

## Brown's Higher Education Opportunity Act Compliance Statement

patricia falcon - 2022-10-04 - Comments (0) - Copyright

### **Brown University's Higher Education Opportunity Act Compliance Statement and its Program Regarding the Use of its Network for Unauthorized Distribution of Copyrighted Material**

Brown University, in compliance with the [Higher Education Opportunity Act \(HEOA\)](#) of 2008, has in place plans to effectively combat unauthorized distribution of copyrighted materials, and offers to its community alternatives to illegal downloading or peer-to-peer distribution of intellectual property.

#### **A. Plans to Combat the Unauthorized Distribution of Copyrighted Material through the Use of Brown's Network**

Brown University has in place programs to combat the unauthorized distribution of copyrighted material by users of the institution's network, without unduly interfering with the educational and research use of the network. These programs include the following:

- 1. Technological Deterrents.** The University employs a vigorous program of accepting and responding to Copyright Infringement Takedown Notices, leveraging technology to enable a timely response. Notices sent to our DMCA agent email address ([copyright@brown.edu](mailto:copyright@brown.edu)) are directed to our Service Desk ticketing system. The resulting tickets prompt automated log searches that attempt to identify infringing accounts. Following identification, ticketing system scripts direct appropriate warning messages to identified users.
- 2. Educating the Community.** The University utilizes appropriate mailings and distribution of documents (e.g., inclusion of information in the student handbook, educating incoming students through campus-wide email notifications to the community) to inform students, staff, and faculty about appropriate and inappropriate uses of copyrighted materials. These educational efforts will include information that informs students that unauthorized distribution of copyrighted material may subject a student to civil and criminal liabilities, a summary of penalties for violation of Federal copyrights laws; and a description of the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions that are taken against students who engage in illegal downloading or unauthorized distribution of copyrighted material using Brown's network.
- 3. Institutional Policies and Procedures.** The University has numerous

policies/procedures in place for combating and handling the unauthorized distribution of copyrighted materials, including the following: [Digital Millennium Copyright Act \(DMCA\) Compliance Policy](#), [Acceptable Use of IT Resources Policy](#), and Brown's [University Code of Conduct](#).

4. **Program Review.** The University, no less than annually, through the use of relevant assessment criteria shall review the effectiveness of its program to combat the unauthorized distribution of copyrighted material, which shall also include reviewing legal alternatives available for downloading or otherwise acquiring copyrighted material. Relevant assessment criteria could include items such as reviewing whether the institution is following best practices, before and after comparisons of bandwidth used for peer-to-peer applications, low recidivism rates, and reductions in the number of legitimate electronic infringement notices received from rights holders. This review shall be conducted by the University's Chief Information Security Officer, with assistance from other University staff as may be appropriate.

## **B. Legal Alternatives for Downloading**

The University, through its Office of Information Technology, makes available information about legal alternatives for accessing and downloading copyrighted material. A [comprehensive list of legal sources of online content](#) is maintained by EDUCAUSE and is the recommended source for these alternatives.

## **C. Related Policies, Statements and Guidelines**

[Acceptable Use of Information Technology Resources Policy](#)

[Digital Millennium Copyright Act \(DMCA\) Compliance Policy](#)

[Copyright Ownership and Use Policy](#)

[Legal Alternatives for Online Music and Movies](#)

[Non-Academic Disciplinary System](#)

Questions or comments to: [ITPolicy@brown.edu](mailto:ITPolicy@brown.edu)

**Published:** August 31, 2010

**Last Reviewed:** October 4, 2022