



## ELECTRONIC COPYRIGHT PROTECTION PLAN

### Introduction

The Higher Education Opportunity Act (HEOA) of 2008 includes a requirement that institutions develop and implement a plan to effectively combat the unauthorized distribution of copyrighted material by users of the institution's network without unduly interfering with the educational and research use of the network (see [Final Rules 34 CFR Parts 600, 668, 675, et al. Federal Register 74\(208\):55901-55939](#)).

The plan must include:

1. The use of technology-based deterrents;
2. An educational component regarding appropriate and inappropriate use of copyrighted materials;
3. A description of the institution's procedures for handling copyright infringement; and
4. A required periodic review of the plan.

### Use of Technology-Based Deterrents

Touro University Nevada uses a number of technical means to review bandwidth utilization. Information that is maintained includes records of high bandwidth utilization (source and destination) and the type (protocol) of network traffic. Touro University Nevada blocks the use of known peer-to-peer file sharing protocols to the extent practicable.

The Department of Information Technology has implemented new software (What's Up Gold Premium with Netflow) and hardware (Fortigate 620B Firewall and Fortianalyzer). With this software and equipment, we are able to monitor network traffic and enforce network bandwidth traffic shaping.

On the basis of the network and packet analysis, if there appears to be inappropriate use of network resources, including potential unauthorized distribution of copyrighted materials, the Department of Information Technology will investigate the usage pattern and address the individual involved under the Appropriate Use Policy of Touro University Nevada. If any abuse of network privileges has taken place, it will be reported to Human Resources (for employee infractions) or Student Services (for student infractions) so that the appropriate disciplinary actions may be applied in accordance with the appropriate faculty, staff, or student Handbook.

### Educational Plan for Electronic Copyright Protection

The Department of Information Technology, in cooperation with the Jay Sexter Library, is creating materials regarding copyright protection. Information regarding appropriate use of copyrighted materials will be distributed to faculty, staff, and students on a regular basis.

The Department of Information Technology, in cooperation with the Jay Sexter Library, will develop a Mediasite presentation about electronic copyright protection. The presentation will be reviewed annually and updated as appropriate.

The Department of Information Technology, in cooperation with the appropriate units, will plan symposia and/or workshops on copyright infringement for presentation to the University community.

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*Description of Institutions Procedures for Handling Copyright Infringement*

In the event that an individual at Touro University Nevada is found to have infringed on copyrighted materials, the individual will be subject to disciplinary action in accordance with their Handbook.

*Periodic Review*

This plan will be reviewed annually. Any identified electronic copyright infringements will be reported in the Annual Report (see below).

*Annual Report*

An annual report of this plan will be produced and submitted to the Provost prior to the end of the academic year. The report will include assessment of each procedure used for technology-based deterrent of copyright infringement and descriptions of any allegations of copyright infringement, and any actions taken to address the allegations.

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