

## The University of Michigan – Flint and Higher Education Opportunity Act (HEOA) Copyright Compliance Information.

The University of Michigan – Flint respects all copyrighted material as should all UM-Flint students, faculty, and staff. All members of the UM-Flint community shall make a good faith determination that the use of any and all copyrighted material complies with the [United States Copyright Law](#) and the [University of Michigan Copyright Policies](#).

### **What is the Higher Education Opportunity Act (HEOA)?**

The Higher Education Opportunity Act (HEOA) is a bill that was signed into law by President George W. Bush on August 14, 2008 to help protect copyrighted material accessed or used by higher education individuals (students, faculty, and staff). The updated version concentrates more specifically towards the use of peer-to-peer file sharing of electronic resources on campus communities. More information about the Higher Education Opportunity Act (HEOA) Law can be found [here](#).

### **How does HEOA affect the UM-Flint community?**

Under federal law, a person found to have infringed upon copyrighted material may be liable for actual damages and lost profits attributable to the infringement, and statutory damages from \$200 up to \$150,000. The copyright owner also has the right to permanently enjoin an infringer from further infringing activities, and the infringing copies and equipment used in the infringement can be impounded and destroyed. If a copyright owner hired an attorney to enforce his or her rights, the infringer of a work may also be liable for the attorney's fees as well as court costs. Finally, criminal penalties may also be assessed against the infringer and could include jail time depending upon the nature of the violation. This pertains to all campus members including students, faculty, and staff.

### **What has UM-Flint done to help prevent the wrongful use and/or distribution of copyrighted materials electronically?**

UM-Flint's Information Technology Services in conjunction with the University of Michigan's ITCS group has implemented [BAYU](#). BAYU (Be Aware You're Uploading) is an automated University of Michigan service that notifies users of university networks via e-mail that they might be unlawfully uploading using peer-to-peer (P2P) file sharing technology.

ITS has and continues to communicate safe computing practices by annually running an [Anti Piracy Campaign](#).

For more information regarding HEOA, please visit the Educause Website [here](#).