DataONE Sociocultural and Usability & Assessment Working Groups

Communication and Information

5-5-2011

DataONE Terms & Conditions

SCWG

DataONE Terms & Conditions

The following statements and disclaimers apply to all Web pages managed by DataONE unless otherwise noted .

Non-discriminatory access to data
Access to DataONE services is based on transparent and non-discriminatory terms posted on the DataONE website.

How we handle the information we gather when you visit the DataONE Web site

Web server activity logs
Like most webservers, DataONE collects and stores all of the information that your Web browser sends when it requests a Web page, including:

- the name, domain, and numerical internet address of the "host" computer (typically a computer belonging to your Internet Service Provider and not your personal computer) from which you access the Internet.

- the date and time you accessed our site;

- the Internet address of the Web page that you came from the page you requested from our site and the number of characters sent to your computer; and

- the information your Web browser software sends as its so-called "User Agent," which typically identifies the browser software and may also indicate the operating system and type of CPU used in your personal computer.

It is DataONE's policy not to resolve the information that is sent to us by your web browser to an individual user. . The logs are periodically summarized and analyzed in order to study site usage over time and to perform other studies to help us improve the site's organization, performance, and usefulness.

Monthly extracts of the log files are archived and stored off-line at our discretion for an indefinite period of time. Some statistical summaries derived from these data may be retained online or off-line at our discretion for an indefinite period of time.

Cookies

Some DataONE services may save a "cookie" on your browser to provide a temporary history of actions taken. We do not retain any record of "cookies" beyond what is necessary for running the service. DataONE also might use third party analytics software to analyze usage patterns. This third party software may set persistent cookies that last for a fixed duration.

E-mail

When you send us personal identifying information via e-mail (that is, in a message containing a question or comment, or by filling out a form that e-mails us this information), we use it to respond to your requests. We may forward your e-mail to others who are better able to answer your questions including Government employees, partner agencies, or contract personnel who are better able to answer your questions. We do not retain or distribute lists of e-mail addresses to any parties outside of the DataONE except as necessary to conduct DataONE business or meet legal requirements.

Information collected via e-mail will be retained at our discretion. The e-mail may be retained in an archival form as required by U.S. Federal laws. For more information, please refer to the National Archives and Records Administration's Records Management Program [To Do: Provide link].

File transfer protocol (FTP)

Many DataONE sites using the file transfer protocol may also store your e-mail address if your Web browser is configured to provide it. By default most Web browser software does not send your e-mail address; this option is configured through your browser preferences. .

Outreach and Community Services

We may collect information from you, with your permission, that will allow us to provide customer services, such as promotional materials and product availability notices. We may forward the information collected to other DataONE employees or member nodes to provide specific services. We will remove such information at your request. . .

Such information may be maintained at our discretion for an indefinite period of time.

Collection and release of gathered information

We we will not obtain personal identifying information about you when you visit our Web site, unless you choose to provide such information to us which can happen at the point that you are an authenticated user. Except in the course of officially authorized law enforcement investigations, or in the event of a suspected attempt to deliberately circumvent our system's security with the intent to gain unauthorized access or to do physical damage, we do not attempt to identify individual users or share any information we receive with any parties outside of DataONE. In the latter case, collected information associated with a suspected intruder might be shared with an incident response service.

Information Collected at Authentication

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The authentication process will collect information including given name, family name, and email address. This information is collected to provide metrics of use to sponsors, metrics of use for DataONE and it partners for development and system improvements, and metrics of use for data depositors to provide updates and notices of content changes or corrections in datasets. It also allows DataONE to implement user-focused surveys and develop outreach programs and implement assessments of usability. The information collected at authentication will be in accordance with US federal privacy laws.

Accessibility Policy

In order to meet the needs of all of our site visitors, DataONE follows the Web accessibility guidelines set forth by the US Federal Government Section 508

Standards.   Our accessibility page provides more information on how DataONE meets the needs of differently-abled site visitors. .

Interaction with Children .

The Children's Online Privacy Protection Act (COPPA) governs information gathering online from or about children under the age of 13. Verifiable consent from a child's parent or guardian is required before collecting, using, or disclosing personal information from a child under the age of 13. We collect no information about you or your child, other than that collected from every user as detailed in the previous section. When DataONE site needs to collect information about a child under 13 years old, COPPA required information and instructions will be provided by the specific Web page that collects information about the child.   The Web page will specify exactly what the information will be used for, who will see it, and how long it will be kept.

There are several exceptions that permit collection of a child's email address   without receiving parental consent in advance:

- To provide the parents with notice and to seek consent for communications with the child. Note: this may require collection of the parent's email address as well.

- To respond to a one time request from a child.

- To respond more than once to a child's request; e.g., subscription to a newsletter. However, parental consent is required prior to the second communication.

- To protect the safety of a child who is participating on the site; e.g., in a chat room.

- To protect the site or to respond to law enforcement; e.g., in the case of a Web site compromise.

Personal information about children under 13 years of age may be needed to respond to his/her communication to us, such as to receive a poster or to acquire information for a school project. Personal information about your child will be destroyed immediately upon completion of its intended purpose. On rare occasions, it may be determined that a communication from a child under 13 years old should be maintained for historical purposes. Should this occur, DataONE will obtain the necessary consent from the child's parent.

Finally, we provide many on-line tools and services in support of DataONE's mission. A child under 13 years old may inadvertently provide personal information to one of these

services. If this should happen, the information about the child will be deleted immediately upon discovery. .

Accuracy, Completeness, and Usability of DataONE Content .

We make every effort to provide and maintain accurate, complete, usable, and timely content in DataONE. This content is provided with the understanding that it is not guaranteed to be correct or complete. Conclusions drawn from, or actions undertaken on the basis of, this content are the sole responsibility of the user.

Access to Metadata

Metadata will be made available openly at no cost, to enable users to discover sources of data and information without restriction.

Access to Data

Users may not be able to access all data found in the catalog since some data may be restricted or under embargo and in those cases you must contact XX. Explanation of any necessary restrictions to full and open exchange of data will be made available to users along with the duration for which such restrictions apply.

Attribution and Citing of DataONE Data and Information

As a condition of use, those who refer to data and information found through the DataONE portal in their publications and presentations must formally cite both the original author(s) and data authority for any cited item(s) as well as DataONE itself, as the source through which the data or information was found. Such citation may be in any format appropriate to the publication or presentation, or in any format required by the original creator or provider of the data/information. Identifying the source for citation is the responsibility of the user, and users should be prepared to provide a copy of the citing publication or presentation to the cited authors or data providers, upon their request. Details of DataONE's citation policy can be found at XX [To Do: Data Citation policy]

Redistribution of Metadata

DataONE encourages free and open sharing of metadata ensuring appropriate credits and citations.

Redistribution of Data

Restrictions on redistribution will be held to a minimum consistent with ensuring appropriate credits and citations, and ensuring provision of appropriate metadata and documentation along with the data to prevent misunderstanding, misrepresentation, or misuse.

Linking to DataONE
 [Policy on use of DataONE logos and linking to DataONE]

Links to Non-DataONE Sites
The DataONE site contains numerous links to data and information on the Web. Links and pointers to non-DataONE sites are provided for information only and do not constitute endorsement, express or implied, by DataONE or its member nodes, of the referenced organizations, their suitability, content, products, or services, whether they are governmental, educational, or commercial.

Non-Endorsement of Commercial and Other Non-DataONE Products and Services
Hypertext links and other references to non-DataONE products and services are provided for information only and do not constitute endorsement or warranty, express or implied, by DataONE or its member nodes, as to their suitability, content, usefulness, functioning, completeness, or accuracy.

DataONE Software
Links are provided to software developed by or for DataONE. No warranty, expressed or implied, is made by DataONE as to the accuracy and functioning of the programs and related program material, nor shall the fact of distribution constitute any such warranty, and no responsibility is assumed by DataONE in connection therewith.

Copyright
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Liability
Neither DataONE nor any member node thereof, nor any of their employees, contractors, or subcontractors, make any warranty, express or implied, nor assume any legal liability or responsibility for the accuracy, completeness, or usefulness of any

information, apparatus, product, or process disclosed, nor represent that its use would not infringe on privately owned rights.

Cost of using services

Where costs are involved, cost recovery mechanisms that allow different types of users to understand their access costs prior to ordering will be used.

To Contact Us

If you have any questions about this "DataONE Privacy Policy and Disclaimers," please contact:

[To Do: Contact Info]