

COPYRIGHT INFRINGEMENT POLICY

ABSTRACT

Individuals using computers and networks at Hibbing Community College (HCC) are responsible for complying with copyright laws and the College's policies and procedures regarding the use of Computer Information Systems.

The college reserves the right to deny, limit, revoke, or extend computing privileges and access to the Information Systems in its discretion. In addition, alleged violations of this procedure will be investigated by the campus Data Security Officer and may result in disciplinary action to be determined by College administration.

It is imperative that College employees understand copyright law as it pertains to their official work at HCC. Faculty, Staff, and Students may direct inquiries related to copyright law to the Supervisor of Technology.

NOTIFICATION OF INFRINGEMENT

Copyright holders who believe their copyright material has been infringed by an account holder at HCC must notify the Supervisor of Technology of the alleged infringing action or material in writing. The notification must include the identity of the copyrighted material in dispute in sufficient detail to permit the college to locate the infringing material. They must also include the basis of the claim of possible infringement, and state the basis of the copyright holders copyright in the work (e.g. Author, Owner, Poster, etc).

The campus Data Security Officer will investigate the matter promptly.

The campus Data Security Officer will notify the Vice President of Business as well as the Provost of the matter in order to cover any legal concerns.

If the investigation yields positive results in favor of the copyright holder, the Data Security Officer will remove the infringing material based on the removal outline below.

If the matter is dealing with local Intellectual Property issues, then the campus Intellectual Property Manger shall be contacted.

REMOVAL OF INFRINGING MATERIAL

The campus Data Security Officer, or other authorized employee, will attempt to negotiate with the copyright holder to work out a solution acceptable to both parties.

If a conclusion is reached that permits the infringing material to be kept, it will be done so. Otherwise, it will be removed immediately by the Data Security Officer.

Computer Services regularly scans college systems for illegal data. If illegal data is found on a college PC, or in a home directory of a user, they will be requested to remove it of their own accord within one business day. If the removal does not take place, the Data Security Officer may remove the offending data.

When Illegal data is found in a student home directory, the Director of Student Services will be informed of the student's name, account ID, and a list of offending files will be offered. Again, one business day is given to remove the data. If it is not removed, or if no proof of permission is given, the offending data will be removed.

If the user repeatedly commits copyright infringement, the Provost will be informed and disciplinary actions will take place at the college administrations prerogative.

The Computer Services department reserves the right to immediately remove or hold any data in which the legality of ownership can be questioned within reason.

POLICY REVIEWS AND CHANGES

This policy is subject to change without notice. The campus Data Security Officer reserves the right to make exceptions, substitutions, or alterations to this policy on a case-by-case basis. Computer Services will review this policy annually. Changes and/or special requests pertaining to this policy should be directed to the campus Data Security Officer.