**Copyright Infringement Policy**

*(Updated February 12, 2016)*

Copyright infringement is strictly forbidden. The unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may be subject to civil and criminal liabilities.

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). The 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 attorney's’ 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 [www.copyright.gov](http://www.copyright.gov), especially their FAQ’s at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).[[1]](#footnote-1)

Saint Paul provides regular and ongoing education to students, faculty and staff about copyright laws, including illegal peer-to-peer file sharing over campus computer networks. Saint Paul uses the following methods to educate the campus community:

* Entering student orientation
* The Community Handbook contains information about copyright and illegal file sharing.
* All students, faculty and staff will receive an email from the IT department regarding copyright infringement and related issues at the beginning of each fall and spring semester.
* Posters will be mounted in the library and elsewhere to discourage illegal file sharing.

Students identified as illegally sharing copyrighted material over the Saint Paul network, including through the use of e-mail, web pages, and peer-to-peer sharing software, whether using Saint Paul owned computers or personally owned computers connected to the Saint Paul network, will be subject to disciplinary action by Saint Paul. This disciplinary action, as detailed in the Community Handbook, is found under the Technology Policy section “consequences of violations.”

The Vice President of Academic Affairs and Dean or Dean of Academic Programs will direct the student involved to cease and desist such conduct and advise the student that failing to cease and desist may result in immediate administrative suspension.

The student’s access to part, or all, of Saint Paul’s computer resources, systems and facilities may be temporarily revoked pending the outcome of a disciplinary hearing on the charge(s).

Students may also be subject to civil and criminal liabilities. A summary of the civil and criminal penalties for violation of Federal copyright laws is as follows:

* Infringer pays the actual amount of damages and profits; or
* Infringer pays $750 to $30,000 for each work infringed, unless a court finds the infringement willful, and in such a case, the maximum penalty is $150,000.
* Infringer may be liable to the copyright holder’s attorney’s fees and court costs.
* Infringer may be sent to jail for up to ten years.[[2]](#footnote-2)

Technology-Based Deterrents: Saint Paul currently employs technology to prioritize network traffic and block known peer-to-peer applications. Web usage is heavily monitored, logged and often blocked. The IT department reserves the right to block any web sites that are not required to meet Saint Paul’s need to conduct its educational and business needs.

Alternative to Illegal Peer-to- Peer Networks: The Saint Paul community is encouraged to take advantage of legitimate sources of digital content. Our digital resources are available through the database login link and through the digital collection link on the web page, [www.spst.edu/library](http://www.spst.edu/library). These resources are available, but must be cited and used in a legal way.

**Copyright for Music and Lyrics**

*(Affirmed by the Board of Trustees, October, 2007)*

When music and lyrics are reproduced for use in worship and other events, Saint Paul requires that proper copyright regulations be followed. Those who prepare worship bulletins for use at either Saint Paul School of Theology campus, for any event, must follow the copyright law.In *The United Methodist Hymnal*, the index beginning on page 906 outlines copyright requirements: that United Methodist congregations may reproduce for worship and educational purposes any single item from *The United Methodist Hymnal* for one-time use, as in a bulletin or lesson resource, provided the item bears a United Methodist Publishing House or Abingdon Press copyright notice; that the copyright notice as shown on the page is included on the reproduction; and that *the United Methodist Hymnal* is acknowledged as the source. Copyright information is given in two places in *The United Methodist Hymnal*: at the bottom of the page on which the hymn appears (at the lower left corner), and in the index of acknowledgments, from pages 906-913, by hymn number. Be aware that sometimes the text, tune, and harmonization copyrights are held by different parties.

In *The Faith We Sing*, copyright requirements are found on page two of the “Worship Planner” edition: Except as stated elsewhere, all rights on all material are reserved by Abingdon Press and no part of this work may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording, or by any information storage or retrieval system, except as may be expressly permitted by the 1976 Copyright Act or in writing from the publisher. Permission requests should be addressed to The Copyright Company, 40 Music Square East, Nashville, TN 37203.

If the hymn text and tune do not appear in the index, or there is no copyright symbol (a “c” inside a circle [©] on the hymn page, then the hymn is in the public domain and may be copied legally.

To reproduce or record words or music from sources other than the hymnal (i.e., any copied music and/or printed lyrics in a bulletin) one must secure permission from the copyright holder, unless one has a blanket permission such as that provided, for an annual fee, by an organization such as Christian Copyright Licensing International (CCLI) or OneLicense. Many publishers and individuals are covered by those companies, but not all. On the reproduction, be it on a screen or on paper, the copyright holder must be identified as well as the license number given. Saint Paul subscribes to both these licenses for regular chapel worship services, but for special events an additional fee may be required. These licenses do not cover other media, such as video, artwork, or photos.

In order to respect copyright laws and adequately prepare, worship planners are advised to plan ahead in order to ascertain whether permission must be requested to reproduce words and/or music. Following is an example of how to give correct copyright information and permission to copy:

* *For music covered under CCLI license:*

"Hallelujah" words and music by John Doe

©2000 Good Music Co. CCLI License #000000

* *For music covered under OneLicense:*

Words: John Doe, © 1988 ABC Music Co.; Music: Jim Brown, © 1990 XYZ Publications.

All rights reserved. Reprinted under OneLicense.net #A-000000.

\*Students may contact the Chapel Coordinator (Resurrection Campus) or Associate Dean (OCU) for license numbers to print in worship bulletins, and to check current copyright licenses.

1. Federal Student Aid Handbook, 2014, Volume 2, Chapter 6, p.2-105 [↑](#footnote-ref-1)
2. Meeks, Kent. *Student Handbook Policies*. Nashville: College Legal Information, 2015. Print. [↑](#footnote-ref-2)