



## Jamestown Community College Policies and Procedures

<b>Policy Title</b>	<b>Peer-to-Peer File Sharing</b>	<b>Policy Number</b>	<b>024</b>
<b>Section</b>	<b>Governance, Organization and General Information</b>	<b>Approval Date</b>	<b>2/28/2011</b>
<b>Subsection</b>	<b>Publications, Reports, Research and Records</b>	<b>Effective Date</b>	<b>2/28/2011</b>
<b>Responsible Office</b>	<b>Information Technology</b>	<b>Review Date</b>	<b>2/6/12, 5/7/13, 3/21/14, 7/13/15, 6/24/19; 12/15/20</b>

### **1.0 Purpose**

**1.1** The purpose of the Peer-to-Peer File Sharing Policy is to ensure compliance with United States Copyright Law, the Digital Millennium Copyright Act, and the Higher Education Opportunity Act.

### **2.0 Policy**

**2.1** Jamestown Community College's (JCC) Peer-to-Peer File Sharing Policy requires all members of the College community to adhere to the provisions of the United States Copyright Law (Title 17, U.S. Code, § 101 et seq.). Copyright protection applies to a variety of works, including, but not limited to: printed materials, sound recordings, video recordings, and visual artworks. Copying, distributing, uploading, and downloading copyrighted materials, including music, videos, and games, for which you do not have the copyright holder's permission, is a violation of federal law in accordance with the [Digital Millennium Copyright Act](#) (DMCA).

### **3.0 Procedures**

**3.1 Higher Education Opportunity Act Peer-to-Peer File Sharing Requirements.** H.R 4137, the Higher Education Opportunity Act (HEOA), is a reauthorization of the Higher Education Act. It includes provisions designed to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. These provisions include requirements that:

- Institutions make an annual disclosure that informs students that the illegal distribution of copyrighted materials may subject them to criminal and civil penalties and describes the steps that institutions will take to detect and punish illegal distribution of copyrighted materials.
- Institutions certify to the Secretary of Education that they have developed plans to “effectively combat” the unauthorized distribution of copyrighted material.
- Institutions, “to the extent practicable,” offer alternatives to illegal file sharing.
- Institutions identify procedures for periodically reviewing the effectiveness of the plans to combat the unauthorized distribution of copyrighted materials.

**3.2 Campus Downloading Legal Sites.** Members of the JCC community are encouraged to take advantage

of [legitimate sources](#) of digital content.

**3.3 Turn Off File Sharing.** Most peer-to-peer (P2P) software turns file sharing on by default when the software is installed. This allows other people to access materials on your computer without your knowledge or permission. Downloading copyrighted music or movie files without permission is illegal. It is also illegal to share purchased music or movie files with others, again, whether you are aware that you have done it or not. Turn off file sharing on your computer.

**3.4 Annual Disclosure.** Consistent with our educational principles, we view education as the most important element in combating illegal sharing of copyrighted materials at Jamestown Community College. We use a wide variety of methods to inform our community about the law and Jamestown Community College's response to copyright infringement claims:

- In order to use College computing resources, all members of the Jamestown Community College agree to the provisions of the Acceptable Use Policy that includes a section on copyright compliance.
- Posters are mounted in student computer labs and elsewhere to discourage illegal file sharing.
- Each semester JCC communicates to all students regarding illegal distribution of copyrighted materials.
- Computing support staff and student workers are trained on the college's position with respect to copyright issues.
- JCC's policies and procedures concerning the [Digital Millennium Copyright Act](#) and the response to infringement claims are published on our website: [JCC's Constitution of the Student Body](#).

**3.5 Plans to “Effectively Combat” the Unauthorized Distribution of Copyrighted Material.** JCC employs traffic manager devices that provide the ability to classify and identify P2P traffic and manage bandwidth utilization on our campuses. The policies severely limit the ability of peer-to-peer networks to function on our campuses. Furthermore, by default, all inbound ports to client computers on the campuses are blocked at the Internet firewalls. This prevents computers from acting as servers or super nodes in peer-to-peer networks.

**3.6 Reporting Alleged Copyright Infringement.** Report alleged copyright infringements at JCC, to the Executive Director of Technology.

**3.7 Reviewing Effectiveness.** The Information Technology and Information Security teams review this plan annually for effectiveness and relevance.

## 4.0 Definitions

## 5.0 References

**5.1** United States Copyright Law (Title 17, U.S. Code, § 101 et seq.).

**5.2** Digital Millennium Copyright Act of 1998.

**5.3** H.R 4137, the Higher Education Opportunity Act

**5.4** Copyright Information for Students about Downloading Music, Movies, Television Shows and Videos. <https://www.youtube.com/watch?v=4AX6oi1cHDM>

**5.5 JCC Policy 123, Use of Copyrighted Materials**