



Dominican College Peer to Peer File Sharing Policy

Dominican College maintains a campus network to support and enhance the academic and administrative needs of our students, faculty, staff and other campus users. The college is required by Federal Law [H.R. 4137, Higher Education Opportunity Act (HEOA)] to make an annual disclosure to informing student that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. Also, the HEOA requires institutions to take steps to detect and punish users who illegally distribute copyrighted materials. The College must certify to the Secretary of Education that a policy is in place. Finally, the HEOA requires the college to provide alternatives to illegal fire sharing. All users are encouraged to check the list of "*Alternatives to Illegal Downloading*" below.

Although the HEOA makes reference only to students using Peer to Peer, this policy applies to all Dominican College network users. Dominican College's Department of Information Technology monitors internet access and usage. Websites that contain illegal downloading of music, videos, movies and other prohibited materials will be blocked from entering the campus network. The College reserves the right to suspend or terminate network access to any campus user if the violation is deemed severe. Likewise, network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil prosecution.

First Violation

The first time a report of distributing or downloading copyrighted files is received, the person who was using the computer at the given time is notified by the Information Technology and/or the Student Development office of the violation via an email sent to their campus email address. The user must respond within two business days.

If the user does not respond within two business days, the user's network access is suspended (the user's network connection is disabled) immediately and until the situation is resolved. E-mail and other accounts are not disabled. The user is required to submit a signed Technology Copyright Violation Certification Page that states that the user understands copyright issues and the ramifications of a subsequent offense or to demonstrate that the notification was unwarranted. Network access will be restored no sooner than two business days after receipt of the certification page. Information Technology and/or Student Development will send notifications via email of violations to the appropriate Vice President, Dean, Supervisor, and/or other appropriate personnel. Additional information on copyright law and Frequently Asked Questions can be found at www.copyright.gov.

If the user feels the warning is erroneous, he/she must show evidence that the file(s) was used legally or was not copyrighted. Notifications of all violations will be maintained by the Information Technology and Student Development offices. If any notification is shown to be unwarranted, no record of the violation notification is retained.

Second Violation

If a second notification of violation is received, network access shall be suspended immediately.

The user is again informed of the violation from Information Technology and/or Student Development in accordance with the Student Code of Conduct. Second violations involving students are forwarded to the Student Development Office for adjudication through the student conduct process and those involving faculty or staff are referred to Human Resources.

Network access is not restored, if at all, until the case is ruled on by Student Conduct, or reviewed and decided by the appropriate departmental supervisor and Human Resources. Student Conduct or Human Resources can impose whatever sanctions; including termination or suspension of network access, warnings, probation, suspension, expulsion (for students); or disciplinary action (for faculty and staff) as deemed appropriate.

The existence and imposition of Dominican College sanctions do not protect members of the campus community from any legal action by external entities or the college itself.

Alternatives to Illegal Downloading

Illegal downloads hurt artists and deter the incentive to create. U.S. laws protect the rights of individuals regarding their own works. Below are lists of sites that offer free or inexpensive products that you can use without violating copyright law. [Dominican College assumes no responsibility for the content and/or use of these websites.]

Not Free, But Legal

Movies:

<http://www.netflix.com>
<http://www.cinemanow.com/>
<http://www.movieflix.com/>

Music:

<http://www.iTunes.com/>
<http://www.rhapsody.com/>
<http://www.napster.com/>
<http://music.msn.com/>
<http://music.yahoo.com/>
<http://www.emusic.com/>

Free and Legal

Clipart:

<http://www.gifart.com/>
<http://www.coolarchive.com/>
<http://www.mediabuilder.com/>
<http://www.barrysclipart.com/>
<http://www.aaacart.com/>
<http://www.allfree-clipart.com/>
<http://www.cksinfo.com/>
<http://www.freegraphics.com/>
<http://www.iband.com/>
<http://www.free-graphics.com/>

Free and Legal cont.

Fonts:

<http://www.blambot.com>
<http://www.fonts.com>
<http://www.fontfreak.com>
<http://www.acidfonts.com/>
<http://www.fontfile.com/>
<http://www.fontsnthings.com/>
<http://www.abstractfonts.com/fonts/>
<http://fonts.tom7.com/>
<http://www.fontgarden.com/>

Photos:

<http://www.freefoto.com/>
<http://www.istockphoto.com/>
<http://www.photospin.com>
<http://www.imageafter.com/>

Music:

<http://www.epitonic.com/>
<http://www.betterpropaganda.com/>

Radio Stations:

<http://www accuradio.com/>