

# PLAN FOR ADDRESSING UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED FILES

## BELLARMINE UNIVERSITY

### OVERVIEW:

Bellarmino University, in compliance with the Higher Education Act of 2008 and in keeping with established academic integrity expectations of the Academy, prohibits anyone from using Bellarmine-owned or provided computing resources for the purpose of violating copyright law. These activities include what is commonly referred to as illegal file sharing – attempting to obtain and/or share copyrighted materials such as songs, movies, and/or computer software without the permission of the copyright owner.

To prevent such file sharing, Bellarmine University has engaged in both technological and educational initiatives. **Technology deterrents** are:

- implementation of the Blue Coat packet shaper, which is programmed to identify and block all P2P (person to person) traffic. (Note: Individual users requiring P2P protocols may seek written approval for valid academic purposes.)
- implementation of a system of website classification that identifies and blocks websites promoting unauthorized sharing of copyrighted materials. (Note: individual users requiring access to specific blocked websites may seek written approval for a valid academic purpose.)

**Educational initiatives** include:

- Inclusion of the illegal file policy (see below) in the 2011-12 *Student Handbook* (pp. 105-106);
- Posting of this same information/policy on the university's Consumer Information (HEOA) website);
- An annual email to students addressing the illegal file sharing policy and related information;
- Information addressing the policy and related information placed in residence halls each spring;
- A short presentation on the policy and related information at each freshman orientation in August.

Faculty members also receive this policy.

### ILLEGAL FILE SHARING POLICY:

Students are required to respect the intellectual property rights of others. The sharing of copyrighted materials such as music and movies either through P2P (peer-to-peer) file sharing or other means, without the permission of the copyright owner is illegal and can have very serious legal repercussions. Those found guilty of violating copyrights in this way have been fined enormous sums of money. Accordingly, the unauthorized distribution of copyrighted materials is prohibited. Students are encouraged to visit this [site](#) (link) for a list of legal alternatives to obtain music, movies, and television shows.

## **SANCTIONS:**

Alleged infractions of the file sharing policy will be investigated by Information Services staff and referred to the Dean of Students, who oversees all disciplinary actions. Infractions will be addressed on a case-by-case basis, with penalties ranging from a warning to expulsion, as detailed in *The Student Handbook*.

Students who have violated the policy (and therefore copyright law) are also subject to legal sanctions and monetary fines (which may be substantial).

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## **REVIEW OF UNIVERSITY PLAN**

This plan and any reported infractions will be reviewed each June by a committee comprised of the Director of Information Technology; the dean of the School of Continuing and Professional Studies; and the Dean of Students, who will serve as chairperson and forward to the Office of Academic Affairs a report detailing reported incidents for the previous twelve-month period and any proposed changes to either the university's overall plan or file sharing policy. The director of Information Technology is responsible for oversight of all technology deterrents as well as updates to the list of legal alternatives for students.

**The assessment criterion** for the plan's effectiveness is the number of DMCA (Digital Millennium Copyright Act) notices received in a twelve-month period, which should not exceed five.

A summary of each year's incidents and penalties will be posted on the university's HEOA/Consumer Information website.