

# **NCTA Community Guidelines**

Thank you for being a member of the National College Testing Association (“NCTA”) and participating in NCTA’s Mailing List, which serves as a discussion forum for NCTA members (the “Community”). To ensure the best possible experience for all members of the Community, we have established some basic guidelines and rules that establish the expectations for how users of the Community will communicate with each other and share content within the Community. We require all authorized users of the Community (“Users”) to adhere to the NCTA Community Guidelines (the “Guidelines”) and maintain professional, responsible, and courteous etiquette at all times. Please read the following information carefully. The Guidelines also apply to all other NCTA listservs, email distributions, websites and platforms that allow for the sharing of content generated by members and/or member interaction, as well as all NCTA-sponsored events and activities, including virtual online events and in-person events, where member participation is allowed and encouraged.

By signing up for the Mailing List or participating in the Community or any NCTA-sponsored event or activity, you agree that you have read and will follow these Community Guidelines. The Community is a great medium with which to solicit the advice of your peers, benefit from their experience, and participate in an ongoing conversation.

Please take a moment to acquaint yourself with the Guidelines. If you have questions, contact the member services department. In order to preserve an environment that encourages both civil and fruitful dialogue, we reserve the right to suspend or terminate membership in the Community for anyone who violates Guidelines.

## **Commitment to Diversity and Inclusion**

NCTA is committed to facilitating the important values of diversity and inclusion and intends that the Community will encourage and welcome contributions from Users with different perspectives and backgrounds. Community groups are a forum for professional and educational discussion and information sharing. Please be accepting of others who may have different points of view from yours, without focusing or commenting on any User’s personal characteristics that might be different from yours. The Community will not tolerate hateful, offensive or bigoted comments. Comments, statements and content that relate in any way to any person’s personal or physical characteristics or race, gender, gender identity, sex, sexual orientation, nationality, ethnicity, disability, or political affiliations have no place in the Community.

## **The Basic Rules**

- Respect others. Focus on the content of posts and not on the people making them. Please extend the benefit of the doubt to newer guests and members; there’s no such thing as a stupid question.

- Respect the purpose of the Community. Use the Community to share successes, challenges, constructive feedback, questions, and goals instead of products or services that you provide. If you've found a product or service helpful, please share your experience with the group in a respectful way.
- Use caution when discussing products. The information posted on the discussion groups and in the libraries is available for all to see, and comments are subject to libel, slander, and antitrust laws.
- All false, misleading, defamatory, abusive, profane, threatening, offensive or illegal materials are strictly prohibited. Do not post anything that you would not want the world to see or that you would not want anyone to know came from you.
- Respect intellectual property. Post content that you have personally created or have permission to use and have properly attributed to the content creator.
- When posting items in our collaborative environment, please indicate if the item is not available for reuse. It's also advisable to contact the owner of any material if you would like to reuse it.
- Post your message or documents only to the most appropriate communities. This helps ensure all messages receive the best response by eliminating "noise."

### **Discussion Group Etiquette**

- State concisely and clearly the topic of your comments in the subject line. This allows members to respond more appropriately to your posting and makes it easier for members to search the archives by subject.
- Send messages such as "thanks for the information" or "me, too" to individuals, not to the entire list. If you would like to be able to receive individual messages, include your email address in your signature line, so that members can easily respond to you individually.
- Do not send administrative messages, such as "remove me from the list," to the group. Instead, use the web interface to change your settings or to remove yourself from a list. If you are changing email addresses, you do not need to remove yourself from the list and rejoin under your new email address. Simply change your settings.

### **The Legal Stuff**

This Mailing List, the Community and all related NCTA events, activities and forums that allow for posting and sharing of Content (as defined below) and discussion of ideas are provided as a service for the members of NCTA. NCTA is not responsible for the opinions and information posted on this site by others. We disclaim all warranties with regard to information posted on this

site, whether posted by NCTA or any third party; this disclaimer includes all implied warranties of merchantability and fitness. In no event shall NCTA be liable for any special, indirect, or consequential damages or any damages whatsoever resulting from loss of use, data, or profits, arising out of or in connection with the use or performance of any information posted on this site. For all content that you post on the Community, including but not limited to text, articles, essays, commentary, publications, slide shows, graphic images, photographs, video recordings, audio recordings, multi-media content, electronic files and all other content and materials incorporated into, made part of or used, broadcast, played or displayed in connection with the content you post (collectively or individually, "Content"), you are making the following representations about the Content:

1. The Content does not violate the intellectual property rights of a third party, including copyright, trademark and trade secret rights;
2. The Content does not include or incorporate the material, literary work, creation, photograph, graphic image, illustration, video, audio, recording, media, choreography or artwork of a third party without the explicit written permission and license of any such third party, and User has sought and obtained all required clearances, permissions and licenses before including any such licensed content in the Content and paid any required fees for any such licenses;
3. The Content does not violate the privacy or publicity rights of a third party;
4. The Content does not include any confidential, inaccurate, false, misleading, defamatory, libelous, unlawful, scandalous, offensive or actionable statements, images or allegations; and
5. The Content complies in all respects with all applicable international, federal, state and local laws, and regulations.

Do not post any defamatory, abusive, profane, threatening, offensive, or illegal materials. Do not post any information or other material protected by copyright without the permission of the copyright owner. Users who post Content grant NCTA and other Users of the Community a perpetual, irrevocable, worldwide, nonexclusive right and license to display, copy, publish, distribute, transmit, print, and use and make derivative use of all such Content.

### **Warning Against Anti-Competitive Communications and Conduct that Could Violate Antitrust Laws**

Users are prohibited from using the Community to encourage or facilitate Users or other individuals to arrive at any agreement that either expressly or impliedly leads to price fixing, a boycott of another's business, anti-competitive conduct, or other conduct intended to illegally restrict free trade. **Messages that could reasonably be interpreted to encourage or facilitate an agreement about the following subjects are strictly prohibited:** prices, testing fees, discounts, or terms or conditions of contracts with test publishers, sponsors or delivery vendors; salaries;

revenue, profits, profit margins, or cost data; market shares, territories, or markets; allocation of students, customers, employees or territories; or selection, rejection, or termination of employees or contracts with customers or suppliers.

While it is appropriate to discuss hiring practices and employee qualification standards as general topics, it is important that the discussions could not be perceived as an attempt to enter into agreements to create anti-competitive hiring practices.

It is entirely appropriate to discuss test administration and test center management issues that do not include anti-competitive components.

NCTA does not actively monitor the Community for inappropriate postings and does not on its own undertake editorial control of postings. However, in the event that any inappropriate posting is brought to the attention of NCTA, we will take all appropriate action.

NCTA reserves the right to terminate access to any user who does not abide by the Guidelines.

### **Objectionable Content**

NCTA has a zero tolerance policy for the posting or further distribution of Content that violates any aspect of the Community Guidelines.

Do not post Content that violates the rights of third parties or could be viewed as offensive, insensitive or discriminatory.

Do not post Content that could be perceived as being anti-competitive.

Examples of objectionable, offensive, and insensitive Content include (but are not limited to): harassment, dehumanizing speech, statements of inferiority, calls for exclusion or segregation, and targeting people or making any comment or statement related in any way to a person's personal or physical characteristics or race, gender, gender identity, sex, sexual orientation, nationality, ethnicity, disability, political views or affiliations.

Examples of graphic Content include (but are not limited to): explicit language or imagery, vulgar or lewd speech, and graphic images.

Examples of Content that violates the rights of third parties include (but are not limited to): false or misleading statements about a person or company that tend to paint the person or company in a negative light and/or photographs of a person posted without their permission.

### **Violation of Community Guidelines**

If NCTA becomes aware of a violation of the Guidelines, the consequences for violating the Community Guidelines will vary depending on the severity of the violation and a person's history

in the Community and is left to NCTA's sole discretion. For instance, NCTA may warn someone for a first violation if it is not severe, but if they continue to violate the Guidelines, NCTA may restrict their ability to post or terminate their ability to use the Community or participate in NCTA-sponsored events or activities. If a violation is severe, in NCTA's sole discretion, NCTA may immediately terminate the User's ability to use the Community or participate in NCTA-sponsored events or activities. NCTA's decisions are final and Users have no recourse for NCTA's decisions regarding violations.