

CHAPTER 14
ACCESS TO FACILITIES

751—14.1(8D) Access policy. An authorized user shall develop written policies or rules governing the use of the network by authorized users as identified by 751—Chapter 7. These policies must be consistent with the Iowa Code and these rules. These policies shall be filed with the commission and reviewed by the commission upon written request.

14.1(1) Contents of the written policy. Each authorized user facility shall develop at a minimum use and access policies that address the following:

- a. The network is a limited access network and cannot be used for a profit-making venture.
- b. The use of the network must be consistent with the written mission of the authorized user.
- c. The user may not resell time on the network. However, consistent with Iowa Code section 8D.13, the user may charge a site or usage fee to cover operational costs of the facility or as established by the commission. A usage fee shall include the fees charged by a university or college for services offered by the university or college, for example, student housing or a computer lab fee.
- d. The user may not enable for-profit persons or entities to use the network for the pecuniary advantage of the for-profit entity. This provision is intended to apply to video use of the network only. This rule is not intended to limit the ability of the board of regents to fully support various research programs and other initiatives performed under the written mission statements of the regents institutions. The rule is not intended to limit other authorized users from performing their missions when the use of the network is otherwise authorized by these rules.

14.1(2) Reserved.

751—14.2(8D) Use of a video classroom. The primary use of an interactive video classroom is to accomplish the written mission of the authorized user. The commission, through its various advisory councils, shall establish request for usage procedures that address the use and availability of video classrooms, including hours of operation, availability for other authorized users, discretion of authorized facilities to deny or cancel requested use, and other non-network related usage of classrooms connected to the network. The intent of such request for usage procedures will be to encourage the greatest allowable use of interactive video classrooms while preserving appropriate local authority and control over authorized facilities. The procedures shall be forwarded to the commission upon completion. The procedures shall be completed by January 1, 1998.

751—14.3(8D) Hours of operation. A video classroom shall be open during the normal hours of operation for an authorized user unless other hours of operation are arranged by the user and the site. Sites shall, at a minimum, support access and facilities use Monday through Friday, 7 a.m. to 10:30 p.m., and Saturday, 8 a.m. to 4 p.m. For sites where the institution has used its own funding for the fiberoptic connection and the fiberoptic termination site equipment, the institution may permit or deny accessibility to other authorized users.

751—14.4(8D) Charges and financial responsibility. Except as provided for by subrule 13.1(2), the requesting authorized user is financially responsible for all commission-established site and site usage charges incurred for the use of the classroom.

751—14.5(8D) Accommodations for the disabled. Each authorized user site shall comply with the Americans With Disabilities Act and the Iowa Civil Rights Act regarding access to and use of the video classroom or video conference room. The requesting authorized user of any service offered by the commission shall comply with the Americans With Disabilities Act and the Iowa Civil Rights Act. The requesting authorized user is responsible for providing qualified interpreters or auxiliary aids if requested. The cost of reasonable accommodation is assumed by the requesting authorized user.

751—14.6(8D) No smoking policy. The fiberoptic termination site room is a smoke-free area. No smoking is permitted.

751—14.7(8D) No endorsement. Use of the network does not imply endorsement of, or agreement with, the purpose(s) or the expression of any person or entity by the commission or the state of Iowa or its employees or staff.

751—14.8(8D) Copyrighted material. Use of copyrighted materials shall be consistent with current U.S. copyright laws and definitions of fair use. Appropriate use of copyrighted material is the responsibility of the user, and not the commission.

This chapter is intended to implement Iowa Code section 8D.3.

[Filed 3/21/97, Notice 1/15/97—published 4/9/97, effective 5/14/97]

[Filed 12/1/04, Notice 10/13/04—published 12/22/04, effective 1/26/05]