

# **BAY de NOC COMMUNITY COLLEGE BOARD OF TRUSTEES POLICIES**

## **1000 GENERAL ADMINISTRATION**

### **1052 PEER-TO-PEER FILE SHARING POLICY**

It shall be the policy of the Bay de Noc Community College Board of Trustees ("Bay College") to comply with Federal Law – H.R. 4137, Higher Education Opportunity Act (HEOA) and make an annual disclosure informing students and employees that illegal distribution of copyrighted materials, including unauthorized peer-to-peer file sharing, may lead to civil and/or criminal penalties.

#### **PROCEDURE:**

1052.1 HR 4137 requires Bay College to take steps to detect and reprimand users who illegally distribute copyrighted materials, including unauthorized peer-to-peer file sharing. Bay College must certify to the Secretary of Education that a policy is in place. Finally, the HEOA requires Bay College to provide alternatives to illegal file sharing.

1052.2 This policy applies to all Bay College network users. Bay College reserves the right to suspend or terminate network access to any 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 and/or civil prosecution.

1052.3 Annual Disclosure

Every fall semester a reminder of this policy will be sent to students and employees via email. This information is also referenced in the student handbook.

1052.4 Plans to Effectively Combat the Unauthorized Distribution of Copyrighted Material

ITS currently employs bandwidth-shaping technology to prioritize network traffic and limits the amount of bandwidth available to peer-to-peer file sharing applications, but does not filter such applications since much of the traffic is legal.

1052.5 Offering Alternatives to Illegal File Sharing

Both the Recording Industry Association of America (RIAA) and the Motion Picture Association of America (MPAA) have web sites that list legal alternatives to illegal peer-to-peer file sharing. Some of the more popular

alternatives include:

Music

iTunes, SpiralFrog, Pandora, amazonMP3

Movies and Television

iTunes, Films on Demand, Hulu, Netflix Watch Instantly, Major Television Network Web Sites

For more information on legal alternatives, please visit:

RIAA:

[http://www.riaa.org/toolsforparents.php?content\\_selector=legal\\_music\\_sites](http://www.riaa.org/toolsforparents.php?content_selector=legal_music_sites)

MPAA: [http://www.mpaa.org/piracy\\_LegalOpt.asp](http://www.mpaa.org/piracy_LegalOpt.asp)

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Policy Origin Date: 02/15/2012

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