

Policy Name: Copyright Infringement Policy  
Policy Number: 7401



<b>Purpose:</b>	<p>The purpose of this policy is to address the measures University of Arkansas Grantham (University) shall take to ensure compliance with the Higher Education Opportunity Act of 2008 (HEOA). The HEOA details provisions to combat the unauthorized distribution of copyrighted material through illegal uploading and downloading or peer-to-peer (P2P) distribution of intellectual property. These provisions require institutions to:</p> <ul style="list-style-type: none"><li>• Use one or more technology-based deterrents</li><li>• Have mechanisms for educating and informing its community about appropriate versus inappropriate use of copyrighted material</li><li>• Develop an annual disclosure informing students that the illegal distribution of copyrighted material may subject them to civil and criminal liabilities and describes the steps that an institution will take to detect and garnish disciplinary actions against students who engage in illegal distribution of copyrighted material</li><li>• Develop a plan to “effectively combat the unauthorized distribution of copyrighted material”</li><li>• Identify procedures for a periodical review concerning the effectiveness of the plan developed to combat copyright infringement as described by the HEOA</li></ul>
<b>Scope:</b>	<p>Adherence to federal copyright laws and the university Code of Conduct policy applies to all university staff, contractors, full and part-time faculty, consultants, temporary employees and Affiliated Organizations.</p> <p>Adherence to this particular policy which focuses on enforcement and verifying compliance to these copyright laws applies to the Information Technology, Human Resources and Compliance departments of the University.</p> <p>This policy applies to employees, contractors, consultants, temporaries, and other workers at the University, including all personnel from Affiliated Organizations. This policy applies to all equipment that is owned or leased by the University.</p>
<b>Policy Statement:</b>	<p>To ensure university compliance with federal copyright laws, the following measures shall be implemented:</p> <ol style="list-style-type: none"><li>A. The university shall regularly review the files of system, network and email users who are heavy utilizers of online storage for copyright infringement.</li><li>B. The university shall regularly utilize scripts to search the media files on our networks and electronic storage platforms and review them for copyright infringement.</li><li>C. The university library resource center shall contain links to databases, search engines, and reference guides that can assist a student in meeting source citing and copyright.</li><li>D. The Code of Conduct policy within the student handbook shall detail violations including plagiarism as well as the consequences for disobeying the Code of Conduct policy.</li><li>E. All students shall be required to follow the practices stated in the university “Student Use of Online Services Policy.”</li><li>F. All employees shall be required to follow the practices stated in the university “Acceptable Use Policy.”</li><li>G. The university shall distribute the university policies related to the violation of copyright laws via email to prospective and enrolled students on an annual basis.</li><li>H. The university shall ensure that only those individuals with a documented need have administrative rights to install software or save files to their local computer to ensure file sharing software and copyrighted works are not stored on university resources.</li></ol>

- I. The university shall filter internet traffic to limit staff and student access to websites known to contain pirated copyright protected material.
- J. The university shall take preventive measures at our internet firewalls to block ports and protocols utilized by illegal file sharing programs and P2P network traffic.
- K. The university shall log all email communication to faculty and staff and among employees so university officials may investigate claims of copyright infringement within the university email system.

**Authority and Enforcement:**

Any student, staff or employee found to be intentionally violating U.S. copyright laws may be subject to disciplinary action, up to and including termination of employment or suspension from their academic program(s).

Any student, staff or employee aware of any violation of this policy is required to report it to their supervisor or the Compliance department.

**Definitions:**

**Affiliated Organization** – any organization associated with the university that uses university information technology resources to create, access, store or manage university data to perform their business functions.

**Copyright** – Copyright is an area of law that provides creators and distributors of creative works with an incentive to share their works by granting them the right to be compensated when others use those works in certain ways. Specific rights are granted to the creators of creative works in the United States by law. If you are not a copyright holder for a particular work, as determined by the law, you must ordinarily obtain copyright permission prior to reusing or reproducing that work. However, there are some specific exceptions in the Copyright Act for certain academic uses, and permission is never required for certain other actions, such as reading or borrowing original literary works or photographs from a library collection.

**Peer-to-peer (P2P)** – a decentralized communications model in which each party has the same capabilities and either party can initiate a communication session. Unlike the client / server model, in which the client makes a service request and the server fulfills the request, the P2P network model allows each node to function as both the client and the server.

**Roles and Responsibilities:**

The provisions within this policy regarding the reviewing, regulating, scanning, and analysis of electronic files shall be enforced by the Information Technology department of the university. Similarly, the provisions within this policy regarding university network traffic shall be enforced by the Information Technology department of the university.

The provisions within this policy regarding communications with students and student conduct shall be enforced by the Compliance department of the university.

The provisions within this policy regarding communications with employees and employee conduct shall be enforced by the Human Resources department of the university.

**Related Laws, Regulations or Policies:**

Higher Education Opportunity Act (Public Law 110-315)  
United States Copyright Act (Title 17, U.S. Code)  
University Code of Conduct policy  
University Acceptable Use policy  
University Student Use of Online Services policy

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Questions/Waivers:

The university Compliance Officer is responsible for this policy. The Compliance Officer or designee must approve any exception to this policy. Questions relating to this policy should be directed to the Compliance department.

Revision History and Effective Date:

Below is a historical list of the revisions made to this policy.

Version 1	11/1/2008
Version 2	12/8/2015