

Plan for Combatting the Unauthorized Distribution of Copyrighted Material by Users of UIS Network

The Higher Education Opportunity Act (HEOA) is a reauthorization of the Higher Education Act. It includes provisions that are designed to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing.

UIS takes the following measures to comply with the requirements:

I. Annual Disclosure

UIS uses a variety of methods to inform the campus community about the copyright infringement laws:

- “Acceptable Use of Information Technology Resources” policy includes statements about copyright laws. The policy is posted in all computer labs and distributed via email to all students and employees annually.
- The “Policy for Acceptable Use of Network Resources for Residential Students” is included in the packet of information residential students receive.
- The U.S. Copyright Office “Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws” statement is posted on ITS website
- UIS’s plan for complying with the HEOA P2P requirements is included in the Student handbook.
- UIS’s policies and procedures concerning the Digital Millennium Copyright Act are posted on the ITS and the Library websites.

II. Investigation of copyright violators

UIS accepts and responds to Digital Millennium Copyright Act (DMCA) notices. When UIS receives a copyright infringement claim involving music, video, software, or other digital materials, the following steps are taken:

- Check network usage logs and registration information to examine the system alleged to be involved in copyright infringement and identify the person using it. ITS will not disclose the user’s identity.
- Notify the alleged student violator and the Vice Chancellor for the Student Affairs of the infringement claim.
- Should the infringement notice involve an employee of the university, the initial notice will be forwarded to the respective supervisor/chair to be addressed.
- If the user does not dispute the claim, require the user to submit a statement (a) confirming the copyright infringement, (b) acknowledging violation of the Acceptable User Policies, and (c) removing copyrighted materials and promising not to repeat the behavior. Shutdown user’s network port and/or wireless access until the statement is received.
- If the user denies using copyrighted materials, he/she must make a statement denying the copyright infringement. ITS will inform the claimant that the user has denied the claim. Under the DMCA, the claimant may pursue a subpoena to obtain the identity of the system user and may file a lawsuit against the user.
- For repeat student violators, ITS suspends the user’s access to the campus network for five days and informs the Vice Chancellor for the Student Affairs of the action taken.
- In the case of subsequent offenses by the same university employee, a notice will be sent to the supervisor/chair as well as the department head with the option to respond to the infringement within a week before a suspension is placed on their account.

- During the suspension period students still have access to the network using lab and checkout laptops.
- Inform the claimant that the matter has been resolved.

III. Offering of Legal Alternative

A current listing of legal alternatives for downloading are posted on the ITS website.

IV. Review than plan annually to determine the effectiveness

The UIS IT Management Team will periodically review the copyright education efforts at the University. Reviews of these coordinated education efforts will also take place when considerable changes to the law, regulations or other events require.