

Policy 4-003: World Wide Web Resources Policy

Indicators on Red-lined Version

Black text:	Original text of 2001 policy currently in effect; no changes proposed
Strike-through text:	Deletions and modification of current policy, moves to rules
Red text:	Proposed revisions to current policy
<i>Editorial notes</i>	<i>Additional information on changes, such as formatting and renumbering to match new regulations template, information moved to Rules, etc.</i>

I. Purpose and Scope

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.

A. The purpose of the World Wide Web Policy is:

1. To ~~outline~~ **establish** the University's policy for students, faculty and staff ~~concerning the use of the University's World Wide Web information resources~~ **creating and maintaining Web Sites and pages served to students and the community of the University of Utah, ensuring that the collection of Web properties enhances the online information and services provided by the University.**
2. To safeguard the broad discretion and responsibilities that Organizational Units have in establishing additional reasonable and appropriate "conditions of use" for Web information resources under their control.
 - a. To allow as much freedom as possible for those creating and maintaining University Web Sites while complying with local, state, and federal laws, applicable international laws, and University of Utah policies, rules and regulations.
 - b. To ensure that Policies and guidelines created at the Organizational Unit level are consistent with this Policy, although Organizational Units may provide more detail, guidelines, and/or restrictions. Such policies and guidelines supplement this Policy but do not supersede or replace it.
3. To outline the University's minimum requirements to maintain accuracy, consistency, security and integrity of Web Sites, enhancing the quality of information the University publishes electronically and the reputation of the University. To ensure compliance

with all applicable federal, state and local laws, regulations and statutes, the Policy covers the following areas:

- a. Accessibility
- b. Academic freedom
- c. Copyright
- d. Web Site registration
- e. Domain name governance
- f. Security and privacy
- g. Design standards (including disclaimers, U trademarks and logos, branding guidelines)
- h. Commercial use
- i. Web E-commerce
- j. Resources for Web Site owners

- B. Compliance with the Policy, and all its related Rules and Procedures, is required for all members of the University of Utah community, and governs all World Wide Web (the Web) information and communication systems utilizing University information resources, regardless of ownership, whether stewardship is individually controlled or shared. The use and management of University information resources is governed by the University Information Resources Policy 4-002. *(adapted and moved from Section VI.B.1 Related Information Resources Policy)* ~~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.~~ Appropriate handling of restrictive and sensitive data on web pages is governed by Information Security Policy 4-004, Rule C: Data Classification and Encryption in collecting and handling restrictive, sensitive and public data. The policies presented herein govern a specific subset of those information resources, including Portals, Web Sites and Web Pages. The scope of this policy does not include Web applications.

~~II. Introduction~~ *(deleted; included in purpose and scope)*

~~V. Scope~~ *(moved to Section I. Purpose and 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.~~

Drafter's note: The work on the 2019 revision uncovered several gaps in current University policy that are beyond the scope of this revision: digital accessibility, web applications and use of use of third-party web content distribution services, such as social media networking and publishing services. Resolving those issues will require more research, discussion and coordination with other current and future University policy work. The drafters have revised the policy to allow for the inclusion of future University policy changes and recommendations as they become available.

- a) Lack of an overarching University policy on digital accessibility. As of 2017, a project is underway to clarify and improve the University's regulations and processes regarding digital accessibility in general and to adopt federally accepted standards. We expect the Digital Accessibility Policy 5-XXX to be forthcoming. It will include a wide range of digital content and applications served on the web will work in concert with Policy 4-003 which focuses on web sites and pages. The 4-003 revision reserves a rule to be created when 5-XXX is approved. A guideline on web site accessibility was created in this revision to help website owners until the University finalizes its overarching policy and determines a standard.*
- b) Web applications. The current 4-003 does not cover web applications (technology not prevalent in 2001). During this revision process a common concern was raised about the accessibility of web applications, which are not within the scope of this policy covering web sites and pages. We expect web applications to be covered in our overarching digital accessibility policy 5-XXX. There is also a current effort to create a software policy (4-XXX) that will tackle accessibility during procurement.*
- c) Social Media Services. More research and consideration are needed to determine how the University is using social media for official purposes and how/if that usage should be regulated by policy. Depending on what is learned from this assessment and the needs of University stakeholders, social media could necessitate a separate policy or be folded into 4-003. Content publishers using social media do not have the level of control on the social media site that a web site owner has on University web servers but may have responsibilities to be compliant with University policies. The proposed revision provides a guideline that will be useful for publishers until a policy and/or rule can be crafted.*

IV. Definitions (moved to II. as per regulation library template; alphabetized for convenience)

- II. Definitions** (In the new regulation library format, definitions are lettered instead of numbered. Below is the current 2001 list of definitions with proposed edits and the new letter replacing the number in the proposed alphabetized list. The entire alphabetized list of definitions as proposed follows the current eight definitions. Rules for 4-003 have additional definitions as needed and are not listed in the proposed policy.)

1. **T.** Web Site is a collection of **related** Web pages, **residing at the same network location, which can be accessed by following one or more hyperlink references.**~~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. (This definition of Web Page was moved to its own definition, numbered as R.)~~
2. **C.** Institutional ~~University of Utah~~ Web sites **is any Web Site or Web Page**~~are those published by any person or~~ organizational units that presents or represents the University's official academic, research and/or administrative programs, **centers, institutes, plans, and/or policies; Web Sites or Web pages include Web sites created by individual faculty members to present or support the teaching, research or professional activities of that individual; and Web Sites or Web pages created by a Recognized Student Organization classified as Sponsored (as per Rule 6-401A)..** Such Web Sites or Web Ppages are sponsored

or sanctioned by the appropriate ~~University~~ **Organizational 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~~ **an institutional Web Site**.

- ~~3. 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. (This classification was dropped, as sites that present or support teaching, research and professional activities are institutional sites that officially represent the University.)~~
4. **D.** ~~Non-institutional University of Utah Web sites~~ **is any Web Site or Web and pPages** ~~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 or Web Pages of Recognized Student Organizations classified as Affiliated or Registered (as per Rule 6-401A)**; 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.~~
5. **R.** Web Home Page is any Web page that serves as the primary portal, table of contents, **root URL**, or designated entry point for a Web site.
- ~~6. **E.** Official University Portal or “Portal” is a Web page or site that serves as an authenticated and personalized or customized gateway to University to Institutional 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.~~
7. **U.** Web Site Owner is any person or organizational unit serving as the primary provider or publisher of a Web site. **The Web Site Owner of any University Organizational Unit’s Institutional Web Site is the Administrative head of that Organizational Unit unless otherwise indicated during Web Site registration.**
8. **N.** 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.

Definitions proposed:

- A. **“Commercial Speech”** (as defined in Policy 1-007) means “all spoken, written and symbolic speech intended in whole or in part for the personal profit of the person, organization or institution engaged in the speech.” For the purposes of this document, Commercial Speech includes advertisement or promotion of any third party’s products or services (even if such third party is a donor to the University),

but does not include references to a donor solely in connection with the donor's gift to the University.

- B. "Domain Name" is a unique name registered in the internet's hierarchical domain name system (DNS), such as utah.edu. A third-level domain name consists of three labels, such as uemail.utah.edu or business.utah.edu.
- C. "Institutional Web Site" *Renumbered; see text above.*
- D. "Non-Institutional Web Site" *Renumbered; see text above.*
- E. "Official University Portal" or "Portal" *Renumbered; see text above.*
- F. "Organizational Unit" is a University Unit organized to provide University products and services. An Organization Unit is defined broadly to include administrative organizations and departments, academic schools, colleges and departments, offices, centers, institutes, auxiliary organizations, hospitals and clinics, Sponsored Student Organizations, etc.
- G. "Publisher" is an person or Organizational Unit responsible for posting or publishing and given electronic resource and which exercises editorial control over the finished form of the resource and its content.
- H. "Recognized Student Organization Classification" is specified in Rule 6-401A as part of the student code. A Student Organization may apply for recognition and be classified as one of three categories (Sponsored, Affiliated, Registered) based on the level of support and supervision provided by the University. Only Sponsored student organizations are Organizational Units of the University.
- I. "Search Engine" is a software system designed to search for and retrieve information from a Web site, collection of Web sites, or the World Wide Web.
- J. "Social Media" or "Social Networking Service" is an online platform used to build social networks or social relations with others who share similar interests. Examples include Facebook, Twitter and Instagram. Network members typically authenticate and control their settings for these external services and content.
- K. "University Webmaster and Web Site Resources Team" is an individual or group who serves as the primary provider or publisher of the University's main site, utah.edu. The University Webmaster and Web Site Resources Team administers the site and is responsible for content and design of the site. They coordinate selection and manage various tools for administration of Web Sites and provide consultation on technical issues such as accessibility, programming, human factors, and integrations. The University Webmaster also procures, maintains and enhances enterprise templates and tools available to University Web Site owners.
- L. "The University Web Site" or home page is the primary web page and collection of secondary web pages hosted on the https://www.utah.edu domain.
- M. "Web Application" is a computer program that utilizes a Web browser or other Web technology to perform tasks over the Internet. University examples include KRONOS, CIS and FAR.
- N. "Web-based Electronic Commerce (Web e-commerce)" *Renumbered; see text above.*
- O. "Web Content" is the text and media that a visitor encounters as they visit a Web Site or Web Page. Web Content typically includes text, images, graphics, photos, sounds, video and animations.
- P. "Web Content Management System (CMS)" is any software system, application, or service designed to deliver or publish Web Sites and pages.
- Q. "Web CMS Service Provider" is any Organizational Unit, or external company or consultant, which provides and maintains a Web site publishing system and/or service used by an Organizational Unit.

- R. "Web Home Page" *Renumbered; see text above.*
- S. "Web Page" is a unit of information delivered to a web visitor in a format intended for display in a Web browser or Web appliance.
- T. "Web Site" *Renumbered; see text above.*
- U. "Web Site Owner" *Renumbered; see text above.*
- V. "Webmaster" is any individual or group serving as the primary administrator of a Web Site. A Webmaster is responsible for the creation and maintenance of a Web Site, regardless of whether the Webmaster is responsible for content authoring and editing.

~~VI. Policies~~ *(New regulations library format specifies policies as Section III instead of VI.)*

III. Policies *(Policies are not presented under institutional and non-institutional website categories, but by the policy covered; policies are presented by letter and not number.)*

A. Accessibility. *(Renumbered from VI.A.5 and VI.B.3 in 2001 version to III A in proposed revision)*

The University of Utah is committed to the principle of universal access to official information and encourages content and Web page design for accessibility to audiences using alternate communication channels (e.g., **assistive technology including text-to-speech and text-to-Braille browsers**). **Organizational Units must ensure that Web pages and resources are in compliance with the Americans with Disabilities Act, Title II and the Federal Rehabilitation Act, Section 504. See Guideline 4-003A Implementing Web Site Accessibility for specific standards and details for compliance.** Resources for designing and ~~validating~~ **assessing** accessible Web pages are available through links on the University Webmaster Resources site.

In certain instances, a Web Site visitor may need an accommodation beyond the level of accessibility available in a given Web Site. Web Sites must contain a link to the University's "Nondiscrimination & Accessibility Statement" which contains information on how to request an accommodation. Upon request, the University Office of Equal Opportunity and Affirmative Action or the Center for Disability and Access Services will then engage the University's ADA interactive process to create a suitable accommodation in accordance with Policy 5-117 "ADA Policy: Reasonable Accommodation and Access."

- ~~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."~~
- ~~b. VI.A.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.~~

B. Academic Freedom. *(moved from VI.A.3 in current policy to III.B in proposed revision)*

Web Site Owners must comply with multiple policies and guidelines for Academic Freedom and Freedom of Speech on both Institutional and Non-institutional Web Pages. Links to those policies and guidelines are found in Section V of this policy and online in the University Regulation Library listed under Academics. ~~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).~~

C. Copyright *(moved from VI.A.8 and VI.B2 in 2001 version to III.C here in the proposed revision; paragraph enumerated for ease of use)*

- a. 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).
- b. Web Site Owners must comply with all federal and state copyright laws that govern the Web Content presented, including the Digital Millennium Copyright Act (DMCA). See Rule 4-003B Digital Copyright Infringement, Protection and Remedies for more information.
- c. Digital media consumers are also responsible for complying with the DMCA. *The following details in the current, 2001 policy were moved from VI.B.2a in 2001 version to Rule 4-003B.*

- 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.~~

D. Web Site Registration *(moved from VI.8 and VI.B.10a-10c in current 2001 policy to IIID in proposed revision; sentences in current policy enumerated in paragraphs; details about registration moved to Rule 4-003D Web Site Registration)*

- ~~1. Institutional University of Utah~~ Web Site Owners must register Institutional Web sites must be registered, by their Webmasters, with the University of Utah Webmaster.
2. Owners of Non-Institutional Web Sites are not required to register their Web Sites. Because registration allows access to supplemental support services, owners of Non-Institutional Web Sites may also register their Web Sites with the University Webmaster to take advantage of these services.
3. Registration information is available on the University Webmaster Resources page. See Rule 4-003C Responsibilities and Authority of University Webmaster. *(Information moved to Rule 4-003D)*
4. ~~Webmasters~~ Owners of registered University Web Sites are provided access to supplemental support services available from the University Webmaster and/or Enterprise Web Advisory Council-Committee. See Rule 4-003D Web Site Registration.
- ~~5. 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). (Information moved from VI.B.9 to proposed Section III.I Web e-commerce, Rule 4-003D Web Site Registration and Rule 4-003I Web e-commerce.)~~

E. Domain Name Governance. *(Policy and Rule added to strengthen our informal process to protect our brand, address multiple requests for the same name and decrease the time to locate owners during a cyber-attack or breach.)*

Utah.edu Domain names, including administrative, research, health sciences, patient care and academic Organizational Units, must be registered with University Information Technology (University IT) which provides domain name services. Requests for domain names will be processed and granted by University IT to

protect the University brand, mission and reputation; optimize search engine rankings; provide consistency to Web visitors; enable individual Organizational Units to have a global and local identity; and to comply with trademark agreements.

1. Third level domain names are restricted (such as humanities.utah.edu) according to requirements set forth in Rule 4-003E Domain Name Registration.
2. Exceptions to the rule may be granted in certain circumstances. See Rule 4-003E for specifics and process for requesting an exception.

F. Privacy. *(Moved from VI.6a and VI.6.b in 2001 policy to III.F; details in how to comply moved to Rule 4-003F Privacy; since 2001, the IT Security Policy has outlined specific rules for collecting and handling data -- eliminating the need to repeat it here in 4-003; other policies that apply include 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). Data collection is still subject to audit. All details are outlined Rule 4-003F.)*

The person or Organizational Unit which owns the Institutional Web Site is responsible for managing its Web Sites and data practices in a way that reflects the University's commitment to privacy. Web Site owners may not require site visitors to provide personal information to visit a Non-Institutional Web Site or to download information. Institutional Web Sites may request personal information if complying with specific requirements outlined in Rule 4-003F.

1. ~~The privacy policy, or a link to it, is prominently displayed on the Web page requesting the information~~ Institutional Web Sites requesting personal information must include the text or a link to the University's Privacy Statement. See Rule 4-003F for more details.
2. Owners of Institutional Web Sites must comply with Information Security Policy 4-004, Rule C, Data Classification and Encryption in collecting and handling restrictive, sensitive and public data.
3. Organizational Units may impose more requirements in addition to those outlined in Rule 4-003F.

The following text from VI.6a and VI.6.b was removed and incorporated above and in Rule 4-003F. ∴ 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.~~

G. Design Standards. *(This section of the current Policy in VI.A.4a and b; VI.A.6; VI.D.1 and VI.D.2 in the current, 2001 policy moved to III.G in the proposed policy; details moved to Rule 4-003G Web Site and Web Page Design Requirements)*

The University does not mandate a single "look and feel" for ~~University Web Pages~~ **Institutional Web Sites**. ~~Organizational Units~~ **Web Site Owners** have primary control of the appearance, content **and navigation** of their **Institutional Web Sites** pages. **A set of minimum design standards is defined in Rule 4-003G Web Site and Web Page Design Requirements.** ~~The set of minimum standards defined below is to ensure that Institutional University Web pages integrate with the University's home page and wit the University's other means of communication. (These same requirements have moved to Rule 4-003G addressing both Institutional-and Non-institutional Web Sites.)~~

- 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.~~

from VI.A.6 ~~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. M (No changes from the 2001 policy, but this section moved to the proposed Rule 4-003G.)~~

from VI.A.4 ~~Disclaimer and Contact Information. The home page of a Non-institutional University Web site must include: (Moved to the proposed Rule 4-003G.)~~

- 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).~~

VI.A.7 Use of University Name, Seal or Trademarks moved to Rule 4-003H.

H. Commercial Use

1. (moved from VI.A.2, VI.A.9) Non-institutional Web sites and pages may not be used for commercial purposes or contain commercial speech. University of Utah resources may not be used to create Web Pages primarily for personal business or personal commercial gain.

Definition of commercial speech deleted from VI.B.7a and moved to definitions in policy and further definition in Rule 4-003H; the University has better defined commercial speech since 2001 in Policy 1-007. The policy extends the definition from physical to electronic presentation of commercial speech.

- 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. (definition and explanation deleted and included in Rule 4-00H)~~
 - 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).~~
2. (Text moved here from VI.B.7a) Institutional Websites are permitted to include Commercial Speech under the following conditions:
 - a. Auxiliary Enterprises (identified in Policy 3-150, Board of Regents Policy R-550 and R-555) and Web publications governed by the Publications Council or Student Broadcast council (Policy 6-401) are authorized to use Web properties for commercial use, transactions and speech related to the Organizational Unit's service mission, but must comply with related policies, rules and guidelines for appropriateness, security and privacy. See Rule 4-003H for more information.
 - b. Institutional Web Sites for Organizational Units not designated as an Auxiliary Enterprise may contain commercial under certain conditions outlined in Rule 4-003H.
 - b. (moved from VI.B.7b to Rule 4-003H) 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.~~
- I. ~~Electronic commerce~~ **Web e-commerce** *(name of section changed; section renumbered from VI.B.9a-e in current, 2001 policy to Section III.I in proposed revision; details in how to comply moved to Rule 4-003I; since 2001, there have been a number of initiatives and policies completed addressing e-commerce, such as PCI compliance and the IT Security Policy 4-004. These are incorporated into the proposed Rule.)*

Web e-commerce services provided by ~~University~~ **Institutional** Web Sites must be in support of the University's mission **to develop and transfer new knowledge, promote student success to transform lives, engage communities to improve health and quality of life and ensure long-term viability of the University.** ~~Sites engaging in Web-based e-commerce must:~~

1. **Institutional Web Sites offering Web e-commerce must be registered with the University Webmaster and certified as secure by the University Information Security Office. Such Institutional Web Sites must also be certified as audited for financial and operating practices by the University Internal Audit Department (Policy 3-019) and comply with the Payment Card Acceptance Policy 3-070. See Rule 4-003I for specific requirements. (VI.B.9a, VI.B.9c, VI.B.9d are included here in the revised policy; other details, including VI.B.9b and VI.B.9e have moved to Rule 4-003I.)**
 - ~~a. (deleted the following text in VI.B.9a-e in 2001 policy and moved it to Rule 4-003I) 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.~~

2. **Non-Institutional Web Sites are prohibited from providing e-commerce.** ~~University of Utah resources may not be used to create [Non-institutional] Web pages primarily for personal business or personal commercial gain.~~

J. University Webmaster Roles and Responsibilities *Section VI.C in the current 2001 version addressed roles of University webmaster and campus webmasters; the proposed revision parses the roles into two sections, IIIJ (University Webmaster Roles and Responsibilities) and IIIL (Web Site Owner's Responsibilities); the University Webmaster role is emphasized in the policy to ensure that the University home page suite is appropriately managed, as well as better defining the roles of the University Webmaster in providing compliance support to units managing web properties.*

The University will establish a "University Webmaster," an individual or group to serve as the primary publisher of the University's main Web site, utah.edu. The University Webmaster is responsible for all utah.edu site administration, content, and design. The University Webmaster shall provide and maintain enterprise tools available to University Web Site owners and Webmasters. The University Webmaster and Web development team will shall be advised by the standing university-wide advisory council, the Enterprise Web Advisory Council. ~~Web Advisory Board. whose members are appointed by the President of the University. See Rule 4-003C, University Webmaster Responsibilities and Authority.~~

1. ~~Webmasters are encouraged to monitor the accuracy and timeliness of information presented in University Web sites under their control. (moved to Section III.L Web Site Owner's Responsibilities.)~~
2. ~~The Webmaster's cognizant supervisor is responsible for ensuring Webmaster compliance with this policy. (moved to Section III.L Web Site Owner's Responsibilities; Web Site Owner definition refined from "cognizant supervisor" to administrative head of the Organizational Unit.)~~
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. (moved to Rule 4-003C, University Webmaster Responsibilities and Authority)~~
4. ~~The University Webmaster is responsible for maintaining a database of all registered University of Utah Web sites. (moved to Rule 4-003C, University Webmaster Responsibilities and Authority; moved to Rule 4-003D, Web Site Registration)~~
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. (moved to Policy section III L with details in Rule 4-003C)~~
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. (moved to Policy section III L with details in Rule 4-003C)~~

K. Web Site Owner's Responsibilities.

1. Webmasters are encouraged to monitor **responsible for** the accuracy. and timeliness **and accessibility** of **the** information presented in **University on their** Web Sites under **their control.** **Web Site Owners are also responsible for maintaining and securing**

their Web Sites, and for ensuring their Web Sites comply with all applicable University policies, rules and regulations. ~~The Webmaster's cognizant supervisor is responsible for ensuring Webmaster compliance with this policy.~~

2. Web CMS Service Providers may offer services to provide and maintain system(s) used for the delivery and publishing of Web Sites. Web Site Owners and Web CMS Service Providers may, upon mutually agreeable terms, arrange for the Web CMS Service Providers to assist Web Site Owners in fulfilling some of responsibilities related to Web Site ownership.
3. The Web Site Owner of any University Organizational Unit's Institutional Web Site is the Administrative head of that Organizational Unit unless otherwise indicated during website registration.
4. Web Site Owners of Institutional Web Sites are responsible for ensuring their Web Sites are registered with the University Webmaster.
5. The Web Site Owner of any Non-Institutional Web Site is the person primarily responsible for publishing or providing the Web Site and is solely responsible for the content of Non-institutional Web sites. Rule 4-003G Design Requirements has instructions for including the University's disclaimer stating that ~~t~~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.
6. Web Site Owners of Non-Institutional Web Sites are responsible for ensuring their Web Sites are registered, if desired, with the University Webmaster.

L. University Portals *(moved from VI.B.a and VI.B.b in the 2001 current policy to Section III L.1 and L.2 in proposed policy)*

- a. The University Webmaster is responsible for the establishment and maintenance of a primary, official University Web Portal. ~~Establishment and maintenance of a primary, official University Web portal is a responsibility of the University Webmaster (moved from VIB.8a).~~ Such a portal can only be implemented under the guidance review of the Enterprise Web Advisory Council ~~Web Advisory Committee~~ and the approval of the Cognizant Senior Vice President of Academic Affairs and the Chief Information Officer. (-
- b. *(moved from VIB.8b)* University Web Portals other than the university's official portal may be created if they serve the mission of the sponsoring Unit. If an intended Portal meets any one or more of the following criteria, the Organizational Any such Unit desiring to establish a University Web portal must receive prior approval to do so from the Enterprise Web Advisory Committee Council and the Vice President of Academic Affairs: *(The following list of criteria was renumbered from VI.B.9.b.i, VI.B.9.b.ii, VI.B.9.b.iii, and VI.B.9.b.iv in the 2001 current policy to the proposed Section III.L.2a-d)*

- i. The Portal site is intended to serve members of the University community beyond the faculty, staff and/or students of the sponsoring **Organizational 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.

IV. Enforcement. *(Numbering changed from VII. Enforcement in current, 2001 policy to IV in the revised policy to match regulation library standards.)*

The policies and Procedures for enforcement set forth in the University Information Resources Policy (Policy 4-002, Section V.D) and **University Information Security Policy** (Policy 4-004, Section III.Q) are incorporated ~~herein~~ by reference ~~here~~ and shall apply in the event of any noncompliance with this policy. In addition to any other permitted enforcement actions, the University Webmaster may request suspension of any noncompliant Web Page or Web pending resolution of the compliance issue. As further detailed by relevant procedures implementing this policy, a Website Owner of a suspended Web Page or Web Site may appeal the suspension to the Enterprise Web Advisory Council or the Policy 4-003 Officer.

V. Rules, Procedures, Guidelines, Forms, and other related resources. *(Newly added section listing components of 4-003 according to changes in regulation library approach and standards since 2001)*

A. Rules

Rule 4-003A Reserved for Implementing Web Site Accessibility
 Rule 4-003B: Online Copyright Infringements, Protection and Remedies
 Rule 4-003C: Responsibilities and Authority of University Webmaster
 Rule 4-003D: Web Site Registration
 Rule 4-003E: Domain Name Service Request
 Rule 4-003F: Privacy Statement and Responsibilities
 Rule 4-003G: Design Minimum Requirements
 Rule 4-003H: Commercial Speech and Use on Websites, Pages and Portals
 Rule 4-003I: Web Electronic Commerce

B. Procedures [reserved]

Policy 4-003 Procedures

C. Guidelines

Guideline: Implementing Best Practices in Web Site Design
 Guideline: Domain Naming Standards
 Guideline: Publishing Content on Social Network Services Platforms

D. Forms [reserved]

E. Other related resource materials. *[reserved]*

III. References *(Renumbered to VI as per current regulations template)*

VI. References

1. [Policy 4-001](#), University Institutional Data Management Policy
2. [Policy 4-002](#) , Information Resources Policy
3. [Policy 3-019](#), Internal Audit Policy
4. [Policy 3-150](#), Auxiliary Enterprises Operation
5. [Policy 1-006](#), Conflicts of Interest
6. [Policies 7-013](#) , [7-014](#) , [7-003](#), Copyright Policy
7. [Policy 1-007](#), University Speech Policies
8. [Policy 6-400](#), Code of Student Rights and Responsibilities
9. [Policy 6-316](#), Code of Faculty Rights and Responsibilities

See below for additional policy references added and renumbered and hyperlinked with some hierarchical organization added for ease of use to policy consumers. Since 2001, many policies have been updated.

- 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](#)) *(listed above in current 2001 policy, but renumbered here in proposed revision)*
 5. Freedom of Speech, Assembly, and Press-General Principles ([1-007](#)) *(listed above in current policy, but renumbered here in proposed revision)*
 6. Student Publications & Academic Freedom ([1-007](#)) *(listed above, but renumbered in proposed revision)*
 7. Intellectual Freedom of Faculty--Code of Faculty Rights and Responsibilities ([6-316, Section 1](#), [6-316, Section 2](#)) *(listed above in current policy, but renumbered here in proposed revision)*
 8. School Disruptions & Civil Disturbance on Campus ([1-005](#))
 9. Student Freedom of Expression (Student Bill of Rights) (6-400) *(listed above in current policy, but renumbered here in proposed revision)*
 10. 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 *(listed above, but renumbered in proposed revision)*
 - 3. Policy 7-013 Copyright Policy: Copying of Copyrighted Works
 - 4. Policy 7-014 Copyright Policy: Performance or Display of Copyrighted Works *(listed above in current policy, but renumbered here in proposed revision)*
 - 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 *(listed above in current policy, but renumbered here in proposed revision)*
- G. Policy 1-007, University Speech Policies *(listed above in current policy, but renumbered here in proposed revision)*
- H. Policy 3-019, Internal Audit Policy *(listed above in current policy, but renumbered here in proposed revision)*
- I. Policy 3-150, Auxiliary Enterprises Operation *(listed above in current policy, but renumbered here in proposed revision)*
- J. Utah State Board of Regents Policy R550, Auxiliary Enterprises Operation and Accountability *(updated and applicable since 2001 associated with bonding – list of auxiliary units at the University are now found here instead of Policy 3-150)*
- K. Utah State Board of Regents Policy R555, Providing Facilities, Goods and Services in Competition with Private Enterprise *(updated and applicable since 2001 associated with bonding)*
- L. Policy 3-070: Payment Card Acceptance
- M. Policy 4-001, University Institutional Data Management Policy *(listed above in current policy, but renumbered here in proposed revision)*
- N. Policy 4-002, Information Resources Policy *(listed above in current policy, but renumbered here in proposed revision)*
- 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 *(listed above in current policy, but renumbered here in proposed revision)*
- R. Rule R6-401 Recognized Student Organization Classification
- S. Policy 6-316, Code of Faculty Rights and Responsibilities *(listed above in current policy, but renumbered here in proposed revision)*
- T. WC3 Web Content Accessibility Guidelines

VIII. Contacts:

The designated contact officials for this Policy are:

- A. Policy Owner (primary contact person for questions and advice): Deputy CIO, a designee of the Chief Information Officer, Director of Planning and Policy/Office of University Information Technology.

B. Policy Officer: Only the Chief Information Officer.

These officials are designated by the University President or delegate, 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 which reference materials are helpful in understanding the meaning and requirements of particular Policies... .” University [Rule 1-001-III-B & E`](#)

VIII. History

Renumbered as Policy 4-003 effective 9/15/2008, formerly known as PPM 1-16.

A. Current version-- University Policy 4-003, Revision 1. [Approved by] [or] [Presented for the Information of] the Academic Senate: [expected] February 2018. Approved by the Board of Trustees: [expected] May 2018, with the designated effective date of [expected] July 31, 2018].

B. Earlier versions. Original Policy

Approved Academic Senate 3/5/2001

Approved: Board of Trustees 5/14/01

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