



## Copyright Infringement Policy

The Higher Education Opportunity Act of 2008 requires schools such as NTI to take certain actions to help combat the unauthorized distribution of copyrighted material by users of NTI's network. The federal Copyright law (Title 17, United States Code, Section 10 et seq.) requires students at Northeast Technical Institute to respect the proprietary rights of owners of copyrights and refrain from actions that constitute an infringement of copyright or other proprietary rights.

### Potential Civil and Criminal Sanctions for Copyright Infringement

Students who disregard this policy place themselves individually at risk of civil and criminal liability. As a general matter, a person who is found liable for civil copyright infringement may be ordered to pay actual damages or "statutory" damages in an amount of not less than \$750 and not more than \$30,000 per work infringed. For a "willful" infringement, damages may be awarded by a court up to \$150,000 per work infringed. Courts can also assess costs and attorneys' fees, in its discretion. See 17 U.S.C. §§ 504 and 505. Also, "willful" copyright infringement can result in imprisonment of up to five years for a first time offense and additional fines. See 17 U.S.C. § 506 and 18 U.S.C. § 2319.

### Peer-to-Peer File Sharing

It is a violation of copyright law to use file sharing software (e.g., BitTorrent, KaZaA, Limewire, etc.) to download music, movies, and other copyrighted material without permission from the copyright holder.

**Disciplinary Procedures for Responding to Unauthorized Use/Distribution of Copyrighted Material**  
All network traffic is subject to monitoring procedures conducted by the School's IT department and/or its managed IT servicer for purposes of determining compliance with School policies. Outside parties also actively monitor the internet to find incidents of illegal file sharing and may notify the School of such activity. When such a notification is provided by an outside source, the School may disable a person's network access until the situation is resolved.

If a campus member is found to have illegally shared files over the School's network, the full range of disciplinary sanctions are available (along with the civil and/or criminal penalties the person may be subject to), including:

- Indefinite or permanent loss of computer privileges and network access;
- Denial of future access to the School's IT resources;
- All disciplinary sanctions available pursuant to the School's policies and handbooks;
- Dismissal from the School; and/or Legal action.

### Periodic Review of Policy Effectiveness

The School's designated technology officer will periodically review this Policy's effectiveness in combating the unauthorized distribution of copyrighted materials by users of the School's network. In addition, this designated technology officer will periodically review the legal alternatives for downloading or otherwise acquire copyrighted material and make available the results of the review to students. To the extent practicable, the School will offer legal alternatives for downloading or otherwise acquiring copyrighted material.