



## Policy of Respecting Copyrights

Unauthorized distribution of copyrighted materials may subject you to civil and criminal penalties under federal and state laws. This included unauthorized peer-to-peer file sharing, such as sharing music and other files. Students are prohibited from using the college's computer system or any of its components in a manner that violates copyrights.

Sumner College expects that all students and employees adhere to the [United States Copyright Act \(title 17 United States Code\)](#) and the related acts, which further define the proper use of copyrighted materials and peer-to-peer file sharing.

Unauthorized distribution of copyrighted materials (sharing copyrighted music and other materials with others) is not allowed and may subject the student and/or employee to civil and criminal penalties. Please refer to Federal Laws from <https://www.copyright.gov/> for copyright infringement, remedies and penalties. Also refer to Oregon Laws that apply to the use of computing and networking.

All students and employees should familiarize themselves with the copyright laws and their fair use provisions. Faculty, staff and students who face litigation over copyright infringement should not assume that the college would defend them nor be responsible for judgments.

The college suggests that both students and employees use legal methods to gain access to copyrighted materials. The college may block access to peer-to-peer websites from the college network. The college allows access to sites that allow legal alternatives for downloading music, movies and other copyrighted materials.

### Annual Disclosure

In compliance with state and federal copyright laws and the Higher Education Opportunity Act of 2008 (HEOA), Sumner College adheres to a Copyright Infringement and Peer-to-Peer policy listed below:

1. Sumner informs students, faculty and staff about copyright laws and Sumner's policies related to violating copyright laws and peer-to-peer file sharing.
  - *What is copyright infringement and peer-to-peer file sharing?*

*Copyright infringement* occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner. In general, copyright infringement occurs whenever someone makes a copy of any copyrighted work, such as songs, videos, software, cartoons, photographs, stories, or novels without permission (i.e., a license) from the copyright owner. Copyright laws can be found online at <https://www.copyright.gov/title17/>

*Peer-to-Peer file sharing* is a network where computers communicate directly with each other, rather than through a central server. Often referred to simply as peer-to-peer, or abbreviated P2P, it is a type of network in which each workstation has equivalent capabilities and responsibilities in contrast to client/server architectures, in which some computers are dedicated to serving other computers. A "network" is a group of two or more computer systems linked together by various methods.



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- *Summary of penalties for violation of Federal copyright laws.*  
Unauthorized distribution of copyrighted materials, including peer-to-peer file sharing, may subject the individual to civil and criminal liabilities. Those who copy and distribute copyrighted material without legal permission may be found liable for civil or criminal copyright infringement. Civil penalties may include actual damages and profits or statutory damages (ranging from \$750 to \$30,000 per work that is infringed). Moreover, the court can also award reasonable attorney's fees and costs and increase the damages in the case of a willful infringement. Criminal penalties can include fines and imprisonment.
- *Summary of Sumner College's policies on copyright and peer-to-peer file sharing including disciplinary actions for violators.*

Employees of Sumner College will be informed of the violation and asked to correct the copyright or peer-to-peer violation. If future violations are found, they will be referred to the college President for disciplinary action.

### Student Disciplinary Actions

- i. First violation: Students will be warned and asked to correct the copyright or peer-to-peer violation as soon as possible.
  - ii. Second violation: Fines and suspension of privileges to the college's telecommunication systems.
  - iii. Third violation: Further misuse may result in dismissal from the college.
2. Sumner uses the following technology-based deterrents to help combat unauthorized copyright infringement and peer-to-peer file sharing on the Sumner College network.
  - Use of a Web content filter that blocks access to known peer-to-peer file sharing sites and also limits/blocks traffic based on known peer-to-peer file sharing software and their protocols.
  - Monitor Web traffic to help identify the largest bandwidth users.
  - Use of a firewall to block known ports used by some peer-to-peer software.
3. Sumner offers legal alternatives to illegal downloading. For a list of sites for legal downloading, visit: <https://www.educause.edu/focus-areas-and-initiatives/policy-and-security/educause-policy/issues-and-positions/intellectual-property/legal-sources-onli>
4. Other online resources dealing with copyright and peer-to-peer:  
Copyright Web site – <https://www.copyright.gov/>  
Copyright Web site FAQ's – <https://www.copyright.gov/help/faq/>  
Recording Industry Association of America (RIAA) – [www.riaa.com](http://www.riaa.com)  
Federal Trade Commission (FTC) – <https://www.ftc.gov/>