

K-20 Network Conditions of Use and Acceptable Use Policies

(Including all connections, circuits, switching and uplink-downlink resources and applications)

This document contains two sections. Section 1, "Conditions of Use," establishes the conditions of use of the K-20 Network for purposes of technical connections, operation and management. Section 2, "Acceptable Use Policies," provides guidance to institutions on non-technical policies relating to user eligibility for participation in the K-20 network, acceptable uses of network resources, and procedures for enforcement.

Section 1: Conditions of Use

1. Only institutions authorized by statute and approved by the K-20 Educational Network Board (K-20 Board) may maintain connections to the state-funded K-20 network, with the exception that certain external interface connections which are engineered by the K-20 Network Technical Steering Committee (NTSC) to provide interconnections with other networks are permitted. Such connections are permitted with the proviso that no network transit is allowed for such external connections other than traffic to or from authorized K-20 members. Two examples of such exceptions are local peerings and commodity and research internet transit arrangements that are engineered by the K-20 NTSC.
2. Only traffic to or from legitimate K-20 members may be transmitted over the K-20 network.
3. Uses of the network that may jeopardize the proper technical operation of the network, or uses of the network that may cause the network to be disconnected from external networks, are strictly prohibited. Where such uses occur, the K-20 Operations Cooperative (KOCO) is authorized by the K-20 Board to suspend such connections until the problem is resolved to its satisfaction. A party that believes a connection has been improperly suspended may request that the NTSC review the KOCO's action; such review shall be undertaken and completed in a timely manner (not to exceed five working days). The NTSC may, upon review, direct the KOCO to reconnect the party. A party may appeal a decision of the NTSC to the Information Services Board, the decision of which shall be final.

Section 2: Acceptable Use Policies

1. Use of the network is restricted to educational purposes, i.e., activities consistent with the educational missions of the institutions and sectors. The determination of what is an "educational purpose" rests with each institution or sector. The term is intended to be defined broadly, and may include activities that directly or indirectly support the delivery of educational services. However, the following are presumed not to be educational uses:
 - o Organized political or religious advocacy.

- Resale or lease of K-20 shared bandwidth, electronics, or other equipment to private entities for commercial purposes. However, non-educational entities may utilize K-20 services under certain conditions set forth in paragraphs (2) and (3) below. For purposes of this document, resale or lease does not include educational institutions' arrangements with private entities for the transmission of (1) digital content developed by the educational entities as part of university-sponsored research; or (2) course materials, library resources, or ancillary materials, the dissemination of which is consistent with the institution's educational purpose.
 - The transmission of obscene material.
2. For the use of K-20 resources for videoconferencing services, priority shall be given to educational activities at K-20 Board-approved sites on a first-come, first-served basis. An institution may permit public sector non-educational entities to use its own (non-shared) videoconferencing facilities provided the following conditions are met:
 - The use involves facilities that would otherwise go unused.
 - The use involves only the on-site facilities and related equipment, and does not utilize K-20 transport or MCU capacity.
 3. Where a shared component of a K-20 satellite uplink/downlink facility is underutilized, the trustee institution may find that the lease of the facility for non-educational commercial purposes is appropriate for limited periods to help offset the operational costs of the facility. Such lease arrangements are authorized provided the following conditions are met:
 - The lease involves air time or equipment that would otherwise go unused.
 - The lease involves only the uplink/downlink facility and related equipment, and does not utilize K-20 transport or other shared equipment.
 - The institution agrees to account to the K-20 Board for all monies obtained as a result of the lease.
 4. The participants authorized by statute to use the K-20 network may only do so for activities which they are legally allowed to conduct and which do not conflict with state or federal law or policy which governs their endeavors. The network may not be used for illegal purposes. Entities have primary responsibility for enforcing the provisions of this document. While it is understood that enforcement here cannot be done through technology, it will instead be achieved at the end-sites and via the normal legal or policy channels relevant to appropriate investigation and adjudication.
 5. Where an entity is alleged to have violated one or more provisions of this document other than Section 1(3), the K-20 Board shall take appropriate remedial action, which may include suspension of an entity's network connection, only after providing the entity with notice of the specific allegations against it and an opportunity to respond to those allegations in writing or, at the entity's option, in public hearing. The K-20 Board shall set forth in writing the basis for any remedial action. Any entity whose connection to the network has been suspended by the K-20 Board may request reconnection to the network upon a showing that it has taken appropriate steps to correct the matter or matters that are the basis for the action.

6. Nothing in this document is intended to preclude an entity from developing or enforcing its own acceptable use policies to supplement Section 2 of this document, provided its policies are not inconsistent with those set forth above. Where an entity proposes a policy that is inconsistent, it may at any time petition the K-20 Board for a waiver of one or more specific provisions. A petition for waiver shall set forth the provision or provisions for which waiver is sought; the grounds for such a waiver; the impact of a waiver, if any, on the technical operation of the network; and the fiscal impact, if any, on the network. The decision to grant or deny a waiver shall rest solely with the K-20 Board.

Note: At its March 23, 2000 meeting, the K-20 Educational Network Board approved and adopted these conditions of use and acceptable use policies on a permanent basis.