

Covenant College Compliance with the Higher Education Opportunity Act (HEOA)

Peer-to-Peer File Sharing Requirements

The Higher Education Opportunity Act of 2008 (HEOA) includes provisions (section 488; P; i; ii; iii) that are designed to reduce the illegal uploading and downloading of copyrighted material through peer-to-peer (P2P) file sharing. These provisions include requirements that:

- Institutions certify to the Secretary of Education that they have developed plans to “effectively combat” the unauthorized distribution of copyrighted material.
- Institutions make an annual disclosure that informs students that the illegal distribution of copyrighted materials may subject them to criminal and civil penalties and describes the steps that institutions will take to detect and punish illegal distribution of copyrighted materials.
- Institutions publicize alternatives to illegal file sharing.

This document outlines Covenant College’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 Covenant. We use a wide variety of methods to inform our community about the law and Linfield’s response to copyright infringement claims:

In order to use college computing resources, all members of the Covenant College community will endorse a Computer User Agreement that includes a section on content filtering.

http://www.covenant.edu/pdf/technology/Student_Computer_Use_Policy.pdf

Technology Services support staff, including student Help Desk workers, will be regularly trained on the College’s position with respect to copyright issues. Student workers provide an important channel for communicating with the student community.

Covenant's policies and procedures concerning the Digital Millennium Copyright Act and our response to infringement claims are published on Covenant’s web site. <http://www.covenant.edu/about/copyright>.

The Student Handbook also has information on Copyright law (Digital, DVD, VHS and all other forms) and the Digital Millennium Copyright Act (page 11).

Plans to “Effectively Combat” the Unauthorized Distribution of Copyrighted Material

Covenant currently uses deep inspection provided by a Cisco Firepower services module. This stops P2P activity before it reaches computers on campus. We also employ Trustwave's web filtering (<https://www.trustwave.com/Products/Content-Security/Web-Filtering/>) as a content filter that blocks sites that are categorized as illegal peer-to-peer.

Penalties

The Student Handbook at http://www.covenant.edu/pdf/student/studev_student_handbook.pdf (pp. 12-13) also has information regarding the penalties for copyright infringement.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to

\$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq.

Legal Music and Movies Online

There is a wealth of entertainment available on the Internet that can be enjoyed legally. If you're interested in an artist, check out their personal website or that of their record label to buy albums or sample tracks. If you enjoy a television program, check its network's website. Several popular television programs are streamed at no cost from sites including, but not limited to, the list below. No endorsement or evaluation by Covenant College is intended for the list below.

Websites for Legal Movies, TV and Videos

- [**ABC.com TV Shows**](#)
- [**Amazon Video on Demand**](#)
- [**Cartoon Network Video**](#)
- [**CBS Video**](#)
- [**Crackle**](#)
- [**Criterion Online**](#)
- [**The CW Video**](#)
- [**Discovery Channel Videos**](#)
- [**ESPN360**](#)
- [**Fandor**](#)
- [**FilmRise**](#)
- [**HBO GO**](#)
- [**Hulu Movies & TV**](#)
- [**IMDb Video**](#)
- [**iTunes Movies & TV**](#)
- [**NBC Video**](#)
- [**Netflix Movies & TV**](#)

- [Nick Jr. Video](#)
- [PBS Kids Go! Video](#)
- [Popcornflix](#)
- [Redbox](#)
- [ShowTime Previews](#)
- [TBS Videos](#)
- [Tubity](#)
- [TVLand Video](#)
- [TV.com](#)
- [USA Network Videos](#)
- [Uverse Online](#)
- [Xfinity TV](#)

Websites for Legal Music

- [Amazon](#)
- [AOL Music](#)
- [Best Buy](#)
- [BET](#)
- [CD Baby](#)
- [eMusic.com](#)
- [Fingertips](#)
- [FYE](#)
- [Google Play Music](#)
- [Independent Records & Videos](#)
- [Last.Fm](#)
- [LifeWay Music](#)
- [Magnatune](#)
- [MediaNet](#)
- [MP3.com](#)
- [Music Millennium](#)
- [MySpace Music](#)
- [Napster](#)
- [Pandora](#)
- [Pro-Music](#)

- [**Pure Volume**](#)
- [**Radio-Locator**](#)
- [**Radionomy**](#)
- [**Radio Tower**](#)
- [**SHOUTcast**](#)
- [**Slacker**](#)
- [**SoundClick**](#)
- [**Spotify**](#)
- [**VEVO**](#)
- [**Yahoo! Music**](#)
- [**YouTube**](#)
- [**7Digital**](#)

Reviewing Effectiveness

Covenant College will review this plan each year to insure it is current and maintains the appropriate and necessary information to effectively combat illegal file sharing.