



Policy Title	Copyright & Unauthorized Distribution of Copyrighted Material
Policy Number	210.3 (Administration)
Prior Policy Number (if applicable)	1330
Responsible Offices	Information Technology and Copyright Officer
Effective Date	03/17/2026
Amended Date	03/17/2026
Review Date	03/17/2029

Purpose: The purpose of this policy is to ensure institutional compliance with:

- U.S. Copyright Law (Title 17, U.S. Code)
- Federal Student Aid Consumer Information regulations, specifically 34 CFR 668.43(a)(10), require disclosure of copyright infringement policies, sanctions, and legal penalties
- University of Arkansas System Board Policy 210.1 – Patent and Copyright Policy, which defines ownership and rights associated with copyrightable works
- University of Arkansas System Board Policy 210.2 – Copyright and Distance Learning, which governs rights and responsibilities for technology-enhanced course materials (TECM) and distance learning content

This policy ensures that UAHT faculty, staff, students, and affiliates understand their legal and institutional obligations when accessing, creating, or distributing copyrighted materials.

Scope: This policy applies to:

- All UAHT faculty, staff, and students
- Contractors, vendors, guests, and any individuals using UAHT networks or systems
- All instructional, research, and administrative uses of copyrighted materials
- Any use of technology-enhanced course materials (TECM) in distance or hybrid education (per Board Policy 210.2)

Policy Statement: UAHT strictly prohibits the unauthorized distribution, downloading, uploading, reproduction, or sharing of copyrighted materials using UAHT networks, systems, or devices.

This includes, but is not limited to:

- Unauthorized peer-to-peer (P2P) file sharing
- Unauthorized distribution of digital textbooks, media, software, or publisher-licensed courseware
- Sharing, copying, or modifying Technology Enhanced Course Materials (TECM) in violation of UA System Board Policy 210.2
- Circumventing digital rights management (DRM) protections or technological safeguards

UAHT supports lawful and ethical use of copyrighted materials and maintains compliance with federal copyright regulations and University of Arkansas System Board Policies 210.1 and 210.2.

Procedures:**Acceptable Use**

UAHT users must:

- Use copyrighted works only under fair use, license agreements, or with written permission.
- Use TECM in accordance with Board Policy 210.2, recognizing shared university/faculty rights.
- Follow all terms of digital licenses (library databases, instructional software, publisher content).

Prohibited Actions

The following actions are strictly prohibited:

- Downloading or uploading copyrighted materials through unauthorized P2P applications
- Sharing commercial media (movies, music, software, textbooks) without permission
- Reposting or redistributing publisher-owned materials
- Copying TECM without authorization by Board Policy 210.2

These prohibitions meet federal requirements for Title IV disclosure of copyright infringement policies.

Technology-Based Deterrents

UAHT may employ:

- P2P protocol blocking or packet shaping
- Bandwidth monitoring
- Automated or manual responses to infringement notifications (e.g., DMCA notices)

Such deterrents align with institutional obligations to limit illegal distribution.

DMCA Response Procedures

Upon receiving a DMCA notice or credible report of infringement:

- UAHT will identify and notify the user involved
- Access may be restricted
- Repeat offenses may result in elevated sanctions

Responsibilities:

Faculty, Staff, and Students

- Ensure compliance with Title 17, copyright policy 210.1, and distance-learning copyright policy 210.2
- Use copyrighted materials legally
- Report suspected copyright violations

Library Director (Copyright Officer)

- Provides copyright guidance
- Maintains educational resources for lawful use
- Assists with TECM compliance

Information Technology (IT)

- Implements technological deterrents
- Manage responses to infringement notices
- Maintains logs and compliance reporting mechanisms

Definitions:

- Copyright: Legal protection for original works under Title 17, U.S. Code.
- DMCA (Digital Millennium Copyright Act): A 1998 federal law that prohibits circumventing technological protections for copyrighted works, creates the notice-and-takedown system, and establishes safe-harbor rules for institutions and service providers.
- P2P File Sharing: Direct sharing of files between devices using network-based applications.
- TECM (Technology Enhanced Course Materials): Digital course content governed by UA System Board Policy 210.2.
- Unauthorized Distribution: Sharing, copying, or transferring copyrighted content without legal permission.

Compliance:

UAHT compliance includes:

- Annual disclosure of this policy to all students, as required by 34 CFR 668.41–668.49 (Title IV Consumer Information)
- Monitoring of UAHT network activity for infringement indicators
- Enforcement of institutional discipline
- Cooperation with federal copyright enforcement agencies

Consequences for Non-Compliance

Institutional penalties may include:

- Network access suspension
- Removal of infringing content
- Disciplinary actions (up to suspension/termination)

Federal penalties may include:

- Civil damages (\$750–\$30,000 per work; up to \$150,000 for willful violations)
- Criminal penalties (fines and imprisonment)

References:

Federal Regulations

- 34 CFR 668.43(a)(10) – Copyright infringement disclosure requirements
- Title 17, U.S. Copyright Law

University of Arkansas System Board Policies

- Board Policy 210.1 – Patent and Copyright Policy
- Board Policy 210.2 – Copyright and Distance Learning