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NORTH CAROLINA CENTRAL UNIVERSITY



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# Filesharing Policy

Supersedes Policy Dated: New Policy

Approved: by the NCCU Board of Trustees on February 15, 2006

## **Purpose of Policy:**

File sharing applications also known as peer-to-peer (P2P) allow users to download and share electronic files of all types and to use any computer as a server for file sharing requests. Currently, some of the more common files shared in this fashion are audio files (e.g., mp3, wav, midi), video files (e.g., QuickTime, jpeg, mpeg, avi), and picture files (e.g., gif, jpeg). Programs such as KaZaA, Gnutella, and others configure computers to serve the files that are downloaded.

Because there are legitimate academic, research, and personal uses of file sharing applications, North Carolina Central University does not ban them from its network. However, the University recognizes that most file sharing activity consists of copying music and video files for personal enjoyment, often violating Copyright law and/or using a disproportionate amount of network resources. Therefore, before participating in any file sharing activity, users of University computing and electronic communication resources should ensure that such activity is in compliance with this Regulation and other related University policies.

## **Security**

File sharing applications can copy files from unknown sources to the user's computer, making the user's computer vulnerable to hacking and computer viruses, and putting the user's personal and private data at risk

## **Policy:**

### **Copyright**

While the University recognizes that there are legal and legitimate academic, research, and personal uses of file sharing applications, many people use file sharing to distribute copyrighted files without the permission of the copyright owner. Such use is illegal and subjects the user to **personal liability** in copyright infringement claims. Copyrighted works in such files should not be stored, transmitted, or used on University owned computers or servers without explicit permission of the copyright holder.

### **Bandwidth and Network Resources**

The University provides shared computing and electronic communication resources for faculty, staff, and students. The use of file sharing applications, in many cases for personal enjoyment, often comprises a disproportionate consumption of those shared resources. The result is that other network activities, such as academic research and file transfers, may be severely compromised as direct result of file sharing activity.

## **Guidelines:**

Use of file sharing applications in violation of the law, University policies, or in ways that interfere with the University's network integrity or security is prohibited. Use of file sharing applications for legitimate academic or research purposes, or for a personal purpose that does not violate the law or University policy, is permitted and, when possible, should be communicated to Information & Technology Services (ITS). Such communication will help to ensure that ITS security measures employed to control impermissible uses will not interfere with those consistent with University policies.

**Related IT Policies**

All University-owned computers, servers, and networks are to be used in a manner consistent with this Regulation, as well as the University Responsible Use of University Computing and Electronic Communication Resources, Network Security, and Copyright Policy and other applicable University policies.

**Violations:**

Upon discovery of an apparent violation of this Regulation, ITS will notify the user and require that the user immediately cease the prohibited activity and delete files that violate copyright law. Failure of the user to comply with this notification immediately or to otherwise provide ITS with evidence that the use is for legitimate academic or research purposes, or is for a legitimate personal purpose that does not violate the law or University policy, may result in the immediate disconnection of the offending device from the University's computing network. Furthermore, violation of this Regulation may result in disciplinary action under appropriate University disciplinary procedures, including termination of a user's University computing account.