

Plan to Combat the Unauthorized Distribution of Copyrighted Material by Users of CSU Fresno Networks

This page outlines California State University, Fresno'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, the 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

California State University Fresno uses a wide variety of methods to inform students about copyright laws:

- The Henry Madden Library copyright information pages provide information and guidelines of copyright laws and fair use to the campus community.
<http://www.csufresno.edu/library/information/copyright/>
- All students are required to adhere to the practices stated in the campus Acceptable Use Policy. The policy is included in the Student Handbook posted on the University's website.
http://www.csufresno.edu/its/pdfs/CSUF_AUP_2_08.pdf
<http://www.csufresno.edu/studentaffairs/general/studenthandbook/index.shtml>
- All residential students must also accept the terms stated in the ResNet Usage Policies which includes a section on copyright compliance.
<http://www.universitycourtyard.org/handbook/handbook3.html#31>
- Each year, the Office of Student Affairs sends out a memo to all students on copyright laws and campus policies related to violating copyright laws.

Plan to Effectively Combat Peer-to-Peer (P2P) File sharing

California State University Fresno uses three technological measures to effectively combat P2P file sharing:

1. Bandwidth shaping
2. Traffic monitoring to identify the largest bandwidth users
3. A vigorous program of accepting and responding to Digital Millennium Copyright Act (DMCA) notices. California State University' Fresno'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 student user is redistributing copyrighted material that student will receive a cease and desist notification. If the University receives a second complaint about a student network user their Internet access will be disconnected and they will be referred to the Student Affairs disciplinary system for appropriate action. If the University receives a third complaint about a student network user, their Internet access will be disconnected until the Student Affairs disciplinarian contacts campus ITS to reinstate Internet service.

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 up-to-date and comprehensive compendia of legal sources.

<http://www.mpaa.org/contentprotection/get-movies-tv-shows>

EDUCAUSE also maintains a list of legal sources for online music and videos.

<http://www.educause.edu/legalcontent>

In addition, the following licensed resources are available to the campus community through the Henry Madden Library:

- [Naxos Music Library](#)
- [Smithsonian Global Sound](#)

Reviewing Effectiveness

Beginning in 2010, the campus will review the number of DMCA notices received to assess the extent to which our anti-piracy messages are reaching users of the network. 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.