



# Washtenaw Community College

## Higher Education Opportunity Act Peer-to-Peer File Sharing Provision Compliance

The Higher Education Opportunity Act (HEOA) of 2008 introduced provisions for higher education institutions to address the issue of unauthorized peer-to-peer (P2P) distribution of copyrighted material on their network. Institutions are required to:

- Annually disclose to students that unauthorized distribution of copyrighted material is illegal resulting in possible civil and criminal penalties, and that the institution has formulated its own policy and disciplinary guidelines for students engaged in such conduct.
- Implement a plan to combat P2P copyright infringement, and periodically review and assess the plan.
- Offer students alternatives to illegal downloading.

Washtenaw Community College's HEOA-P2P provision compliance consists in the following:

### Annual Disclosure

The College uses several channels to educate the campus community about copyright laws and compliance on an ongoing basis:

- In *WCC's Terms of Service* (<https://www.wccnet.edu/services/account/terms-service>), the College identifies the rights and responsibilities of its electronic community, as well as the unacceptable behavior that warrants disciplinary actions. All users of the College's computing resources are required to abide by the *Terms of Service*.
- On its copyright website (<http://www4.wccnet.edu/copyright>), WCC provides information on copyright laws and fair use guidelines.
- Student Services distributes annually HEOA disclosure notifications to students, including the topics of copyright violation, civil and criminal penalties, and institutional policies and disciplinary guidelines.

### Combat Plan

- *WCC's Terms of Service* lays out the disciplinary procedures for violators of the policy.
- Information Technology Services monitors network traffic on a regular basis, limiting in-bound and out-bound P2P traffic, and shapes bandwidth if necessary.

- The College has a designated agent to receive Digital Millennium Copyright Act (DMCA) notices of copyright infringement, and has instituted a standard procedure to address the network access of the offending computer.
- The College reviews the standard procedure periodically by examining data such as DMCA notices and repeat offenders.

#### Alternatives for Copyrighted Material

- WCC Richard W. Bailey Library provides licensed resources ([http://www.wccnet.edu/resources/library/findarticles\\_databases](http://www.wccnet.edu/resources/library/findarticles_databases)) to its college community for on-campus and off-campus access.
- Other legal sources of copyrighted material are readily available. Examples include:
  - Educause's Legal Sources of Online Content (<http://www.educause.edu/legalcontent>)
  - Cornell University's Legal Sources for Online Music and Videos (<http://www.cit.cornell.edu/policies/copyright/music.cfm>)
  - Motion Picture Association of America (<http://www.mpa.org>)

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