

Copyright Infringement Policy

It is prohibited to access and illegally download or distribute person to person copyrighted material and any other illegal acts leading to copyright infringement including peer-to-peer file sharing. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq.

To legally obtain copyrighted materials they must be purchased. The school's on-line library is a legal, direct source for information needed for class projects or research. A monitoring system to detect illegal downloads and distribution of copyrighted materials (including authorized peer-to-peer file sharing) is conducted at least on a quarterly basis. If copyright infringement is detected it is cause for termination or dismissal and may subject the guilty party to civil and criminal liabilities as previously outlined.

Sutter County Career Training Center educates its students about this policy in the admissions process consumer information that is provided and acknowledged by the student signing the policy. This is retained in the student's permanent file. The student is also updated annually about the policy when the Annual Notice is distributed and signed. Staff & faculty are informed about this policy through the policies & procedures manual and the employee disclosures that are signed during the hiring process. They are also updated during the annual review of the policies and procedures manual and quarterly security results from our quarterly monitoring reports. The best legal alternative to illegal downloading or acquiring of copyrighted material is the use of the on-library and the creation of documents based on the person's own knowledge that is not gained from outside resources.