

UNLV Digital & Media Copyright Compliance Plan

July 2013

At UNLV, we respect the rights of copyright holders and seek to discourage and prevent copyright infringement on campus. In addition, the Higher Education Opportunity Act (HEOA) requires the university to deal with unauthorized peer-to-peer (P2P) file sharing on the campus networks. UNLV has developed a multi-layered approach to ensuring that the rights of the copyright holders are protected and that the university is in compliance with federal regulation. Together, the layers form the UNLV Digital & Media Copyright Compliance Plan.

P2P file sharing software such as Limewire or BitTorrent allows users to distribute files with other users around the world. Though there are many legitimate uses for P2P file sharing software, this type of software is often used to illegally distribute copyrighted materials such as music, movies and software.

P2P software can facilitate copyright infringement in two ways:

1. By downloading copyrighted materials that has not been legally obtained
2. By sharing copyrighted materials without permission to distribute from the copyright holder

The plan addresses how UNLV helps protect the rights of copyright holders and how the campus deals with individuals who violate those rights.

Elements of the Plan

The elements of the plan include:

- Deterrents
- Procedures for Handling Notifications of Possible Violations
- Communication of the Plan and Associated Policy and Procedures
- Education for the Prevention of Violations
- Assessment of the Effectiveness of the Plan

Deterrents

The provisions of the HEOA include several options for acceptable measures to deter copyright infringement. One of those options is establishing rigorous procedures for handling alleged copyright violation notifications from the federal office that implements the Digital Millennium Copyright Act (DMCA). UNLV has opted for the establishment of rigorous procedures to deter copyright infringement.

Procedures for Handling Notifications

The procedures for handling notifications of possible copyright violations from the DMCA were developed in consultation with staff from across the campus. The procedures were designed to ensure compliance with the UNLV Digital & Media Copyright Compliance Policy. A copy of the policy can be found at: <https://oit.unlv.edu/about-oit/policies/digital-and-media-copyright-compliance>.

Implementation of the procedures began July 1, 2012. A standing committee called the UNLV Digital & Media Copyright Compliance Committee meets quarterly to:

- Review progress on reducing alleged violations
- Modify procedures as needed
- Oversee communication efforts
- Plan, implement, and assess awareness campaigns

The membership of the UNLV Digital & Media Copyright Compliance Committee is available at: <https://oit.unlv.edu/p2p>.

Implementation of the procedures requires coordination with staff from across the university. Units involved in various components of the implementation include:

- Employee Relations Unit within Human Resources
- Office of General Counsel
- Office of Information Technology
- Office of Student Conduct
- Residential Life
- Technical Liaisons from:
 - College of Engineering
 - College of Urban Affairs
 - Department of Physics
 - Instructional Technology Services, OIT
 - Lied Libraries
 - ResNet, Residential Life
 - School of Dental Medicine
 - Thomas & Mack Center
 - UNLV Foundation

A DMCA Compliance Officer, named by the UNLV Digital & Media Copyright Compliance Committee, is responsible for ensuring the documented procedures are followed. The compliance officer also provides quarterly reports on the number of violations and the actions taken regarding those violations to the compliance committee.

A document entitled UNLV Digital & Media Copyright Compliance Overview & Roles describes the responsibilities of the various units involved in implementing the procedures associated with handling reported or discovered copyright infringements. The document can be found at: https://oit.unlv.edu/sites/default/files/uploads/p2p/unlv_dmca_overview_roles.pdf.

The procedures include steps for dealing with repeat offenders up to and including referrals to the appropriate campus judicial body for possible disciplinary action.

A detailed flow chart showing the procedures for handling possible copyright violations is available at:

https://oit.unlv.edu/sites/default/files/uploads/p2p/dmca_procedures_flow_chart.pdf.

Communication of the Plan and Associated Policy and Procedures

A solid policy, coupled with comprehensive procedures for handling alleged copyright violations, are augmented with a variety of communication efforts. Periodic notices reminding university constituents about copyright laws and the civil and criminal penalties for unauthorized use of copyrighted material are sent to university constituents at least twice annually. A website containing the plan, the policy, the procedures, and other related resources is available at <https://oit.unlv.edu/p2p>. The content of the website is reviewed for relevance, accuracy, and usability at least annually.

Education for the Prevention of Violations

UNLV regularly notifies students and faculty and staff of UNLV's policies and procedures on combating illegal file sharing. In addition to these periodic notifications, UNLV conducts education campaigns aimed at reducing illegal file sharing and promoting legal alternatives for downloading legal media.

Awareness campaigns to remind the university community of its responsibilities regarding copyright protection and to introduce the community to the resources on the website are offered on a schedule determined by the UNLV Digital & Media Copyright Compliance Committee.

Assessment of the Effectiveness of the Plan

The UNLV Digital & Media Copyright Compliance Committee reviews the effectiveness of its deterrence efforts on an annual-basis through the use of relevant assessment criteria. Relevant assessment efforts include, but are not limited to:

- Year-to-year comparisons of reported infringement notices
- Analysis of changes in the number of repeat offenders
- The effectiveness of awareness campaigns
- Surveys to determine the extent to which campus constituents understand copyright infringement issues

Annual Report

A report highlighting activities designed to ensure the rights of copyright holders, discourage and prevent copyright infringement on campus, and help UNLV remain in compliance with the Higher Education Opportunity Act is prepared annually by the UNLV Digital & Media Copyright Compliance Committee.

The annual reports include the following types of information:

- Dates the periodic notices were sent to students and to faculty and staff
- Summaries of any awareness campaigns, if appropriate
- A brief description of other committee activities
- A summary of the assessment efforts for the year
- Plans for activities for the following year

Annual reports are available on the P2P website at <https://oit.unlv.edu/p2p>.

Questions about the UNLV Digital & Media Copyright Compliance Plan should be addressed to the DMCA Compliance Officer at DMCAComplianceLiaison@unlv.edu.