

Brief comparison of changes from current to revised policy

The following table provides a brief comparison of policies in the current policy version with the proposed revisions.

Current Policy/2001 (VIA-VIB)	Proposed Revisions/2019 (IIIA-L)
<p><u>Accessibility</u> – Requires that web sites be accessible; usable by audiences using alternate communication channels</p> <p><u>ADA notice</u> to be displayed (or link to notice); if accessibility is not feasible, the visitor may request an accommodation.</p>	<p>A. Accessibility. No change to policy (still required to be accessible and usable via alternate communication channels); “feasible” language deleted; incorporated references to applicable federal laws and University Policy 5-117.</p> <p>Rule reserved for next 4-003 revision: Since 2001, the discrimination cases against higher education have increased and simply having the statement that accommodations can be requested has not fared well in litigation. The University is developing an overarching digital accessibility policy and implementation plan. The strategy is to have web sites meet a certain baseline standard and then the institution will act to provide accommodations upon request. The institution will also provide tools, such as Canvas; any courses in Canvas automatically meet the baseline standard. <i>Rule 4-003A Implementing Web Site Accessibility</i> has been reserved and will be added to 4-003 once the University’s digital accessibility policy is adopted. For now, a guideline has been added, specifying the standards that will likely be adopted.</p>
<p><u>Academic Freedom</u> (mentioned in introduction and section on Non-institutional web sites)</p>	<p>B. Academic Freedom. Current text pulled from introduction into policy IIIB. Ensures academic freedom for publishers of websites and pages in accordance with other University policies: 6-002, 6-307, 6-313, 6-309; 1-007; 6-316 Section 1 and 2; 1-005, 6-400, 6-401</p>
<p><u>Copyright</u> - References federal, state and local laws and University copyright policies and establishes digital copyright agent and process for DMCA enforcement (not mentioned in any other copyright policies)</p>	<p>C. Copyright. No change to policy; still subject to federal, state, local laws as well as University copyright policies; Specifics for DMCA action and workflow moved to Rule 4-003B <i>Digital Copyright Infringement, Protection and Remedies</i>.</p>
<p><u>Web Site Registration</u> – institutional sites must register</p>	<p>D. Web Site Registration. Same policy; details for compliance have moved to <i>Rule 4-003D Web Site Registration</i>. Policy provides for online registration. This point-of-contact data base will be maintained by the University Webmaster.</p>
	<p>E. Domain Name Governance. New policy formalizing the assignment of domain names according to standards and best practices. Details for online requests and appeal process are documented in <i>Rule 4-003E Domain Name Registration</i></p>
<p><u>Privacy and Security</u> – privacy statement (link) required; collection of private information is restricted</p>	<p>F. Privacy. No change to policy, but details for compliance have moved to <i>Rule 4-003F Privacy Statement and Responsibilities</i>. Security policy 4-004 (2015) incorporated. Slight change in definition of “private data” provided in security policy.</p>

Current Policy/2001 (VIA-VIB)	Proposed Revisions/2019 (IIIA-L)
<p><u>Design Standards</u> No mandated look and feel; minimum requirements specified for sites, with less stringent standards for non-institutional sites.</p> <p><u>Use of University name, marks and seal</u> regulated by other policies.</p> <p><u>Disclaimer requirements</u> – web sites must include link to disclaimers for content, health-related content, links and identifies contact information for the DMCA Copyright Agent</p>	<p>G. Design Standards. No change to policy, but different sections of current policy were combined into the policy on design standards. The actual standards and details moved to <i>Rule 003G Web Site and Web Page Design Requirements</i>.</p>
<p><u>Commercial use</u> (including commercial speech and transactions) – Only units designated in policy 3-150 as “auxiliary enterprises” (such as Campus Store, Huntsman Center, University Guesthouse) are allowed commercial speech; University resources may not be used for personal use or commercial gain. Certain non-commercial donor recognition is permitted.</p>	<p>H. Commercial Use . Same policy; details for compliance have moved to <i>Rule 4-003H Commercial Use of Web Sites and Pages</i>. References changed from 3-150 to Board of Regents Policy R550 and 555 for list of auxiliary enterprises. Under certain circumstances, institutional web sites may be authorized for restricted commercial use; policy provides for online request for an exception.</p>
<p><u>Electronic Commerce</u></p>	<p>I. Web e-commerce – simplified policy, added references to University policy on commerce and audits; moved details to <i>Rule 4-003I Web Electronic Commerce</i></p>
<p><u>Webmaster Roles and Responsibilities</u> University webmaster is responsible for managing the University’s home page, for maintaining database of registered web sites and provide resources and support for webmasters; and will be advised by a standing web advisory board.</p>	<p>J. University Webmaster Roles and Responsibilities - Current policy combined the roles of the University Webmaster and individual department webmasters; because of the different responsibilities of these two roles, the proposed revision distinguishes between the office of the University Webmaster and individual webmasters or web site owners. The policies for the University webmaster are similar with regard to the establishment of University Webmaster (may span organizational lines); the detail on roles and responsibilities moved to <i>Rule 4-003C, University Webmaster Responsibilities and Authority</i>.</p>
<p><u>Webmaster Roles and Responsibilities</u> - encouraged to monitor accuracy and timeliness of web site; compliance is ensured by webmaster’s cognizant supervisor</p>	<p>K. Web Site Owners’ Responsibilities – Similar policy, but revision omits the word “encourage” and establishes responsibility for their sites, design and content; responsible to register sites; Web CMS providers may fulfill some of the site ownership responsibilities; a bit more specific on assigning responsibility their web sites.</p>
<p><u>University Portals</u> – the official University Portal is the responsibility of the University Webmaster under the guidance of the Web Advisory Committee and Sr. V.P. of Academic Affairs. Under certain circumstances, portals other than the university’s official portal may be created.</p>	<p>L. University Portals. Almost the same language for the revised policy, substituting EWAC for Web Advisory Committee and cognitive V.P. instead of Sr. VPAA. CIO is added. Criteria are listed for prior approval to launch a portal.</p>

Other existing policies and laws covering web sites

- A. University Policies addressing Academic Freedom include but are not limited to the following:
1. Senate Committee on Academic Freedom and Faculty Rights ([6-002](#))
 2. Academic Freedom of Faculty-Dismissal or Forced Resignation, Discontinuation of Academic Program ([6-307](#), [6-313](#))

3. Academic Freedom and Dismissals of Non-Faculty Academic Personnel (Academic Staff, Educational Trainees, Postdoctoral Fellows, Medical Housestaff) ([6-309](#))
4. Demonstrations, Designated Free Speech Areas, Flyers, Petitions, Reserving Facilities for Meetings ([1-007](#)) Student Publications & Academic Freedom ([1-007](#)) Freedom of Speech, Assembly, and Press-General Principles ([1-007](#))
5. Intellectual Freedom of Faculty--Code of Faculty Rights and Responsibilities ([6-316, Section 1, 6-316, Section 2](#))
6. School Disruptions & Civil Disturbance on Campus ([1-005](#))
7. Student Freedom of Expression (Student Bill of Rights) ([6-400](#))
8. Student Press-Censorship, Student Broadcast Council, Publications Council ([6-401](#))
- B. Copyright Policies and references
 1. Policy [7-002](#), Patents and Inventions
 2. Policy [7-003](#) [Ownership of Copyrightable Works and Related Works](#)
 3. Policy [7-013](#) Copyright Policy: Copying of Copyrighted Works
 4. Policy [7-014](#) Copyright Policy: Performance or Display of Copyrighted Works
 5. Digital Millennium Copyright Act ([H.R. 2881](#))
 6. DMCA U.S. Copyright Office [summary](#)
 7. DMCA Title II of the Digital Millennium Copyright Act, [17 U.S.C. § 512](#)
- C. [Americans with Disabilities Act of 1990 \(ADA\) Title II](#)
- D. [Family Educational Rights and Privacy Act of 1974](#) ("FERPA", 20 U.S.C. § 1232g)
- E. Federal Rehabilitation Act, Section 504
- F. [Policy 1-006](#), Conflicts of Interest
- G. [Policy 1-007](#), University Speech Policies
- H. [Policy 3-019](#), Internal Audit Policy
- I. [Policy 3-150](#), Auxiliary Enterprises Operation
- J. [Utah State Board of Regents Policy R550, Auxiliary Enterprises Operation and Accountability](#))
- K. [Utah State Board of Regents Policy R555, Providing Facilities, Goods and Services in Competition with Private Enterprise](#)
- L. [Policy 3-070](#): Payment Card Acceptance
- M. [Policy 4-001](#), University Institutional Data Management Policy
- N. [Policy 4-002](#), Information Resources Policy
- O. Policy 4-004, IT Security Policy
- P. Policy 5-117, ADA Policy, Reasonable Accommodation and Access
- Q. [Policy 6-400](#), Code of Student Rights and Responsibilities
- R. Rule R6-401 Recognized Student Organization Classification
- S. [Policy 6-316](#), Code of Faculty Rights and Responsibilities
- T. [WC3 Web Content Accessibility Guidelines](#)