

Copyrighted Material and File Sharing

Legal use of Copyrighted Material and File Sharing at Barton Community College

As a result of the issuing of regulations by the Department of Education detailing the specifics of what institutions will be expected to do in order to comply with the requirements of Higher Education Opportunity Act (HEOA), the department of Information Services at Barton Community College has taken the following steps in order to demonstrate good faith in doing due diligence to comply with the HEOA regulations. The technological issues in HEOA all relate to issues surrounding the distribution of copyrighted materials. Following are the three main requirements with a brief explanation following each one stating what action steps Barton College is taking:

1. Make an annual disclosure that informs students that the illegal distribution of copyrighted materials may subject students to criminal and civil penalties and that describes the steps Barton will take to detect and punish illegal distribution of copyright materials.

ACTION: Annually the Financial Aid Offices emails a notice to students on the location of all Student Consumer Information including college policy related to the use of copyrighted material and the steps the College will take to enforce its policies. It should be noted that in addition to the policies for [Appropriate Use of Computing and Information Systems and Copyright Policies](#), the Information Services department has implemented procedures that complies with the requirements of the Digital Millennium Copyright Act (DMCA).

2. Certify that we have developed plans to effectively combat the unauthorized distribution of copyright material.

ACTION: Currently, the Information Services department performs bandwidth shaping and traffic monitoring. The College's policy also addresses the steps to be followed in responding to DMCA notices. Essentially, an initial notice triggers a contact from the IS department with the alleged offender asking the individual to remove the offending material. A second (and any subsequent notices) will be referred to the [Dean of Information Services](#) for action.

3. "To the extent practicable," offer alternatives to illegal file sharing.

***ACTION:** [Educause](#) has assembled a [resource page](#) on legal media downloads and file sharing that contains links to sites where students may legally download music, video and images, and links to the resource site at EDUCAUSE.

These steps will be reviewed annually by the [Chief Information Officer](#) in June and revised as necessary to remain in compliance. Based on the monitoring data that the [Information Services Department](#) collects relative to network traffic as well as the volume of DMCA notices received, the review will assess the overall effectiveness of the College's policy and procedures to promote the legal use of copyrighted materials. Any changes to the policy and/or procedures will take effect at the commencement of the following academic year.

Hyperlink Address:

Appropriate Use of Computing & Information Systems & Copyright Policies:
<http://docs.bartonccc.edu/procedures/2111-useofcomputers.pdf>

Resource page:

<http://www.educause.edu/focus-areas-and-initiatives/policy-and-security/educause-policy/issues-and-positions/intellectual-property/legal-sources-onli>