



Parkland College

Copyright Infringement and Peer-to-Peer Policy

Policy

Parkland College expects that all students and employees adhere to the [United States Copyright Act \(title 17 United States Code - www.copyright.gov/title17/\)](http://www.copyright.gov/title17) and the related acts, which further define the proper use of copyrighted materials and peer-to-peer file sharing.

Unauthorized distribution of copyrighted materials (sharing copyrighted music and other materials with others) is not allowed and may subject the student and/or employee to civil and criminal penalties. Please refer to Federal Laws from www.copyright.gov for copyright infringement, remedies and penalties.

Parkland College suggests that both students and employees use legal methods to gain access to copyrighted materials. The College does not block access to peer-to-peer Web sites from the campus network but does monitor and attempt to restrict this type of activity, while allowing access to sites that provide legal alternatives for downloading music, movies and other copyrighted materials.

Annual Disclosure

In compliance with state and federal copyright laws and the Higher Education Opportunity Act of 2008 (HEOA), Parkland College adheres to a Copyright Infringement and Peer-to-Peer policy listed below.

1. Parkland informs students, faculty and staff about copyright laws and Parkland's policies related to violating copyright laws and peer-to-peer file sharing. Once per calendar year Parkland College informs students, faculty and staff by use of the Parkland Web site and by sending an informative email about copyright infringement, peer-to-peer file sharing, and Parkland policies concerning these.
 - a. What are copyright infringement and peer-to-peer file sharing?
 - Copyright infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed or made into a derivative work without the permission of the copyright owner. In general, copyright infringement occurs whenever someone makes a copy of any copyrighted work, such as songs, videos, software, cartoons, photographs, stories or novels without permission (i.e., a license) from the copyright owner. Copyright laws can be found online at www.copyright.gov/laws.
 - Peer-to-Peer is a network where computers communicate directly with each other, rather than through a central server. Often referred to simply as peer-to-peer, or abbreviated P2P, it is a type of network in which each workstation has equivalent capabilities and responsibilities in contrast to client/server architectures, in which some computers are dedicated to serving other computers. A "network" is a group of two or more computer systems linked together by various methods.
 - b. Summary of penalties for violation of Federal copyright laws.

Unauthorized distribution of copyrighted materials, including peer-to-peer file sharing, may subject the individual to civil and criminal liabilities. Those who copy and distribute copyrighted material without legal permission may be found liable for civil or criminal copyright infringement. Civil penalties may include actual damages and profits or statutory damages (ranging from \$750 to \$30,000 per work that is infringed). Moreover, the court can also award reasonable attorney's fees and costs and increase the damages in the case of a willful infringement. Criminal penalties, as a result of willful copyright infringement, can include fines up to \$250,000 and imprisonment up to five years.

- c. Summary of Parkland College's policies on copyright and peer-to-peer file sharing including disciplinary actions for violators.
 - Employees of Parkland College will be informed of the violation and asked to correct the copyright or peer-to-peer violation. If future violations are found, they will be referred to their appropriate Vice-President for actions.
 - Student Disciplinary Actions
 1. First violation: Students will be warned and asked to correct the copyright or peer-to-peer violation as soon as possible. Fines and suspension of privileges to the College's network may result.
 2. Second violation: Further misuse will lead to additional sanctions, which may include dismissal from the College.
2. Parkland College uses the following technology-based deterrents to help combat unauthorized Copyright Infringement and Peer-to-Peer on the Parkland network.
 - a. Limits/blocks traffic based on known peer-to-peer software and their protocols.
 - b. Monitors Web traffic to help identify the largest bandwidth users.
 - c. Uses a firewall to block known ports used by some peer-to-peer software.
3. Parkland offers legal alternatives to illegal downloading. A list of sites for legal downloading: <http://www.educause.edu/Resources/Browse/LegalDownloading/33381>
4. Other Online Resources dealing with Copyright and Peer-to-Peer:
 - Copyright Web site – www.copyright.gov
 - Copyright Web site FAQ's – www.copyright.gov/help/faq/
 - Recording Industry Association of America (RIAA) – www.riaa.com
 - Campus Downloading Web site – www.campusdownloading.com
 - Federal Trade Commission (FTC) – www.ftc.gov/bcp/edu/pubs/consumer/alerts/alt128.shtm