



File Sharing Policy

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 informing students that the illegal distribution of copyrighted materials may subject them to criminal and civil penalties and details the steps institutions will take to detect and punish illegal distribution of copyrighted materials.
- Institutions certify to the Secretary of Education that they have developed written 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 policy document outlines SNHU’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 SNHU. We use a wide variety of methods to inform our community about the law and SNHU’s response to copyright infringement claims:

1. In order to use University computing resources, all members of the SNHU community are required to adhere to a [Acceptable Use Policy](#) that prohibits use of University computing resources for copyright infringement and a [Copyright Policy](#) that specifically addresses the University’s position on copyright laws and file sharing.
2. Every fall we send an email to all students regarding illegal distribution of copyrighted materials.
3. SNHU’s policies and procedures concerning the Digital Millennium Copyright Act and our response to infringement claims are published on the University web site.
4. Southern New Hampshire’s library staff have provided extensive educational materials regarding copyright rights and responsibilities, which can be viewed [here](#).

Plans to "Effectively Combat" the Unauthorized Distribution of Copyrighted Material

Southern New Hampshire University employs multiple technology-based deterrents to combat the unauthorized distribution of copyrighted materials. SNHU's firewall and network monitoring technologies enable bandwidth-shaping technology to both block network access to known sites/services employed in the unauthorized distribution of copyrighted materials. SNHU responds promptly to legitimate notices or letters of illegal copyright infringement based on the requirements of the Digital Millennium Copyright Act and sent to our DMCA agent address. In addition, SNHU takes appropriate disciplinary action against community members who violate its rules and policies governing file-sharing and copyright. Disciplinary procedures may include, but are not limited to, referral to student affairs or human resources with possible sanctions including suspension or termination of network privileges for repeat infringers.

Alternatives to Illegal File Sharing

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 list of legal sources available at [Watch It Legally](#). In addition, Educause maintains a comprehensive list of Legal Downloading Resources at <https://www.educause.edu/legalcontent>. Members of the SNHU community are encouraged to take advantage of these legitimate sources of digital content.

Reviewing Effectiveness

Beginning in 2011-2012 and periodically thereafter, SNHU will assess the extent to which our anti-piracy efforts are succeeding. We will analyze the impact of our technical efforts to combat illegal file sharing, and other aspects of our plan to combat the unauthorized distribution of copyrighted materials, and make changes or updates deemed necessary.