



Delaware State University

University Area(s) Responsible: Information Technology, Office of Finance and Administration

Policy Number & Name: 08-09:Annual Software Licensing Departmental Compliance

Approval Date: 1/29/2013

Revisions: _____

Related Policies & Procedures: Computer and Internet Use, Acceptable Uses, Copyright and Licensing

I. Purpose

To provide annual verification that all software used on any Delaware State University (DSU) computers or systems is legally licensed in accordance with applicable government and corporate requirements.

II. Policy

- A. DSU will not hold or use any software that is not legally purchased and installed.
- B. DSU will operate only software for which valid license agreements exist (i.e., licensed software) in its computers.
- C. DSU will operate and otherwise treat licensed software in accordance with the terms and conditions of all relevant license agreements.
- D. Unauthorized software will not be use on DSU computers.
- E. DSU software will not be used on unauthorized computers.
- F. Unauthorized copies are to not to be made of DSU software

III. Procedure

- A. The following documentation are kept on file in the department making the acquisition for all software:
 - 1. Dated invoices and/or receipts showing the product(s) and quantity purchased;
 - 2. Dated purchase lists from software or hardware resellers showing the product(s) and quantity purchased;
 - 3. Completed license registration cards with a stamped serial number and date of purchase.

- B. Each department will certify annually, through the Dean of their respective Colleges or the Administrative Head of their Administrative Department, that all software used, owned or installed on the DSU computers or systems under departmental control are legally licensed.

IV. Scope and Applicability

Delaware State University (DSU) provides computer software to faculty, staff and students, as well as other individuals and groups that represent constituencies that are related to the University.

V. Definitions

- a. **"Access"** means to instruct, communicate with, store data in or retrieve data from a computer, computer system or computer network.
- b. **"Computer"** means a programmable, electronic device capable of accepting and processing data.
- c. **"Computer program"** means a set of instructions, statements or related data that, in actual or modified form, is capable of causing a computer or computer system to perform specified functions.
- d. **"Computer services"** includes, but is not limited to, computer access, data processing and data storage.
- e. **"Computer software"** means 1 or more computer programs, existing in any form, or any associated operational procedures, manuals or other documentation.
- f. **"Computer system"** means a computer, its software, related equipment and communications facilities, if any, and includes computer networks.
- g. **"Data"** means information of any kind in any form, including computer software.
- h. **"Person"** means a natural person, corporation, trust, partnership, incorporated or unincorporated association and any other legal or governmental entity, including any state or municipal entity or public official.
- i. **"Property"** means anything of value, including data.

VI. Related Laws, Guidelines and Policies

- a. Under Copyright Law it is illegal to make or distribute copies of copyrighted material without authorization from copyright holder, except to make a single backup copy for archival or use at a home computer for DSU related work as allowed by the software manufacture.
- b. Civil penalties up to \$100,000 per work for copyright infringement
- c. Criminal penalties up to five years imprisonment, fines up to \$250,000, or both.

VII. Responsibility

- a. The Department of Information Technology is responsible for annually surveying all DSU departments and collecting from each such department a completed annual Software Licensing Departmental Compliance Report (see Ex. A attached).
- b. All College Deans, Departmental Chairs and Administrative Department Heads are responsible for seeing that a Compliance Report (Ex. A) is annually completed and returned to the Department of Information and Technology.

TO: Delaware State University
FROM: Department of Information Technology
RE: Annual Software Licensing Departmental Compliance Report
DATE:

Purpose: To provide annual verification that all software used on any Delaware State University (DSU) computers or systems are legally licensed in accordance with applicable government and corporate requirements.

Requirement: DSU will not hold or use any software that is not legally purchased and installed. The following guidelines apply in properly using software on DSU computers and systems.

1. DSU will operate only software for which valid license agreements exist (i.e., licensed software).
2. DSU will operate and otherwise treat licensed software in accordance with the terms and conditions of all relevant license agreements.
3. No unauthorized software is used on DSU computers.
4. No DSU software is used on unauthorized computers.
5. No unauthorized copies are made of DSU software.

Legal: DSU is committed to following all requirements of the federal copyright law.

Compliance: The following documentation is kept on file in the department making the acquisition for all software:

1. Dated invoices and/or receipts showing the product(s) and quantity purchased; or
2. Dated purchase lists from software or hardware resellers showing the product(s) and quantity purchased; or
3. Completed license registration cards with a stamped serial number and date of purchase.

Compliance statement: I hereby certify that all software used, owned or installed on the DSU computers or systems under my control is legally licensed.

Department: _____

Title: _____

Name: _____

(Please Print)

Signature: _____

Date: _____