

**University of Nebraska at Kearney**  
**A Plan to Combat Unauthorized Distribution of Copyrighted Material**  
**By Users of the UNK Network**

## **Introduction**

As required by the Higher Education Opportunity Act (HEOA) of 2008, this plan to combat copyright abuse on the UNK network includes:

- A description of the use of technology-based deterrents;
- A list of methods to educate and inform the UNK community about appropriate use of copyrighted material;
- The procedure for handling unauthorized distribution of copyrighted material; and the procedure for periodically reviewing the effectiveness of this plan.

## **Technology-Based Deterrents**

The University of Nebraska at Kearney uses multiple technology-based deterrents to monitor for copyright violations involving peer-to-peer applications.

- Bandwidth shaping is utilized.
- Network traffic is monitored to identify the largest bandwidth users.
- The Network Access Control process identifies known peer-to-peer applications and blocks any device with a peer-to-peer application.
- Digital Millennium Copyright Act (DMCA) notices are promptly investigated and immediate action is taken to shut down devices involved in copyright violations.

## **Schedule for Education and Communication**

During the first week of the fall term, an email is sent to all students by the CIO/Assistant Vice President for Information Technology describing copyright law and policies at the University of Nebraska at Kearney related to violating copyright law.

A representative from Information Technology Services talks with parents of incoming Freshmen students at Summer Advising and Enrollment and with students at Fall Orientation events about electronic copyright issues.

## **Procedures for Handling Complaints w/ Discipline and Consequences**

UNK has various policies and procedures in place to address copyright violations and computer use.

- *Executive Memorandum No. 16, the Policy for Responsible Use of University Computers and*

*Information Systems*, was adopted January 5, 1998, and amended August 28, 2001, by the President of the University of Nebraska system. It prohibits the use of electronic communications to violate the property rights of authors and copyright owners.

- The *Guidelines for the Use of Information Technology Resources at the University of Nebraska at Kearney* contains an identical statement.
- The *UNK Student Code of Conduct*, published in the Student Handbook, references Executive Memorandum No. 16 and the UNK Guidelines for the Responsible Use of Computing Resources.
- The *Memorandum on Copyright Law and Compliance Policies of the University of Nebraska* was posted to the university system web site on May 4, 2007. Section VII specifically addresses peer to peer file sharing.

When Information Technology Services at UNK receives a copyright infringement notice, we verify that the notice involves a computer on the campus network, track the IP address to a specific data jack, and identify the location and user of the machine. Network access is disabled.

On the residence hall network or the campus-wide wireless network, the Network Access Control device (NAC) sends a message to the computer that the owner/user must contact the Office of the CIO/Assistant Vice President for Information Technology to have network access re-instated.

- For a first offense, the Assistant Vice President explains the copyright infringement complaint and with a verbal agreement to cease such activity, network access will be restored.
- For a second offense, the computer must be delivered to the UNK Helpdesk for removal of peer-to-peer software prior to restoring network access.
- Subsequent offenses are turned over to the Student Conduct Officer, with network access restored at his/her request.

If the computer belongs to an employee, responsibility for disciplinary action is turned over to the employee's supervisor and Human Resources. When the CIO/Assistant Vice President for Information Technology is notified, network access is restored.

### **Procedure for Reviewing the Effectiveness of This Plan**

This plan will be reviewed annually using relevant assessment criteria, to include the number of copyright infringement notices in the prior twelve months and bandwidth usage data for the same period.

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