

Bevill State Community College Compliance with the Higher Education Opportunity Act Peer-to-Peer File Sharing Requirements

Introduction

H.R 4137, the Higher Education Opportunity Act (HEOA), is a reauthorization of the Higher Education Act. It includes provisions that are designed to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. These provisions include requirements that:

- Institutions make an annual disclosure that informs students that the illegal distribution of copyrighted materials may subject them to criminal and civil penalties and describes the steps that institutions will take to detect and punish illegal distribution of copyrighted materials.
- Institutions certify to the Secretary of Education that they have developed plans to “effectively combat” the unauthorized distribution of copyrighted material.
- Institutions, “to the extent practicable,” offer alternatives to illegal file sharing.
- Institutions identify procedures for periodically reviewing the effectiveness of the plans to combat the unauthorized distribution of copyrighted materials.

This document outlines Bevill State’s plan to comply with these requirements.

Annual Disclosure

Consistent with our educational principles, we view education as the most important element in combating illegal sharing of copyrighted materials at Bevill. We use a wide variety of methods to inform our community about the law and Bevill State’s response to copyright infringement claims:

- In order to use college computing resources, all members of the Bevill State Community endorse a Computer User Agreement that includes a section on copyright compliance.
- As part of orientation all students are made aware of legalities associated with peer to peer file sharing during orientation and required to view the Campus Downloading video.
<http://www.campusdownloading.com/>
- Beginning in Fall 2010 and every semester thereafter, Bevill State’s Computer Services Department will send an email regarding illegal distribution of copyrighted materials.
- Bevill State’s policies and procedures concerning the Digital Millennium Copyright Act and our response to infringement claims are published on Bevill State’s web site.
- During Fall Professional Development College employees will view the Campus Downloading video.
<http://www.campusdownloading.com/>

June 30, 2010

Plans to “Effectively Combat” the Unauthorized Distribution of Copyrighted Material

Bevill State currently deploys software to shape bandwidth and restrict Peer-to-Peer access. When we discover a system using excessive bandwidth, we contact the owner to ensure that the bandwidth consumption is for legal purposes and that the user is aware of the College's policies concerning illegal file sharing.

The College responds to all Digital Millennium Copyright Act notices according to policies published on our web site.

Offering Alternatives to Illegal File Sharing

The Bevill web site provides links to sites that provide numerous options for obtaining music, videos, and other digital content in a legal manner. Members of the Bevill community are encouraged to take advantage of these legitimate sources of digital content. The relevant page on the Bevill State web site.

Reviewing Effectiveness

In 2011-12 and periodically thereafter, we will survey community members to assess the extent to which our anti-piracy messages are reaching them, the extent to which community members are taking advantage of legal alternatives, the impact of our technical efforts to combat illegal file sharing, and other aspects of our plans to combat the unauthorized distribution of copyrighted materials.