**SSU Information Technology Security Plan Effective: TBD**

** Revised:**

**Author: CSIT**

**Policy:**

**10.22. Peer-to-Peer File Sharing Policy**

1. **Purpose**

The purpose of this policy is to limit the exposure of the university to security risks and liabilities associated with illegal file sharing activities and to bring the university into compliance with the U.S. Department of Education’s Higher Education Opportunity Act (HEOA) Peer-to-Peer Provision that requires all colleges and universities to comply with three general requirements regarding unauthorized file sharing on campus networks:

* An annual disclosure to students describing copyright law and campus policies related to violating copyright law
* A plan to effectively combat the unauthorized distribution of copyrighted materials by users of its network, including the use of one or more technology-based deterrents
* A plan to offer alternatives to illegal downloading

1. **Scope**

This policy applies to all computer workstations, laptops, servers, networked appliances and other devices that utilize university network resources, even if that device is SSU-owned or privately owned by an individual or third party. This policy also applies to all individuals, regardless of affiliation or status with the university, at such time they are using any network resource.

1. **Policy**
   1. **Peer-to-Peer File Sharing Definition**

Peer-to-peer (P2P) file sharing applications are used to connect a computer directly to other computers in order to transfer files between the systems. Frequently such applications are used to illegally transfer copyrighted materials such as music and movies. Examples of P2P applications are BitTorrent, Gnutella, Limewire, eMule and Ares Galaxy.

**3.2 Prohibited Activity**

This policy strictly prohibits, by any method, the distribution, downloading, uploading, or sharing of any material, software, data, document, sound, picture, or any other file that is:

* Specified as illegal by any federal or state law, statute, proclamation, order, or decree
* Copyrighted and not authorized for distribution by the copyright owner
* Considered to be proprietary, privileged, private, or otherwise vital to the operation of the university; including, but not limited to, personnel, student, financial, or strategic records and documents, or any material governed by federal and state regulations
* Any virus or malicious software for the purpose of deployment or implementation with ill-intent

Any P2P activity is strictly forbidden in the cases of:

* Computer laboratories
* Computer workstations and other network devices readily accessible to multiple users
* Computer workstations and other network devices used in daily operation by departments
* Laptops, computer workstations, and any other network-capable device that connects to the SSU local-area network

Users of SSU resources may not attempt to circumvent, bypass, defeat, or disrupt any device, method, or technology implemented by the university for the purpose of P2P file sharing.

Examples of prohibited activity:

* Use of a BitTorrent client to download a popular movie currently running in theaters
* Downloading a 'cracked' copy of a commercial software title, so that it may be used without the purchase of a valid license
* Using any BitTorrent client, Ares Galaxy, or Limewire on a lab workstation
  1. **Disciplinary Action**

Violation of this policy may result in appropriate disciplinary action according to procedures for faculty, staff and students, as outlined in the Faculty Handbook, Employee Handbook, the student Codes of Conduct, and other applicable materials.

The existence and imposition of university sanctions does not protect members of the campus community from any legal action by external entities or the university itself.

1. **Legal Alternatives**

<http://www.educause.edu/legalcontent>

**5.0 Federal Copyright Law Violation Penalties**

<http://www.educause.edu/Resources/Browse/HEOA/34600#annual>