

CONCORDIA COLLEGE Policy and Procedure Manual	
Subject: Digital Millennium Copyright Act Section: General Number: 1.9	Effective Date: June 1, 2008 Scope: The College

Purpose

This policy sets forth College policy with regard to the Digital Millennium Copyright Act (DMCA) and specifically 17 U.S.C. Section 512 (c). Concordia College respects the rights of holders of copyrights, their agents and representatives and implements appropriate policies and procedures to support these rights of holders of copyrights, their agents and representatives and implements appropriate policies and procedures to support these rights without infringing upon the legal use, by individuals, of those materials.

Policy

It may be a violation of copyright law to copy, distribute, display, exhibit or perform copyrighted works without authority of the owner of the copyright. It is Concordia policy that users of Internet services and equipment provided by the College are responsible for their compliance with all copyright laws pertaining to information they place on or retrieve from the Internet. Information on copyright law and these rights can be found in a number of places, but general information can be found by visiting the following sites:

- United States Copyright Office
- Digital Millennium Copyright Act (DMCA)

All individuals who use Concordia, or Concordia contracted Internet services are responsible for their compliance with copyright laws. All instances of reported copyright violations will be reported to the appropriate College authority in accordance with the Concordia Policy Manuals and the Acceptable Use Policy for possible disciplinary actions.

The President or designee must approve exception to this policy.

Scope

This policy applies to all users of the Internet Services provided by Concordia College or its contractors.

Enforcement

The Chief Information Officer (CIO) is responsible for monitoring and reporting compliance with this policy.

Designated Agent

Concordia College's designated agent to receive notifications of alleged infringement under the DMCA is:

Chief Information Officer
Concordia College
901 8th Street South

Moorhead, MN 56562
218-299-4737

Upon receipt of proper notification of claimed infringement, Concordia will follow the procedures outlined in applicable law.

Procedures/Guidelines

Complaint Notice Procedures for Copyright Owners

The following elements, as set for in 17 U.S.C. 512(c) (3), must be included in the DMCA copyright infringement claim:

1. An electronic or physical signature of the copyright owner or a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
2. Identification of the copyrighted work claimed to have been infringed, or if multiple copyrighted works at a single on-line site are covered by a single notice, a representative list of such works at that site.
3. Identification of material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit Concordia to locate the material.
4. Information reasonably sufficient to permit Concordia to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
5. A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.
6. A statement that the information in the notice is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Notice and Takedown Procedure

Upon the Designated Agent's receipt of proper notification of claimed copyright infringement, the Designated Agent will attempt to notify the user and Information Technology Services. ITS, or its contractor, shall respond expeditiously by removing, or disabling access to, the material that is claimed to be infringing or to be the subject of infringing activity. Concordia and its contractors will comply with the appropriate provisions of the DMCA in the event a counter notification is received.

Repeat infringers

Under appropriate circumstances, ITS or its contractor, may, at its discretion, terminate authorization of users of its system or network who are found to intentionally or repeatedly violate the copyright rights of others.

History: Approved 04/04/2008; Effective 06/01/2008