merit   Attachment Policy

Merit Network was founded to advance the networking and research needs of its Governing Member institutions, public universities in Michigan. Merit's Board of Directors has defined Merit's mission to include provision of networking support to Michigan's broader education community, as well as fostering economic development in Michigan. As such, Merit concentrates on the promotion and support of networking initiatives for Michigan's educational, non-profit, research, healthcare and public service segments.

Merit's general Member program serves non-profit organizations whose activities align with Merit's mission as well as organizations that advance the networking, education and research needs of all of Merit's Member institutions. Qualifying Merit Members include: private universities, K-20 schools and colleges, libraries, government agencies, health care organizations, and other non-profit organizations that support research and education, broadly defined.

Merit may provide network attachments to for-profit entities (FPE) with an educational or public service mission, including those that foster instructional, research and clinical activities benefiting education (e.g. for-profit schools or health care institutions). Merit also may serve FPEs that

i. are engaged in research and technology transfer collaborations with Members to support education or research or to advance the scientific development of high-performance networking, or

ii. have facilities (and while located) in Michigan SmartZones, research parks or business incubators owned, operated or sponsored by, or in buildings owned or leased by, a Governing Member or a foundation of a Governing Member, or

iii. otherwise comport with provisions for Third-Party Connections.

Certain restrictions apply to the services provided by Merit to for-profit entities served in these circumstances:

Services provided must comport with the provisions for Third-Party Connections in the following section of this Policy;

- Merit-provided Internet connectivity, Internet addresses and bandwidth may be used by the FPE solely for its own internal operating purposes specific to the subject facility location and may not be resold or reallocated by the FPE;

- The FPE may not use "merit.edu" in its Internet domain naming conventions (e.g., for DNS, e-mail, websites);

- The FPE may not put in place peering or cross-connections between Merit's network and any other networks;

- The FPE is subject to the Merit Acceptable Use Policy and other policies, including those of the Governing Member as applicable.

Merit operates certain network segments subject to the interconnection requirements of the Broadband Technologies Opportunities Program (BTOP). Merit will negotiate interconnection and service requests from any party on those network segments.

Provisions Regarding Third-Party Connections

"Third-party connections" are network connections provided by Merit Members to third-party organizations. Such connections are sometimes called "backdoor" connections. In a third-party connection, a Merit Member gives direct access to Merit's network to a third-party organization having no direct business relationship with Merit and Merit is not specifically paid for the third-party organization's use of the network. Except as outlined below such third-party connections are not allowed.

Direct network connections for third-party organizations are allowed if there is an explicit agreement between Merit and the Member providing the connection, or between Merit and the third-party organization. In some cases the Member or the third-party organization pays Merit a fee and the third-party organization becomes a Member. When the third-party organization becomes a Member and Merit is specifically paid for the attachment, the attachment is not a third-party connection. The fee that is paid is usually less than the amount that Merit would normally charge because:

- The Member is providing some of the services that Merit would normally provide.

- The Member is sharing its bandwidth and router with the third-party organization, so there are no new circuits or routers for Merit to monitor and manage.

- Merit does not provide user support to the third-party organization.

Third-party connections are allowed under the following circumstances:

- The connections are provided by Members for third-party organizations that occupy space in buildings that are owned or leased by the Member, OR;

- The connections are provided by Members for third-party organizations that are wholly owned subsidiaries of the Member, OR;

- The network access is temporary in nature. Temporary connections are connections that are shared rather than dedicated for use by a single individual or organization, an individual or organization is not normally connected for more than a 24 hour period, the user is not guaranteed to get the same IP address each time they initiate a new network access session, and there is no one domain name that can be used to identify different sessions.

"Third-party organizations" and "direct" vs. "indirect" network access are explained below.

Background of the Policy

All permanent connections to Merit are provided solely for the use and activities of the organization that has entered into a Member agreement with Merit. The network connectivity provided by that agreement is not to be extended to any other organizations for their use and activities without separate approval by Merit.

Direct vs. Indirect Attachments

Direct network access refers to a situation in which a computer or LAN at the third-party organization is linked to a network at a Member over a dedicated circuit. Indirect access refers to a situation in which someone gets network access by logging in to a host computer at a Member organization, and then has the ability to go outbound from that host computer onto the network. Direct access may violate the prohibition against third-party connections, but indirect access does not.

An example of indirect access is a Merit Member that supplies e-mail accounts on their computers to people who are not

directly associated with their organization. Because this is indirect access, these people can send and receive e-mail over the Internet without violating the prohibition against third-party connections.

Determining Third-Party Organization Status

In some cases, it may not be clear if a given organization is part of a Member organization or if the organization is in fact a third-party organization and subject to these provisions for third-party connections. Merit uses two tests to help sort this out. First, who issues the paychecks to staff of the organization? Second, can the organization use the purchasing department of the Member? If the paychecks come from a Member or the organization can purchase through the Member's purchasing department, the organization is considered part of the Member and not a third-party organization, and there is no problem about possible third-party organization connections. If the paychecks do not come from the Member and the organization cannot purchase through the Member's purchasing department, the organization is considered a third-party organization and subject to the terms of this Policy.

If an organization is a federation of other organizations, the individual organizations are not considered third-party organizations for the purposes of this Policy. Examples would be an Intermediate School District (ISD) or a Library Cooperative. If such organizations make direct network access available to their member organizations (a member school district or a member library for the examples given), Merit would not consider that to be a third-party organization connection. However, the individual libraries or school districts may not call or receive support from Merit directly. Instead, they must work through the Member and the Member would work with Merit. Merit expects such federations' members to be a well defined group of organizations, for example all community colleges or all schools and public libraries in a geographic region of Michigan. Merit expects such federations to make network access available only to organizations that are members of the federation, and will not allow this sort of network access from organizations that are formed for the sole purpose of obtaining network access from Merit contrary to this Policy.

In special circumstances Merit's vice president for the network may determine that an organization that would normally be considered a third-party organization under this policy will not be considered a third-party organization, when treating the organization as a third-party would impose unusual or unfair costs or administrative burdens on a Member or Merit, or would encourage the deployment of inefficient network designs

Additional Considerations

When Members make third-party connections that are not temporary in nature available to third-party organizations the Member must inform Merit of the names of the third-party organizations and the circumstances under which the network connections are being provided.

When Members make network connections available to third-party organizations, the Member is responsible for the third-party organization's use of the network, for ensuring that the third-party organization is familiar with Merit's Acceptable Use policy, or equivalent policies, and for ensuring that the third-party organization follows these policies.

When Members make connections available to third-party organizations, the Member may charge the third-party organization no more than the actual cost of providing, using, and supporting the connection.

Before extending network access that includes access to Internet2 to third-party organizations, Members must ensure that the third-party organization is eligible to receive access to Internet2 under the rules established by the University Corporation for Advanced Internet Development (UCAID), possibly including the need to become a member of Internet2, having the third-party organization's participation sponsored by a regular Internet2 member, and/or paying membership, participation, or other fees to UCAID.

Members that make direct network connections available to third-party organizations are strongly encouraged to assign separate ranges of IP addresses and distinct domain names for use by the third-party organizations so that it is clear when access originates from the Member and when it originates from the third-party organization. These IP address assignments should be registered with the appropriate agency and made available in the appropriate who-is database.

This policy pertains to access provided to organizations, rather than to access a Member may provide to individual guest users for a limited period.

Reporting

So that the Merit Board of Directors may be aware of third-party connections, Merit management will provide a report listing such connections to the Board at each Annual Meeting (January).

Questions and Comments

If you have questions about this policy or for more information, please contact your Member Relations Manager.

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