

4.1.8.0 Peer to Peer File Sharing Policy

Policy Information

Issuing Office

Financial Aid

Affected Parties

Students, staff, faculty

Policy Language

Liberty University expressly forbids the use of ad-hoc peer-to-peer file sharing programs to exchange copyrighted material while on the Liberty University network. Unauthorized duplication, use, or distribution of copyrighted materials, including music and video files is illegal under the DMCA and exposes you to serious civil and criminal penalties.?

Computing Ethics

Many students will use the computing resources of the University through classes requiring such use or through on-campus employment, which accesses these resources. Copyright laws and license agreements govern the use of the computer software used on these resources. Liberty University stringently obeys these laws and agreements. No student is ever to make copies of University-owned computer software.?

Liberty University has established a "Code of Computing Ethics" and an "Academic Computing Policy." If you use the computing resources of the University, you are responsible for adhering to these policies. If the instructor or the campus employer authorizing your access to the computer resources of the University does not give you a copy, it is your responsibility to ask for one.?

Violation of these standards will make a student subject to "Disciplinary Action" by Liberty University or may lead to denial of future computing privileges. For violation of laws and license agreements, a student may also be subject to other private or public legal action under applicable State of Virginia laws and regulations or federal laws and regulations. If the violation of such laws and license agreement results in financial loss to Liberty University, damages and costs assessed the University will in turn be assessed the student who violated the laws/agreements.

Legal Alternatives

File sharing may be tempting because you love music but you're on a budget. Perhaps you want to check out a song album or movie before you purchase it. However, the consequences to illegal file sharing are very real and potentially severe. There are some free legal alternatives. ?Below is a list of examples:

- iTunes: ?www.apple.com/itunes
- Last.fm: ?www.last.fm
- Pandora: ?www.pandora.com
- Hulu: ?www.hulu.com

Procedural Information

Procedures

Technology Deterrents?

1. Information technology will utilize a packet inspection solution for bandwidth shaping & traffic monitoring.
2. Information technology will be diligent in accepting and responding to DMCA notices. ? DMCA notices will be sent to a standalone email account where they will be actively monitored and categorized based on the source.
3. Information technology will utilize web security appliances to block peer-to-peer websites that promote illegal file sharing.

The effectiveness of this compliance plan will be defined and reviewed by Liberty University Information Technology staff under the guidance of the Chief Technology Officer annually each June. ?The meeting minutes of that review will be recorded and disclosed on the web prior to July 1st each year.?

?Liberty University will evaluate the effectiveness of the plan to combat unauthorized use by ensuring at its annual meeting that: the complete policy remains available in a University publication published within the last twelve months; and that the annual proactive disclosure to enrolled students has occurred"

Consumer Information Disclosure Procedure

In addition to the information provided on the web, and beyond the annual minimum notice requirement, Liberty University will provide appropriate disclosure to enrolled students through the Financial Aid Consumer Information Disclosure Procedure. ?Links within this disclosure will provide exact electronic addresses as prescribed by federal regulation.?

Sanctions

Failure to adhere is against the law and may result in the FBI as well as the RIAA investigating and/or prosecuting alleged violations. ?If served a lawfully issued subpoena, ?**Liberty University will comply with the terms of that subpoena.**

Remember that you are ultimately responsible for any uploading or downloading of files from your computer that infringe on copyrights.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

For more alternatives, [click here](#)

Policy Rationale

In compliance with the Higher Education Opportunity Act, and in consultation with Liberty University's Chief Information Officer, Liberty University has implemented new policies and procedures to reduce the unauthorized duplication and distribution of copyrighted works through peer to peer file sharing on campus networks. The University is providing you with notice in compliance with sections 485 and 487 of that legislation.

Definition of Glossary Terms

File Sharing: The practice of distributing or providing access to digital media.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. ?

For more information, please see the Web site of the U. S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq.

Also, review the ?Computing Ethics? section from the [Liberty Way](#)

Non Compliance

A summary of consequences that an end-user may face in the event of non-compliance may be found in the [Acceptable Use Policy?](#)

Exceptions

None