Iowa State University Plan to comply with HEOA

Part 1: The plan to effectively combat copyright infringement

1-1. Link to relevant Web page(s)

Iowa State University DMCA sites:
• Information Technology Services (ITS)
• Dean of Students

1-2. What technology-based deterrent(s) have you decided to use?

1. Iowa State University uses bandwidth shaping to control network traffic volume on peer-to-peer protocols normally used for unauthorized distribution of copyrighted material.
2. Traffic is monitored for peer-to-peer filing sharing using a service called Be Aware You’re Uploading (BAYU). When BAYU detects peer-to-peer traffic originating from a computing device on the ISU network, an email is sent to the user advising them of the possibility that they are distributing copyrighted material.
3. ISU accepts the DMCA notices and informs the individual of the notice and the university policy on unauthorized copyrighted material along with the consequences of the violation.

1-3. What mechanism(s) are you using to educate your community?

1. Iowa State University provides annually to each student, who is taking one or more classes for any type of academic credit except for continuing education units, information that reminds them to adhere to copyright laws. This information is distributed via emails which are sent to all students in the form of a ten-day notice (ten days after the start of each semester, when all registered students would be verified) from the Office of the Registrar. These emails also contain information about ISU’s substance abuse policies and other pertinent information.
2. Each fall, Iowa State University will include a news article in “Inside Iowa State” reminding faculty and staff of copyright laws.

1-4. What procedures are you using for handling unauthorized distribution of copyrighted material (e.g., monitoring, sanctions, etc.)?

1. When Iowa State University receives a complaint from a copyright holder, we notify the individual involved and pass along any information received from the copyright holder to that individual. We do not supply any information to the copyright holder about the individual involved unless a valid subpoena is presented.
2. What happens when the university receives a DMCA copyright infringement complaint?
a. The notification goes to Information Technology Services (ITS) and is reviewed to determine if it meets the DMCA requirements.

b. The registered user of the machine connected to the identified Internet Address (IP#) at the time of the observed incident is determined.

c. If the registered user is a student:
   i. the identification information and the DMCA complaint are sent to Judicial Affairs in the Dean of Students Office. Otherwise the complaint is handled by the DMCA agent.
   ii. The Office of Judicial Affairs sets up the official file for the student DMCA notices.
   iii. An email is sent by the Office of Judicial Affairs to the user who registered the machine. The email includes information about copyright infringement, specifics included in the complaint, and requires the user to remove any unauthorized copyrighted material from their computer and to respond within 48 hours.
   iv. If there is no response or the complaint is not satisfied within 48 hours, then network access for the machine is disconnected until the complaint is resolved.
   v. First offenses are recorded but do not include University judicial action.
   vi. Second offenses involve judicial charges for Misuse of Computers, a violation of the Student Disciplinary Regulations, and require a hearing with a representative from Judicial Affairs. If found responsible through the judicial process, students face disciplinary sanctions such as conduct probation, network restriction or termination of network access, or other possible conduct decisions.
   vii. Third or subsequent offenses are likely to result in termination of network access.

d. If the registered user is not a student;
   i. If the system is registered to a known user,
      (A) A form letter with details of the infringement claim is sent to the user.
   ii. If the complaint cannot be tied to an individual (as in the case of a visitor to the campus network or other unregistered system) the infringement complaint is filed as unresolved, and not further action is taken.

1-5. How are you periodically reviewing the plan? What criteria are you using to determine if it is effectively combating copyright infringement?

At the end of each academic year (or over the summer) we will review the level of DMCA complaints. To date, this list is short.
Part 2: Offering Alternatives

2-1. Link to relevant Web page(s)
   - Legal Alternatives to Illegal File Sharing

2-2. Are you carrying out your own survey of alternatives or linking to one or more lists maintained by others? If the latter, which list(s)?

   We link to Educause, which maintains legal sources of online content.

2-3. Have you made any special arrangements with one or more content providers to obtain content through legal methods?

   No.

Part 3: Informing the Community

3-1. Link to relevant Web page(s)

   Iowa State will educate and inform its community via the following means:

   1. A website will be developed for students that will educate them on appropriate and inappropriate use of the network, as well as legal alternatives for obtaining copyrighted materials.
   2. Iowa State University will use a service called Be Aware You’re Uploading (BAYU) to notify campus network users when they might be unlawfully uploading using peer-to-peer technology. Users are notified via email when BAYU detects traffic from a computer that indicates uploading is taking place. More information is made available to the campus community via the BAYU website.
   3. Judicial Affairs at Iowa State University maintains a website that describes the DMCA, outlines DMCA compliance information, and provides reasons that a user might receive a DMCA complaint. Additional DMCA links and resources are also available from this website.
   4. The Office of Student Financial Aid maintains the ISU Consumer Information Disclosures website that complies with HEOA requirements; this webpage identifies that the University has copyright infringement and peer-to-peer file sharing policies, and links to the student information website mentioned above.

3-2. Have you developed your own statement regarding copyright and copyright law in general or are you linking to such statement(s) maintained by others? If the latter, which statement(s)?

   - http://www.justice.gov/criminal/cybercrime/