

## **HEOA Copyright Infringement Compliance Plan University of Wisconsin-Madison**

The Higher Education Opportunity Act (HEOA) is a reauthorization of the Higher Education Act. It includes provisions that are designed to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer (P2P) file sharing. These provisions include requirements that:

- 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 certify to the Secretary of Education that they have developed plans to “effectively combat” the unauthorized distribution of copyrighted material.
- Institutions, “to the extent practicable,” offer alternatives to illegal file sharing.
- Institutions identify procedures for periodically reviewing the effectiveness of the plans to combat the unauthorized distribution of copyrighted materials.

This document outlines UW-Madison's plan to comply with these requirements.

### **1. Annual Disclosure**

- In order to use institutional computing resources, all members of the UW-Madison community, including enrolled and prospective students, endorse the "UW System – Acceptable Use of Information Technology Resources. The Acceptable Use policy prohibits illegal use. This includes downloading, distribution, or other activities that violate copyright law. See: [UW System - Acceptable Use of Information Technology Resources](#).
- The UW-Madison Office of Cybersecurity conducts an annual security awareness campaign that reminds members of the community of their obligation to follow various provisions of the Acceptable Use policy, including copyright infringement. The campaign includes information on copyright law, understanding and disabling file sharing, and legal ways to find and download music, videos and other copyrighted material. See: <https://kb.wisc.edu/itpolicy/cio-copyright-infringement>.

## **2. Effectively combating the unauthorized distribution of copyrighted materials.**

UW-Madison complies with the Digital Millennium Copyright Act (DMCA). The university vigorously attempts to identify alleged copyright infringers. In addition:

- The Division of Housing and Office of Cybersecurity have policies and procedures that result in escalating access restrictions for alleged copyright infringers on the residence hall network and the campus wireless network (the two networks for which the vast majority of notices are received.) See: [UW-Madison procedures for responding to alleged copyright violations](#).
- The UW-Madison Dean of Students office communicates with alleged copyright infringers, and warns them of the possible consequences of violating United States Copyright Law, UW-Madison policy and UW System policy. Repeated notices of possible copyright infringement can result in an investigation of alleged violations of the student conduct code and possible discipline, (Chapter 17 of UWS). See <http://docs.legis.wisconsin.gov/document/administrativecode/ch. UWS 17>.
- The UW-Madison Office of Cybersecurity includes material related to copyright infringement in their ongoing awareness and training campaigns, including information on copyright law, understanding and disabling file sharing and legal ways to find and download music, videos and other copyrighted material.

## **3. Alternative online sources for copyrighted materials**

EDUCAUSE maintains and periodically reviews a list of "Legal Alternatives for Downloading." This list is provided to students as part of the annual disclosure. See: <http://www.educause.edu/legalcontent>.

## **4. Reviewing Effectiveness**

UW-Madison periodically reviews the effectiveness of this plan, including the use of an annual survey conducted by the Division of Information Technology (DoIT.) In addition, the university independently reviews emerging technologies and discusses the availability of alternative strategies with other higher education institutions