

CLAREMONT McKENNA COLLEGE

Policy Library

Volume X:	Information Technology Services
Chapter Other:	Complying with the Digital Millennium Copyright Act
Approved by:	Administrative Computing Committee (ACC)
History:	Issued: 01/03/2003 Updated: 04/28/2006, 12/20/2006 Revised: 02/28/2007 Reformatted/Revised: 12/14/2009 Revised: 12/13/2011
Related Polices:	Change Management Policy, CMC's Response to Student Violations of the Digital Millennium Copyright Act, Employee Termination Information Access and Resource Disposition, Student Access to Administrative Information Systems
Additional References:	<p><i>General</i></p> <ul style="list-style-type: none">• U.S. Copyright Office (http://www.loc.gov/copyright/)• Copyright Basics (from the U.S. Copyright Office) (http://www.copyright.gov/circs/circ01.html)• Copyright Laws of the U.S. (from the Legal Information Institute at the Cornell University Law School) (http://www4.law.cornell.edu/uscode/17/)• Dean of the Students J-Board information: http://dos.claremontmckenna.edu/basicrule/2004/JudicialProcedures.pdf <p><i>Digital Millennium Copyright Act</i></p> <ul style="list-style-type: none">• The Digital Millennium Copyright Act (the law itself, PDF) (http://www.copyright.gov/legislation/hr2281.pdf)• U.S. Copyright Office Summary of the DMCA (PDF) (http://www.copyright.gov/legislation/dmca.pdf)
Responsible Official:	Office of Information Technology Services

I. POLICY STATEMENT

- To establish policy by which Claremont McKenna College will respond to an alleged violation of the Copyright laws as covered under the Digital Millennium Copyright Act (DMCA). Please see “Complying with the Digital Millennium Copyright Act” policy.

II. ENTITIES COVERED BY THIS POLICY

- This policy covers students at Claremont McKenna College.

III. CONTACTS

Direct any questions about this policy to your department’s supervisor. Questions about specific issues may be addressed to:

Subject	Contact	Telephone ¹
Complying with the Digital Millennium Copyright Act	Chief Technology Officer	71553

V. DISCUSSION

- All members of the Claremont McKenna College (CMC) community are expected to comply with the copyright laws of the United States. These copyright laws apply to copyright-protected materials regardless of whether they are reproduced in digital, electronic, print or other form.
- This policy outlines the steps taken by Information Technology Services when a notification of an alleged Copyright violation is received under the DMCA in which a student is the suspected violator.

VI. DETAILS

- When ITS receives a notification of alleged copyright infringement under the DMCA in which a CMC student is the alleged infringer, ITS will initiate the following steps with the student:

First and second alleged offense by a student:

1. A letter is drawn up and sent to the student via their CMC email.
2. Copies are sent to the Dean of Students, Associate Dean of Students, the DMCA agent for Claremont McKenna College, the Administrative Offices of Information Technology Services, and the Director of ISNS.
3. The student must provide a written response explaining that they have

¹ Numbers refer to on-campus extensions. When calling from an off-campus line, please dial (909) 62+extension for numbers beginning with a “1” and please dial (909) 60+ extension for numbers beginning with a “7.”

either not violated any copyright laws and give proof, or they have corrected the problem and are no longer violating copyright laws.

4. The student's network access will be restricted or terminated if the issue is not resolved in a timely manner.
5. Network access will be reinstated upon receipt of a satisfactory written response from the student.

Third and subsequent alleged offense by the same student:

1. In addition to the steps taken for the first and second offences, ITS will request that the Dean of Students meet with the student violator to determine disciplinary action.

Anyone who believes their copyrighted work is being infringed on the Claremont McKenna College network should notify the College's designated DMCA agent. The notice must include the following elements. Failure to include all elements may result in a delay of the processing of the complaint.

- A description of the copyrighted work that is the subject of the claimed infringement (if multiple works are being infringed at a single site, a representative list of such works at that site is adequate).
- A description of the infringing material and information sufficient to permit us to locate the material.
- Contact information for you, including your address, telephone number and/or e-mail address.
- A statement by you that you have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, or its agent, or the law.
- A statement by you, signed under penalty of perjury, that the information in the notification is accurate and that you have the authority to enforce the copyrights that are claimed to be infringed.
- A physical or electronic signature of the copyright owner or a person authorized to act on his or her behalf.

VI. EXCEPTION

- If College officials believe that a student has knowingly and intentionally violated copyright laws, the matter will be referred to the Dean of Students for disciplinary action, even if it is the first allegation.