivered by the list that is consistent with the list's purpose. Violators shall suffer a penalty ranging from suspension for one week to one month.

v. Uses which Violate Privacy

- 1) **Confidential information.**
 - 1) Unless properly authorized, users may not attempt to gain access to archives or systems that contain, process, or transmit confidential information. Authorized users may not exceed their approved levels of access, nor should they disclose confidential information to others.
 - 2) Users shall treat as confidential such information which may become available to them through the use of the IT System, whether intentionally or accidentally. Users may not copy, modify, disseminate, or use such information, either in whole or in part, without the permission of the person or body entitled to give it. Violators shall suffer a penalty ranging from suspension for one year to expulsion or dismissal.
- 2) **Encrypted information.** Users shall consider as confidential all encrypted information. This includes but is not limited to passwords, digital keys and signatures. Users may not decrypt, attempt to decrypt, or enable others to decrypt such information if they are not the intended recipient. Violators shall suffer a penalty ranging from suspension for one year to expulsion or dismissal.

- 3) **Information belonging to others.** Users may not intentionally seek or provide information on, obtain copies of, or modify files, programs, or passwords belonging to other users, without the permission of those other users. Violators shall suffer a penalty ranging from suspension for one month to expulsion or dismissal.
- 4) **Wiretapping, traffic capture and snooping.** Unless properly authorized, users may not re-route or capture data transmitted over the IT System. Violators shall suffer a penalty ranging from suspension for one year to expulsion or dismissal.

vi. In addition to the penalties provided, all IT privileges of the offender may be suspended for a maximum of the period of the penalty. If the violation amounts to a penalty punishable by expulsion or dismissal, IT privileges may be revoked permanently.

vii. repeated violations of any of the acts proscribed under this policy shall be considered as gross misconduct.

Section 7. Tolerated Use

From time to time, the UP SYSTEM or its constituent universities may issue a list classifying certain types of use under the category of tolerated use. This list shall form part of this Policy and will be considered binding on all users. Users should consult their system and network administrators if they are not sure whether a certain type of use is considered allowed, tolerated, unacceptable or prohibited.

Section 8. Enforcement Procedures

- a) **Monitoring.** The UP SYSTEM or its constituent universities may monitor all use of the IT System at all times as may be necessary for its proper management. Activities on the IT System may be automatically and/or continuously logged. System and network administrators may examine these logs anytime. All logs shall be considered confidential.
- b) **Access to Private Files.** The UP SYSTEM may access all aspects of the IT System, including private files, without the consent of the user, in the following instances:
 - 1) When necessary to identify or diagnose systems or security vulnerabilities and problems, or otherwise preserve the integrity, reliability, availability, confidentiality and efficiency of the IT System;
 - 2) When such access to the IT System is required to carry out essential business functions of the UP SYSTEM;
 - 3) When necessary to avoid disrepute to the UP SYSTEM;
 - 4) When there are reasonable grounds to believe that a violation of law or a significant breach of this Policy or any other policy of the UP SYSTEM may have taken place, and that access and inspection may produce evidence related to the misconduct;
 - 5) When required by law or administrative rules or court order; or
 - 6) When required to preserve public health and safety. The UP SYSTEM will access private files without the consent of the user only with the approval of the Chancellor except when an emergency entry is necessary to preserve the integrity, reliability, availability, confidentiality and efficiency of the IT System or to preserve public health and safety. The UP SYSTEM through the system and network administrators will document all instances of access without consent.

- c) **Reporting Problems and misuse.** Users must report to the appropriate system administrators any defects discovered in system accounting or system security, all known or suspected abuse or misuse of the IT System, and especially any damage to or problems with their facilities or files.
- d) **User Cooperation.** Users, when requested, are expected to cooperate with UP SYSTEM in any investigation of IT system abuse.
- e) **Guidelines for Immediate Action.**
 - 1) **Notification.** When any system administrator or member of the faculty or staff has persuasive evidence of abuse or misuse of the IT System, and if that evidence points to the activities or the files of an individual, he or she shall, within 24 hours of the discovery of the possible misuse, notify the Chancellor or his/her duly designated authority.
 - 2) **Suspension.** In such cases, the system administrator may temporarily suspend or restrict the user's access privileges for a period not exceeding 72 hours. A user may appeal such suspension or restriction and petition for immediate reinstatement of privileges through the Chancellor or his/her duly designated authority. The Chancellor may extend the suspension for thirty (30) days.
 - 3) **Removal.** In addition, in such cases, the system administrator may immediately remove or uninstall from the IT System any material, software or hardware which poses an immediate threat to the integrity, reliability, availability, confidentiality and efficiency of the IT System or any of its components or if the use might be contrary to this Policy. The user shall be notified of the action taken. A user may appeal such removal and petition for reinstatement of the material within fifteen (15) days from removal.
- f) **Investigation.** The investigation and prosecution of academic and administrative personnel and students shall be in accordance with the regulations of the UP SYSTEM. The investigating committee, body or tribunal must have at least one member knowledgeable about IT. The actions the proper officer may undertake include but are not limited to the following:
 - 1) Extend the suspension or restriction of a user's privileges for the duration of the investigation, or as may be deemed necessary to preserve evidence and protect the system and its users;
 - 2) Call and interview potential witnesses; and
 - 3) Summon the subject of the complaint to provide information.
- g) **Filing of Criminal Charges.** In cases where there is evidence of serious misconduct or possible criminal activity, the Chancellor shall file the appropriate criminal charges with the proper courts. Where proceedings have been instituted against a user for violation of this Policy, the Chancellor may indefinitely suspend or restrict the user's access privileges for the duration of such proceedings.
- h) **Cumulative Remedies.** The procedures under this Policy shall not exclude any other remedy available to any injured or interested party under any relevant law, administrative rule or regulation, or other policy of the UP SYSTEM.

- i) **External Legal Processes.** The UP SYSTEM shall comply with any lawful order to provide electronic or other records or other information related to those records or relating to use of the IT System which may result from coercive processes in administrative investigations, or judicial actions or proceedings.

Section 9. Waiver

- a) **Loss of Data.** Users recognize that systems and networks are imperfect and waive any claim for lost work or time that may arise from the use of the IT System. The UP SYSTEM shall not be liable for degradation or loss of personal data, software, or hardware as a result of their use of the IT System.
- b) **Authorization.** Users recognize that the UP SYSTEM provides access to the IT System only as a privilege and not a right; that they have no right to use it for any purpose other than those directly connected with the work of the UP SYSTEM; and that the UP SYSTEM may take whatever measures it deems necessary to enforce this. Users therefore waive any action they may have against the UP SYSTEM under any law or administrative rule or regulation for any act the UP SYSTEM undertakes under this Policy, specifically including, but not limited to, those acts enumerated under Section 7 hereof.