

Lindenwood University File Sharing Policy *March 2013*

Purpose

Lawful use of Peer-to-Peer (P2P) technologies is allowed at Lindenwood University. However, using P2P file sharing applications to obtain copyrighted materials (e.g., music, videos, textual material, etc.) without the permission of the owner or distributor is prohibited. Running P2P file sharing applications on university computers also introduces the risk of inadvertently sharing files containing sensitive University data. The purpose of this policy is to prevent the use of Peer-to-Peer file sharing applications in order to illegally obtain copyrighted or licensed material.

Scope

This policy applies to all students, faculty and staff, and other individual's using University information technology resources or data and responds to requirements of the Higher Education Opportunity Act of 2008 that requires universities to develop plans that effectively combat the unauthorized distribution of copyright materials.

Policy

1. Use of Peer-to-Peer file sharing applications for the unauthorized acquisition or distribution of copyrighted or licensed material is prohibited on any University computer or University network. Furthermore, P2P file sharing applications commonly used for these illicit purposes may not be installed on any University computer, and technological deterrents will be used to block their use on the University network.
2. Any violation of this policy may result in the suspension of access to network resources or other appropriate university discipline, up to and including termination of employment and/or expulsion. In addition, the unauthorized acquisition or distribution of copyrighted or licensed material, including unauthorized peer-to-peer file sharing, may subject individuals to civil and criminal liabilities.
3. Lindenwood University shall annually inform students of this policy and associated procedures, consistent with the requirements of the Higher Education Opportunity Act of 2008.

Definitions

1. Digital Millennium Copyright Act (DMCA) - A Federal copyright law for the digital environment establishing how alleged copyright infringements are to be handled and establishing liability limitations for "online service providers."

2. Peer-to-Peer (P2P) - A network environment where participants share their resources (such as files, disk storage, or processing power) directly with their peers without having to through an intermediary network host or server.
3. Peer-to-Peer File Sharing Applications - Programs or services that use P2P technology to share music, movies, software, or other digitally stored files.
4. University Computer - Any computer considered to the property of Lindenwood University.
5. University Network - Any part of data network physically located on the campus. This includes wireless networks and the network serving academic and athletic buildings, student residence halls, and other student housing.

Roles and Responsibilities

1. Chief Information Officer (CIO) – The CIO will determine the set of prohibited P2P file sharing applications and be responsible for technology-based deterrents used to enforce this policy.
2. Associate Provost – The Associate Provost is responsible for notifying all students at all campuses about this policy at the beginning of every term.

Procedures

1. The Chief Information Officer will maintain and publish a list of P2P file sharing applications that are commonly used for unauthorized acquisition or distribution of copyrighted or licensed material. These applications cannot be installed on University computers and will be blocked on the network using appropriate technology-based deterrents.
2. A University website will provide information about alternatives to illegal file sharing and about programs to combat unauthorized acquisitions or distributions of copyrighted or licensed material.
3. Consequences for the infringement of this policy or the Digital Millennium Copyright Act (DMCA) will be handled according to the following procedure:
 - a. First Offense: Oral or Written Warning
 - b. Second Offense: One Week Restriction from Internet Use
 - c. Third Offense: Termination, Suspension, or Expulsion

Questions/ Waivers

The Chief Information Officer (CIO) is responsible for this policy. The CIO or designee must approve any exception to this policy. Questions relating to this policy and the list of prohibited P2P file sharing applications should be directed to the CIO.