

Copyright Infringement Policy

The Federal Higher Education Opportunity Act of 2008 (HEOA) imposes various requirements on higher education with respect to illegal sharing of copyrighted material by network users. Spring Hill College is required to provide information to its community regarding legal and policy implications of illegal file sharing, as well as provide legal alternatives for acquiring copyrighted material.

General Statement

Users are to respect copyright agreements and intellectual property ownership. The following activities are expressly prohibited (taken from the [Spring Hill College Student Handbook](#)): Downloading, installing, storing, or distributing software, music, images or other files obtained in violation of copyright or trademark laws on any computer owned by the College. Violations of this policy may result in loss of access privileges as well as appropriate disciplinary (up to expulsion or termination of employment) or corrective action. If there is a reasonable belief such activity also violates local/state/federal laws, the College may refer these matters to appropriate law enforcement officials.

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities. It is a violation of copyright law to use file-sharing software (e.g., FrostWare, BearShare, etc.) to download music, movies or other copyrighted material without permission from the copyright holder.

The College restricts all peer-to-peer (P2P) file-sharing traffic by blocking well-known associated network ports. This restriction is enforced for all connections via the campus firewall, whether originating on-campus or remotely, and is in place to protect the College network and comply with copyright laws.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws (taken from the *Financial Student Aid Handbook*, Department of Education)

The Department of Education requires the College to provide a summary of civil and criminal penalties for violations of federal copyright laws. Here is a summary of those laws:

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 website of the U.S. Copyright Office at <https://copyright.gov>

Fair Use of Copyrighted Materials

The US Copyright Office publishes a useful [FAQ page](#) to help you determine if you can use someone else’s copyrighted work and how to do so. The page also covers whether someone can use your copyrighted work.

Legal Alternatives to Illegal Downloading

There are many legal sources of copyrighted media used by members of the Spring Hill College community. Educause has compiled a [summary of legal resources](#).

Written Copies of the Policy

Consistent with current governmental regulations, paper copies of this policy are available from the Provost’s Office.

Approved by the President’s Cabinet 12/2/25