CHAPMAN UNIVERSITY

OFFICE OF LEGAL AFFAIRS (714) 997-6533

Date: August 30, 2016

To: Chapman Community

From: Janine P. DuMontelle, Vice President and General Counsel

Subject: Copyright Compliance Memorandum

We offer a reminder regarding our institutional commitment to respecting the law and complying with copyright restrictions, particularly as they relate to downloading copyrighted materials from the internet and uploading or using faculty created course materials. As we know, Chapman University is committed to educating our students in a way that leads them to become inquiring, ethical and productive global citizens. As part of a community of learning and scholarship, we have many resources. We also have some risks and responsibilities that come with our opportunities.

The University's commitment to respecting the law in this regard is incorporated into our *Computer and Network Acceptable Use Policy*. It is important that we each understand the personal risk involved in the illegal downloading of copyrighted material or other infringement upon copyrighted materials. Violations expose individuals to monetary and criminal penalties, and also expose our network to worms, viruses and other undesirable invasions that impact its speed and efficacy. Failure to comply with our *Computer and Network Acceptable Use Policy* may lead to suspension of network privileges, discipline under the *Student Conduct Code*, *Staff and Administrative Handbook* or the *Faculty Manual* and lawsuits from the Recording Industry Association of America, Motion Picture Association of America, Business Software Alliance or other owners or agents of copyright holders.

Copyrighted material may not be used without permission by its author or owner, except in some very specialized circumstances involving using portions of work by classroom instructors. Downloading anything onto your personal computer or a University computer from the web or a peer-to-peer source that lacks the approval of the copyright owner is a violation of the law and a violation of University policies. Given our institutional commitment to respecting the law, it is important that the members of the Community understand that the University will not defend them in the legal or criminal actions that result from such violations.

We ask that you comply with the law regarding copyrighted material, not just because of the potential consequences, but because it is the ethical way to behave as a global citizen. As a community of scholars, writers, filmmakers, musicians, singers and artists, we dedicate much of our effort to creating intellectual property. We wish to have our work and property respected, and we

ask that you respect the work and property of others.

Below you will find links to the *Computer and Network Acceptable Use Policy* and also to the Music United, Recording Industry Association of America (RIAA), and the Motion Picture Association of America (MPAA) sites which provide answers to some frequently asked questions about downloading along with information regarding a number of the serious penalties. We thank you for your attention to this matter, and request that community members review the sites below.

http://www.chapman.edu/campus-services/information-systems/security/acceptable-use-policy.aspx
http://www.riaa.com/physicalpiracy.php?content_selector=piracy_online_the_law
http://www.mpaa.org/why-copyright-matters/

Students and others should also be advised that faculty created course materials belong to the faculty member who created them in accordance with University policy. Students or other members of the community are in violation of the faculty member's copyright if they upload course materials to websites or otherwise share them with others without the faculty member's express permission.

Students should also take note of the California Education Code requirements prohibiting the posting of class notes or other recordings or course content on websites or otherwise publishing them or distributing them without the faculty member's permission. Violation of this Education Code is subject to sanctions including monetary penalties in addition to University sanctions under the Student Conduct Code and Policy on Academic Integrity. The statute can be found at: http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=66001-67000&file=66450-66452