Kaltura MediaSpace and Blackboard Building Block Terms of Use

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01. Service Description

Information Technology Services (ITS) provides Kaltura (Pace MediaSpace and the Blackboard Building Block), a streaming media service that provides uploading, managing, and sharing of rich media to the Pace community, in support of scholarly, curricular, and extra-curricular pursuits.

As a user of ITS at Pace, you must comply with all federal, New York State, local, and other applicable laws; all University rules and policies, including the *IT Appropriate Use Policy of Pace University* (http://www.pace.edu/its/about-its/policies/it-appropriate-use-policy); all applicable contracts and licenses; and these Terms of Use which describe rules and settings specific to the Pace MediaSpace site and the Kaltura Blackboard Building Block. Pace reserves the right to change, at any time, at its sole discretion, the provisions of the service and these Terms of Use.

02. Eligibility

Pace faculty, staff, and students with current and active Pace accounts and usernames are eligible for Pace MediaSpace and the Kaltura Blackboard Building Block access. This excludes alumni and other affiliated members of the Pace community.

03. Account Terminations and Content Migration

Pace University MediaSpace and Kaltura Blackboard Building Block accounts and content will be removed from the Pace Kaltura servers six (6) months after users leave Pace. Pace MediaSpace and the Kaltura Blackboard Building Block do not support data searches and/or content recall for expired accounts.

Prior to leaving the University community and losing access to MediaSpace and Kaltura, users may migrate and export their content under "My Media" by selecting the download option or choose to delete their content.

04. Responsibility for Content/Content Ownership

Content uploaded into Pace MediaSpace and the Kaltura Blackboard Building Block is set to private by default. Content can be "published" and shared via Pace MediaSpace and the Kaltura Blackboard Building Block links and/or HTML embeds codes. Each piece of content is associated with an individual's Pace account and username. This individual, hereafter known as the "primary author" of the content, and is responsible for the information posted and shared via Pace MediaSpace and the Kaltura Blackboard Building Block.

Publishing media content may involve incorporation of original works of third parties (e.g., photographs, music, film, and video works) that are covered by copyright laws. All channels and playlists in Pace MediaSpace and the Kaltura Blackboard Building Block have a specified primary author who is solely responsible for detailing the sharing and permissions information pertaining to copyright, fair use, and/or Creative Commons licensing for uploaded, shared, and posted content within each rich media item. Use of such works may be permitted by principles of fair use, consistent with copyright laws.

Both individual and departmental Pace MediaSpace and Kaltura Blackboard Building Block content should reflect the positive and respectful learning and working environment of Pace University within which basic rules of conduct for the entire University community, as well as the general

community, prevail. Such rules of conduct are discussed in the University Policies and Guidelines listed below:

- Guiding Principles of Conduct: http://www.pace.edu/student-handbook/university-policies-disciplinary-and-grievance-procedures/guiding-principles-conduct.
- Academic Integrity: http://www.pace.edu/student-handbook/university-policies-disciplinary-and-grievance-procedures.

05. Unacceptable Content

Although Pace University does not routinely pre-screen, monitor, or regularly review posted Pace MediaSpace and Kaltura Blackboard Building Block content, it reserves the right to remove, at any time, at its sole discretion, any content that it considers to violate these Terms of Use or the terms of any other campus user agreements that may govern use of the campus networks, or that it deems in violation of University policy or that violates local, state, or federal law. Should Pace University receive reports or legal notices regarding the alleged posting of inappropriate or illegal content, Pace University will investigate and contact the primary author to initially discuss the issue. In exceptional cases, where the University concludes that the content is clearly violative of University Policy or that the legal notice asserting that the posting of illegal content is irrefutable on its face, Pace ITS will immediately remove the entry, prior to contacting the primary author. Unacceptable entries of this sort also may cause Pace MediaSpace and Kaltura Blackboard Building Block access to be suspended and, in extreme cases, may result in disciplinary proceedings against the primary author and/or contributing authors. Reports regarding inappropriate content may be sent to the Pace University ITS Help Desk by phone at 914-773-3333 or online at https://help.pace.edu.

06. Service Evaluation

Pace MediaSpace and Kaltura Blackboard Building Block collects certain non-personally identifiable information to help Pace ITS evaluate the way the service is being used in order to improve your Pace MediaSpace and Kaltura Blackboard Building Block web experience. The Pace MediaSpace and Kaltura Blackboard Building Block may use both web analysis tools that are built into the Pace MediaSpace and Kaltura Blackboard Building Block service to measure and collect anonymous session information and "cookies" to collect anonymous information about how you use Pace MediaSpace and Kaltura Blackboard Building Block; however, cookies are not required for Pace MediaSpace and Kaltura Blackboard Building Block use.

07. Non-Commercial Use of Pace MediaSpace and Kaltura Blackboard Building Block

Pace MediaSpace and the Kaltura Blackboard Building Block provides access for non-commercial purposes only. Non-commercial purposes means that you may not sell, profit from, or commercialize the Pace MediaSpace and Kaltura Blackboard Building Block. Pace University considers any use of Pace MediaSpace and Kaltura Blackboard Building Block and its content for the purpose of deriving profit or promoting a profit-based enterprise to be prohibited commercial use, and includes, but is not limited to, advertising to generate profit, marketing, or promoting for-profit ventures.

08. Pace University Disclaimer

By default, Pace MediaSpace and the Kaltura Blackboard Building Block will be unavailable on the Internet and, therefore, it can be indexed and searched only if the primary author marks the content

"published". Each Pace MediaSpace and Kaltura Blackboard Building Block page (mediaspace.pace.edu) must carry the following disclaimer or contain a link to this disclaimer:

> "These pages do not in any way constitute official Pace University content. The views and opinions expressed in the pages are strictly those of the primary authors. The contents of this page have not been reviewed or approved by Pace University. Pace University makes no representations or warranties of any kind, express or implied, as to the site's operation or the information, content or materials included on this site. To the full extent permissible by applicable law, Pace University hereby disclaims all warranties, express or implied, including but not limited to implied warranties of merchantability and fitness for any particular purpose. Pace University will not be liable for any damages of any kind arising from the use of or inability to use this site. You expressly agree that you use this site solely at your own risk. Questions or concerns about page content should be directed to the primary content author."

09. Service Availability

Availability of Pace MediaSpace and Kaltura Blackboard Building Block may be interrupted for maintenance and other updates and is provided on an "as is" and "as available" basis only. Pace MediaSpace and Kaltura Blackboard Building Block may occasionally be down for maintenance and upgrades.

10. Support

The Pace University ITS Help Desk and the Pace MediaSpace and Kaltura Blackboard Building Block Service Team provide service support through 914-773-3333 or via https://help.pace.edu.

11. Revision History

Version	Date	Change	Author
1.0	11/04/15	Created initial document.	Brian Gregory & Antonio Soares

12. Disclaimer Statement

Pace University reserves the right to amend or otherwise revise this document as may be necessary to reflect future changes made to the IT environment. You are responsible for reviewing this Policy periodically to ensure your continued compliance with all Pace University IT guidelines.