

## **Northeast Mississippi Community College Copyright Infringement Policy**

Northeast recognizes the importance of protecting the owner's copyright to printed material, music, electronic data and images. Duplicating of materials by any means must be in adherence with the Copyright Law of the United States of America, Title 17 of the U.S. Code and the Digital Millennium Copyright Act of 1998. For assistance in determining the applicability of copyright law to a specific project, employees should contact the Head Librarian in the college library.

The following notice should be posted at all duplicating machines on campus:

### **Copyright Notice**

Copying, displaying and distributing copyrighted works may infringe the owner's copyright. Any use of computer or duplicating facilities by students, faculty, or staff for infringing use of copyrighted works is subject to appropriate disciplinary action as well as those civil remedies and criminal penalties provided by federal law. Title 17 of the U.S. Code can help you determine whether your use of a copyrighted work may be infringement.

Lab books and other type materials, whether printed or electronic, that are duplicated for sale in the bookstore, must be either original material or must have a current authorization for use of the material from the author on file in the Institutional Printing Office.

It is the responsibility of the individual faculty or staff member to learn about copyright and to make decisions concerning copyright materials.

A summary of the civil and criminal penalties for violation of Federal copyright laws is as follows:

- Infringer pays the actual dollar amount of damages and profits; or
- The law provides a range for \$750 to \$30,000 for each work infringed, unless the court finds the infringement was willful. In such cases, the maximum penalty is increased to \$150,000.
- The court may award attorneys' fees and court costs.
- The court can issue an injunction to stop the infringing acts.
- The court can impound the illegal works.
- The infringer can be sent to jail for up to 10 years.

Additional information may be obtained about the copyright laws from [www.copyright.gov](http://www.copyright.gov).

**Attachment A**  
**Student Handbook Addition**  
**6/2010**

## **NETWORKING AND INFORMATION TECHNOLOGY**

### **Eligibility and Acceptable Use**

Northeast Mississippi Community College provides information technology for educational, research, and administrative applications by its students, faculty, and staff. The technology guidelines stem from the college's mission statement and its more general policies and procedures governing faculty, students, staff, and facilities. With only a few exceptions, the present rules simply apply these larger policies and procedures to the narrower information technology context. It balances the individual's ability to benefit fully from information technology and the institution's need for a secure and reasonably allocated information technology environment.

For the most up to date Appropriate Computer Use Policy, see <http://www2.nemcc.edu/computerservices/NEMCCComputerUsePolicy.htm>.

### **DMCA Violations**

Digital Millennium Copyright Act (DMCA) violations are a special case of Appropriate Computer Use Policy (ACUP) violation. Violations may include, but are not limited to:

- Reproduction of copyrighted materials, trademarks, or other protected material in any electronic form without express written permission from the material's owner;
- Distribution or duplication of copyrighted software without appropriate licensing agreements, or use of software in a manner inconsistent with its license;
- Distribution or reproduction, in any digital form, of copyrighted music, video or other multimedia content without the express written permission of the material's rightful owner.

In summary, users may not illegally share copyrighted material over the college's network, including through the use of e-mail, web pages and peer-to-peer file sharing software. This applies to college owned computers as well as personally owned computers if they are accessing the college network. Please be sure that you have rights for any material you are making available or sharing on the college network.

The procedures for DMCA violations are as follows:

The first time that NEMCC receives a DMCA complaint for a particular student, the Office of Student Services notifies the student. Students who receive such violation notices must, within the period of time specified in the violation, acknowledge the notice and state simply that they have indeed received their own copy of the DMCA complaint and that they will abide by the ACUP in the future. If NEMCC does not receive a response to its violation notice within the specified time, NEMCC removes the computer in question from the college network.

Usually, Student Services and the college's involvement in the matter end at that point. The student is expected to rectify any problems outlined in the complaint and to cease any copyright violations involving the college network.

A second DMCA notice involving the same student results in more serious action. The college suspends the student's network privileges (including both networking for the student's computer and access to central computer services) and may impose further disciplinary action pending a meeting with the Dean of Student Services regarding the nature of the violations.

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Please consult <http://www.copyright.gov> for the full text of the Copyright Law of the United States of America.

In DMCA cases, copyright holders may file a lawsuit against the violators. If the college receives a valid subpoena seeking the identity of the offender for such a lawsuit, the college will comply with the subpoena.

### **Legal Alternatives for Downloading Copyrighted Material**

The institution provides open access to legal alternatives for downloading copyrighted material. These sites include, but are not limited to:

- <http://music.aol.com>
- <http://www.audiocandy.com>
- <http://www.bestbuy.com>
- <http://www.apple.com/itunes>
- <http://www.mp3.com>
- <http://mp3.walmart.com/store/home>
- <http://new.music.yahoo.com>

For a more complete list of legal sources of online content go to <http://www.educause.edu/legalcontent>.

### **Wireless Devices**

Students residing in the residence halls should be aware of specific policies concerning computers and networking in campus dorms. In particular, residents are not permitted to install personal wireless network devices, which are connected to the campus wired infrastructure. Wireless users must agree to the Appropriate Computer Use Policy splash screen before the device is allowed access to the network.

### **Official Communication by Electronic Mail**

Official communications from the college are sent via electronic mail (email) to each student's [Student@tigers.nemcc.edu](mailto:Student@tigers.nemcc.edu) email account. Students are responsible for reading email sent to this official address by checking their college account regularly.

**Attachment B**  
**Procedures Manual**  
**Section 600: Educational Support**  
**(statement to be included highlighted in yellow)**  
**6/2010**

**COPYRIGHTED WORKS**

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**Attachment C**  
**Wireless Splash Screen**  
**6/2010**

Welcome to the Northeast Wireless Network.

Users of the wireless network are required to read and agree to the Acceptable Computer Use Policy (ACUP).

Users of the wireless network are to scan their computer regularly for viruses and install the latest operating system patches to ensure their computer is not vulnerable to viruses or network attacks.

Due to the lack of privacy inherent with network communication, all wireless traffic is presumed to be insecure and susceptible to unauthorized examination. Thus, users should not use the wireless network to access critical and essential applications or transmit sensitive material and information, e.g. social security numbers or credit card information. Individuals assume full responsibility and accountability for their actions.

All actions that impede, impair or otherwise interfere with Northeast's academic activities or the college's network are prohibited. Users are required to refrain from all activities that may cause accidental or intentional disruption and/or burden to the wireless network and deprive others of access to college resources.

Northeast strictly prohibits copyright infringements. This includes, but is not limited to, software piracy, illegal music download, or offering copyrighted material to other users over the network. Any violation of such types will result in appropriate disciplinary and/or legal action.

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It is the responsibility of individual users to restrict access to their computers and secure their credentials. Users who share their computer connected to Northeast's Wireless Network will be held fully accountable for any misuse or violation of these guidelines and other computer use policies.

**Attachment D**  
**Technology Plan Revision**  
**6/2010**

**Technology Based Deterrents Against Illegal Downloads of Copyrighted Material**

The Department of Computer Services employs four levels of software and hardware based deterrents to combat the illegal downloading of copyrighted material. They are:

- OpenDNS, a cloud-based Web content filtering and security service.
- iPrism, an appliance-based malware, spyware, IM, P2P and inappropriate content Web filter.
- Packeteer, an appliance-based traffic monitor, shaper and reporting tool.
- Ironport, an appliance-based email security and filter device.