

POLICY AND PROCEDURE MANUAL

This policy statement supersedes all previous policy statements on this subject



WILLIAM CAREY
UNIVERSITY

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SUBJECT: COPYRIGHT INFRINGEMENT

POLICY STATEMENT

Pursuant to the Higher Education Act of 2008 codified at 34 CFR §668, the university has implemented the following policy as an effort to combat the unauthorized distribution of copyrighted materials. This policy reinforces the university's Acceptable Use Policy, which specifically prohibits the use of William Carey University resources for the illegal receipt and distribution of copyrighted materials.

1. Downloading or disseminating copyrighted materials outside the provision of "fair use" or without the permission of the copyright holder is prohibited. Illegally downloaded material may include, but is not limited to, music, movies, games, software, etc. Illegal use of peer-to-peer networking or other file-sharing technology is prohibited and may subject the user to civil or criminal penalties beyond penalties for violation of university policy.
2. Under the federal law, offenders who commit copyright violations can face civil penalties up to \$150,000 per work, potentially resulting in additional monetary damages and legal fees. Criminal penalties range up to five (5) years imprisonment and fines of up to \$250,000. Also, WCU students, faculty, and staff are subject to university disciplinary policies and procedures. In an effort to deter the illegal use of copyright material, WCU provides (1) information annually regarding copyright infringement, (2) guidelines for appropriate uses of copyrighted material in education and research (see Copyright & Fair Use – Faculty Services & Instructional Support – WCU Libraries at William Carey University Libraries (wmcarey.edu), and (3) information on legal downloading alternatives.
3. Network activity is continually monitored for patterns of illegal or unacceptable downloading/file-sharing behavior. When such activity is detected, IT support personnel are dispatched to remediate the problem.
4. William Carey University endorses the use of these alternative solutions only in that they provide legal methods for downloading and does not endorse any specific commercial product. Examples include Pandora, Apple's iTunes, Hulu, Amazon.com, Audible.com. For additional information on U.S. copyright law, consult the website of the U.S. Copyright Office at www.copyright.gov.