

## **HEA Compliance Plan**

**Pursuant to certain amendments to the Higher Education Act of 1965 (HEA), Copiah-Lincoln Community College must adopt and implement a plan to combat illegal file sharing. The following are the three primary requirements of the file sharing provisions of the HEA and the College's plans for ensuring compliance with them.**

### **Certify the development of a plan to effectively combat the unauthorized distribution of copyright material**

·Use one or more technology-based deterrent:

To satisfy the requirement of using technology-based deterrent to reduce illegal file sharing, Co-Lin has chosen to use a third-party product to replace the existing Packeteer. The proposed product is a technology that is used to monitor traffic which crosses the WAN and to eliminate or severely throttle and help identify any alleged violator of Digital Millennium Copyright Act (DMCA) provisions. To the extent practicable, the College may choose to implement additional capabilities which could include NAC based technologies to enforce a connection policy once switching infrastructure has been upgraded to accommodate this methodology.

·Mechanisms for educating and informing the community about appropriate versus inappropriate use:

Co-Lin's plan to educate and inform the community about illegal file sharing has several components.

- Publishing the Student Handbook, which outlines the criminal and civil penalties for violation of copyright law.
- Maintaining a website for the College plan to combat illegal file sharing that includes: a posting of this plan document; an outline of the disciplinary sanctions and criminal and civil penalties for violation of copyright law; educational material describing legal and illegal examples of file sharing; and links to legal sources of music, videos, books and other copyrighted material.
- Distributing occasional articles on copyright issues via email and web to the College community.
- Annually providing all students with information about the College's copyright policy via an email communication.
- Requiring students to acknowledge acceptance of the College's Acceptable Use Policy at initial network login.
- Presenting information on the College's copyright policy during the Orientation Process/Class for all freshmen, as well as to Counselors.

### **Procedures for handling unauthorized distribution of copyrighted material:**

Copiah-Lincoln Community College's plan to combat illegal file sharing is designed to provide maximum flexibility in dealing with different situations. The College will also utilize a wide range of disciplinary measures to discipline users found in violation of the policies regarding copyrighted material and use of the internet. Violating users will be subject to the full range of

criminal and civil penalties. Students found in violation of College policies will be subject to a full range of disciplinary action, up to and including expulsion. Repeat offenders will be referred to the Dean of Students' Office for action. Faculty and staff found in violation of College policies prohibiting unlawful file sharing may be subject to disciplinary action ranging in severity from a warning up to and including termination of employment.

The College will also combat the unauthorized distribution of copyright material by continuing to respond to DMCA copyright infringement notices using the procedure detailed at: <http://www.colin.edu/component/content/article/90>

In order to retain necessary flexibility in the administration of policies, the College reserves the right to interpret, revise, or delete any of the provisions of this plan or any of its policies, as the College deems appropriate in its discretion.

#### **Procedure for periodic review of plan's effectiveness:**

On an annual basis, Copiah-Lincoln Community College will review the effectiveness of its plan in achieving a reduction in illegal file sharing. The review will be performed jointly by the Technology Office. The College will use both process-based and outcome-based criteria in conducting this review. Such process-based criteria may include whether Copiah-Lincoln Community College is following current best practices developed either by similar institutions or copyright holders. Two measures of outcome-based effectiveness will be the number of DMCA notices and the recidivism rate of violators. The College will also continue to examine potential new cost-effective technological deterrents, in addition to possible revisions to the educational portion of the plan.

#### **Make an annual disclosure that informs students that the illegal distribution of copyrighted materials may subject students to criminal and civil penalties and that describes the steps the College will take to detect and punish illegal distribution of copyrighted materials.**

The College will circulate an annual disclosure notice to current students that appraises them of the criminal and civil penalties, as well as the College disciplinary sanctions, for violations of copyright laws. The College also places its policy prohibiting illegal file sharing in the Student Handbook in the policy section of the College website.

#### **To the extent practicable, offer alternatives to illegal file sharing:**

On the section of Copiah-Lincoln Community College's website dedicated to illegal file sharing, the College will provide links for legal sources of music, movies and other material, which will be supplemented from time to time in the event the College becomes aware of additional sources for lawfully obtaining copyrighted material. Co-Lin will endeavor to continue to locate and provide to the community additional sources for obtaining copyrighted material in a legal fashion. The College will make available the results of this periodic review of legal alternatives on the same website.