

Copyright Infringement Policies and Sanctions (Including Information Technology Resources)

Summary of Civil and Criminal Penalties for Violation of Federal Copyright 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 filesharing 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>.

<https://ifap.ed.gov/sites/default/files/attachments/2020-01/1920FSAHbkVol2Ch6.pdf>
<https://ifap.ed.gov/dear-colleague-letters/06-04-2010-gen-10-08-subject-institutional-requirements-combating>

Information Technology Resources

Acceptable Use Policy

These guidelines are to assist with the interpretation and administration of the Acceptable Use Policy for Information Technology Resources. They outline the responsibilities each student and employee assumes when using information technology resources. The purpose of information technology resources is to provide educational resources for Florida Academy students and employees. Access to these resources is a privilege and must be treated with the highest standard of ethics. Florida Academy expects all students and employees to use information technology resources in a responsible manner, respecting the public trust through which they have been provided, the rights and privacy of others, the integrity of the facilities and pertinent laws, and Florida Academy policies and standards. This policy outlines the standards for acceptable use of Florida Academy information technology resources, which includes, but is not limited to, equipment, software, networks, data, and telephones. This policy applies to all users of Florida Academy information technology resources, including the faculty and staff, students, guests, organizations, and individuals accessing external network services, such as the Internet via Florida Academy facilities. Violation of this policy may result in suspension or revocation of user privileges, administrative discipline, or immediate termination of the violator’s relationship with Florida Academy and could lead to criminal and civil prosecution. Acceptable use of the any activity that is not listed here that violates local, state, or federal laws

is also considered a violation of the Florida Academy Acceptable Use Policy for Information Technology Resources.

User Responsibilities

Use of Florida Academy information technology resources is permitted based on acceptance of the following, specific responsibilities, and the understanding that computer use may be monitored. Use of any information technology resource is only as permitted. Examples of prohibited us include:

- unauthorized use of any specified resource;
- unauthorized connection to or use of the administrative network or server. (Access to the Florida Academy student network with a personal device through an appropriate wireless portal is permitted);
- using someone else's account and password or sharing an account and password with someone else;
- accessing files, data, or processes without authorization; and
- purposely seeking out, exploit, or seek to exploit security flaws to gain system or data access.

Information technology resources should only be used for the intended purpose. For example, it is unacceptable to:

- send forged email;
- use electronic resources to harass or stalk other individuals;
- send bomb threats or hoax messages;
- send chain letters that may interfere with the system's efficiency;
- intercept or monitor any network communications intended for others;
- use computing or network resources for commercial advertising or other commercial purposes;
- attempt to circumvent security mechanisms;
- use privileged access for other than official duties;
- use previous privileges after graduation, transfer, or termination; and
- use network resources to download news, music, graphics, or other communications not related to Florida Academy activities.

Protect the access and integrity of information technology resources. For example, it is unacceptable to:

- knowingly release a virus that damages or harms a system or network;
- prevent others from accessing an authorized service;
- attempt to deliberately degrade performance or deny service;
- corrupt or misuse information;
- alter or destroy information without authorization; and
- engage in spamming (sending an annoying or harassing message to a large group of people).

Respect the privacy of others. For example, it is unacceptable to:

- access or attempt to access another individual's password or data without explicit authorization;

- access or copy another user's electronic mail, data, programs, or other files without permission;
- use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language;
- continue sending e-mail messages to someone after being told to stop; and
- post derogatory information or statements about a person.

Abide by applicable laws and Florida Academy policies and respect the copyrights and intellectual property rights of others, including the legal use of copyrighted software. For example, it is unacceptable to:

- illegally upload or download copyrighted music, movies, software, etc.;
- make more copies of licensed software other than the license allows;
- plagiarize works that published on the Internet; and
- deliberately upload, download, distribute, or possess pornographic material.

System Administrators' Responsibilities

System administrators and providers of Florida Academy information technology resources have the additional responsibility of ensuring the integrity, confidentiality, and availability of the resources they are managing. Individuals in these positions are granted appropriate access to resources for their intended purpose and only when required to maintain the system. Any private information viewed in carrying out these duties must be treated confidentially, unless it relates to a violation or the security of the system. Although information technology providers throughout Florida Academy are responsible for preserving the integrity and security of resources, security can be breached through actions beyond administrators' control. Users are urged to take appropriate precautions—safeguarding accounts and passwords and promptly reporting any misuse or violations of the policy.

Violations

Every member of the Florida Academy community has an obligation to report suspected violations of the guidelines above or of the Acceptable Use Policy for Information Technology Resources. Reports should be directed to the department responsible for the system involved. Reported violations will be addressed in conformance with published Florida Academy policy.