

Plan to Combat the Unauthorized Distribution of Copyrighted Material by Users of St. John Fisher College Networks

NOTE: This document is developed as part of St. John Fisher College's efforts to comply with the Higher Education Opportunity Act (HEOA) and 34 CFR Sec. 668.14(b)(30).

St. John Fisher College recognizes the importance of the legal protection that copyrights provide. Copyrights help to ensure that authors of creative works can control how those works are used and prevent others from capitalizing on, or using or distributing, the works without permission. The unauthorized distribution of copyrighted material such as songs, videos, games, textbooks, or other types of creative content, including through peer-to-peer file sharing, is prohibited by St. John Fisher College policy and may violate civil or criminal law. To combat the unauthorized distribution of copyrighted material by users of St. John Fisher College networks, the College has taken, and plans to continue taking, a number of steps. The College believes that this approach, which it will review periodically, will help to minimize the frequency with which College networks are used for unauthorized distribution.

A. Use of technology based deterrents

Description of the methods used (e.g. Traffic shaping, bandwidth monitoring, traffic blocking)

- a. The College uses a firewall to block peer to peer (p2p) protocols both inbound and outbound. New signatures for p2p protocols are updated daily and blocked if needed.
- b. The College shapes inbound and outbound internet traffic. Percentages are allocated for traffic of supported protocols.
- c. The College also maintains a program to respond to RIAA violation notices and identify violators. A violator has their access to the internet stopped and the case is referred to the Campus Life judicial system for processing.

B. Education of students

Education of students is offered:

- a. during orientation;
- b. through inclusion of the DMCA policy in all published forms of the Student Handbook and on the Office of Information Technology website; and
- c. via posters and tent cards distributed in the residence halls and throughout the campus during the academic year. These materials will refer the appropriate link on the OIT Website for the most recent version of the policy and related DMCA information.

C. A statement concerning civil and criminal liabilities

A statement concerning civil and criminal liabilities is part of the published policy. Violations of the DMCA fall under the St. John Fisher College Appropriate Use and Privacy Policy for Computing and Information Technology Resources. In addition, financial liability for statutory

damages including legal fees is possible under the DMCA. More information can found at the following website:

- a. <http://www.copyright.gov/help/faq/faq-fairuse.html#p2p>

D. Legal alternatives to illegal downloading

Legal alternatives do exist for downloading video, music and other media. Current and up to date listings of legal downloading websites will be listed in the policy. Below are the websites published in the initial policy language:

- a. <http://www.educause.edu/Resources/Browse/LegalDownloading/33381>
- b. <http://www.campusdownloading.com/legal.htm>

E. Procedures to review effectiveness

This policy is reviewed annually in June to evaluate its overall effectiveness and applicability to DMCA and HEOA requirements. Items reviewed will include:

- a. Changes in DMCA and related laws and regulations
- b. Changes in legal alternatives for downloading will be included in future updates
- c. Number and disposition of DMCA cases over the prior year
- d. Technological deterrent improvements
- e. Procedural improvements
- f. Perceived effectiveness of education materials for improvements

F. Digital Millennium Copyright Act and Policy on the Infringement of Intellectual Property Rights

The current policy language is publicly available at the following website:

<http://www.sjfc.edu/campus-services/oit/home/policies/dmca.dot>