Western Connecticut State University
University Computing
Higher Education Opportunity Act (HEOA)
(Copyright and P2P File Sharing)

This page outlines WestConn's plan to comply with the Higher Education Opportunity Act (HEOA).

The Higher Education Opportunity Act (HEOA) includes provisions to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. Specifically, HEOA requires institutions to:

- 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;
- certify to the Secretary of Education that they have developed plans to "effectively combat" the unauthorized distribution of copyrighted material including "the use of one or more technology-based deterrents";
- offer alternatives to illegal file sharing to the extent practical;
- identify procedures for periodically reviewing the effectiveness of the plans to combat the unauthorized distribution of copyrighted materials.

Annual disclosure

WestConn uses a wide variety of methods to inform students about copyright laws:

- WestConn's library site on copyright, http://library.wcsu.edu/web/about/policies/copyright/
- WestConn also has student use policy, http://www.wcsu.edu/uc/csunetpol.asp, and a ResNet connection policy, http://www.wcsu.edu/resnet/policy.asp.
- WestConn also has a Student Handbook online, http://www.wcsu.edu/currentstudents/wcsu_handbook0910.pdf which contains links to the Computer Use policy from our website as well as the Academic violation associated with them, #22 on page 91.

Effective Combat Plan

WestConn uses several technology-based deterrents to combat the unauthorized distribution of copyrighted materials:

- WestConn currently blocks all known P2P traffic.
- WestConn utilizes a Traffic/Packet Shaping device (Bluecoat PacketShaper PS1000) that allows the University to ensure smooth flow of content to and from the Internet with the ability to prioritize traffic based on need or policy. Traffic-shaping technology also allows for the blocking or containment of unwanted traffic such as P2P applications. WestConn has implemented a "Never-Admit" policy on all currently known P2P applications.
- WestConn blocks all currently known P2P traffic on the firewalls as a dual layer of protection.
- WestConn also blocks all currently known P2P applications from the ResNet network on the CleanAccess gateways as an additional measure to block any internal distribution.
- WestConn's policies and procedures concerning the Digital Millennium Copyright Act and our response to infringement claims are published on University's web site. If the University receives a complaint that a user is redistributing copyrighted material, that user's Internet connection will be blocked until the complaint is resolved. If the University receives multiple complaints about a single user, their Internet access will be permanently disconnected and they will be referred to the University disciplinary system for appropriate action.

Alternative Online Sources for Copyrighted Materials

There are many legal sources for copyrighted material such as music and movies. They have a wide range of business models; some are free and some charge a nominal fee. The Motion Picture Association of America maintains an up-to-date and comprehensive compendia of legal sources. Cornell University also maintains a list of legal sources for online music and videos. In addition, the following licensed resources are available to the university

community through our Haas and Young libraries:

- African American Music Reference
- Classical Music Library
- Classical Music Reference Library
- Classical Scores Library
- Garland Encyclopedia of World Music Online
- Grove Music Online
- JSTOR Music Collection
- Naxos Music Library
- Oxford Music Online
- As well as a complete list of the Visual & Performing Arts resources: http://libguides.wcsu.edu/content.php?pid=54175&sid=453127

Reviewing Effectiveness

Beginning in 2010-2011 and periodically thereafter, the CIO and the Director of Networking/Telecomm will review the process for awareness, and effectiveness. We will analyze 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. Semi-annually, the CIO will send an email to students, faculty, and staff notifying them about their responsibilities under copyright law and about the web site www.wcsu.edu/technology/copyright.asp. The Vice President of Student Affairs will also notify students by memo on copyright laws and campus policies related to violating such law.

Resources

- Western Connecticut State University HEOA Compliance Plan
- Notification of RIAA and Copyrighted Materials
- Relevant sections of the law and regulations can be found on the "Educause" website, a non-profit organization that addresses information technology issues for institutions of higher education, www.educause.edu/Resources/Browse/HEOA/34600