



Plan for Combating Unauthorized Distribution of Copyrighted Materials.

Prelude

The Higher Education Opportunity Act (HEOA) provisions require colleges to develop and implement “written plans to effectively combat the unauthorized distribution of copyrighted material by users of the institution’s network without unduly interfering with the educational and research use of the network.” This document is Hocking’s plan to help satisfy this HEOA requirement.

General Statement

As part of its educational mission, Hocking College acquires, develops, and maintains computers, computer systems, and networks. These computing resources are intended for college-related purposes, including direct or indirect support of the College’s instruction, service and research missions; college administrative functions; student and campus life activities; and the free exchange of ideas within the college community and among the wider local, national and global communities.

The rights of free expression and academic freedom apply to the use of college computing resources and network. So too, however do the responsibilities and limits associated with those rights. All who use the College’s computing resources must act responsibly, in accordance with the highest standard of ethical and legal behavior. Thus, legitimate use of computer resources or network does not extend to whatever is technically possible and all users must abide by applicable restrictions.

All faculty, staff, and students must adhere to the College’s Acceptable Use Policy and are expected to seek consultation and advice when using copyrighted works of others. It is the policy of the College to inform and educate faculty, students, and staff regarding federal copyright law, the rights of copyright owners, the legal obligation of the College to comply with applicable law, and the rights of the College community to use copyrighted works.

Technology-based Deterrents

There are four categories of “technology-based deterrents” as specified by the Department of Education. Hocking College uses three of the four categories as a means of combating unauthorized distribution.



- ✓ Bandwidth Shaping
- ✓ Traffic monitoring to identify the largest bandwidth users
- ✓ A vigorous program of accepting and responding to Digital Millennium Copyright notices
 - A variety of commercial products designed to reduce or block illegal file sharing

Under College policy, the College does not routinely search for illegal activity that may occur over its networks.

Bandwidth Shaping

Hocking College uses bandwidth-shaping technologies on its administrative, academic, and residential networks to ensure network access is available for purposes aligned with the College's mission. All computing resources and network users are expected to comply with all federal, Ohio, and other applicable laws; college rules and policies; and the terms of applicable contracts and licenses.

Traffic Monitoring

Users should be aware that their uses of College computing resources are not private. While the college does not routinely monitor individual usage of its computing resources, the normal operation and maintenance of college computing resources require the caching and backup of data and communications, the logging of activity, the monitoring of general usage patterns and other such activities that are necessary for the delivery of service. Additionally, systems or information technology administrators, as part of their technical responsibilities may occasionally need to diagnose or solve problems by examining the contents of particular files.

Response to DMCA Notice

If Hocking College receives notice of alleged DMCA violation, actions are taken immediately to further analyze, diagnose, remove, and/or block access to the alleged infringed materials. Designated Agent logs all alleged notifications with documented finding and action items.

As a result, the Office of Information Technology will forward a letter of alleged infringement to Campus Judiciaries for students or to appropriate disciplinary authority for employees, who will in turn notify the alleged individual of the complaint.

Community Awareness

Hocking College regularly communicates educational awareness information to the College community about copyright law, deterring copyright infringement, compliance with federal, Ohio, and other applicable law; college rules and policies; and the terms of



applicable contracts and licenses. Educational activities may include but not limit to the following:

- DMCA Awareness program emails student population annually
- DMCA Awareness program emails employee population annually
- Printed material distributed to all incoming Residence hall occupants
- Policy and content posted on the Hocking website and reviewed annually
- The College's website hosts external links that provide further information on P2P and copyright
- Links to available legal alternatives can be found on the College's website

Offering Legal Alternatives

Hocking College's awareness program offers web links to legal alternatives, as provided by EDUCAUSE, with suggestions on best practices on file sharing.

Plan Review and Assessment

This policy may be reviewed and updated from time to time to reflect substantial changes to the information technology resources or changes in legal statutes that impact computing resources, copyright, intellectual property or privacy.