

Copyright Infringement – Policies and Sanctions

It is the policy of Southeastern Community College to create an atmosphere of academic rigor, free from acts of dishonesty. Administrative Guideline 101 outlines the process for governing discipline, grievances and complaints, appeals and remedies related to academic integrity.

Code of Academic Conduct

Academic honesty is a fundamental attribute of higher learning. Evaluation of each student's level of knowledge and understanding is a vital part of the teaching process, and it requires a variety of methods of assessment. Any act that interferes with the process of evaluation by misrepresenting the relationship between the work being evaluated and the student's actual state of knowledge is an act of academic dishonesty. These acts of dishonesty include, but are not limited to:

1. **Fraud:** Acts of dishonesty, which include falsification of documents, fabrication of data and altering solutions to be resubmitted for a grade.
2. **Cheating:** Any deceptive act that involves the submission of academic work purported to be one's own when in fact the work was obtained from someone else. These acts may include copying or attempting to copy from another person's test or assignment, allowing someone else to copy from a test and/or assignment, attempting to use unauthorized aids to complete an assignment, and multiple submission of the same work to be graded as different assignments.
3. **Plagiarism:** Misrepresenting someone else's words, ideas, or data as one's own original work. Students may avoid plagiarism by fully and consistently crediting the person or persons responsible for the original work, including paraphrasing.
4. **Forgery:** Any attempt to misrepresent another person's signature, initials, computer login, or other identifying mark.
5. **Facilitating Dishonesty:** Actions that assist another person in committing a dishonest act.

Discipline Procedure

The primary responsibility for managing the classroom environment rests with the faculty. Faculty are urged to state in their syllabi their policies on plagiarism, fraud, cheating, forgery, and other acts of dishonesty. If an issue arises and the student and faculty member are unable to find resolution, the steps below will be followed:

1. The faculty member in whose class the offense occurs informs his/her division dean.
2. The dean and faculty member agree on the severity of the infraction and prepare a written report signed by both. A master file of student academic misconduct will be kept in the office of the dean.
3. The faculty member may then recommend one of the following discipline choices:
 - a. The student will be given a failing grade for the assignment; or
 - b. The student will be given a failing grade for the course.
4. If the faculty member feels the offense warrants further discipline, the Vice President of Teaching and Learning will be consulted. The result of this action could be either possible dismissal from a program of study, or dismissal from SCC. A record of the action taken will be added to the student's disciplinary file in the Vice President of Student Services' office.

Disciplinary Committee

A Disciplinary Committee will be formed to deal with serious academic dishonesty issues that have failed to be resolved through a meeting of the faculty member, the student and the Vice President of Teaching and Learning. The committee, chaired by the Vice President, will consist of one member from each of the following divisions:

1. Humanities/ Social Sciences
2. Career and Technical Education
3. Health and Natural Sciences
4. Student Services; and
5. A student representative

Copyright infringement

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 file-sharing 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 Web site of the U.S. Copyright Office at: www.copyright.gov.