

September 2010

Dear Student:

I hope your semester is off to a good start. Periodically you will receive information from the University regarding important issues.

This e-mail concerns information on the unauthorized distribution of copyrighted materials over the internet. It is being sent to every student at the University as required by the Higher Education Opportunity Act (HEOA).

It is imperative that students refrain from using The New School network to receive, reproduce and distribute unlicensed copies of copyrighted materials including, but not limited to, computer programs, music, videos, movies, and artwork. The receipt, reproduction or distribution of copyrighted materials is illegal under federal law.

Further, the use of the University's network to receive, reproduce or distribute such material exposes the institution to potential liability and contravenes the University's *Statement on the Responsibilities of Computer Users*. The Statement requires that users "*Respect the legal protection provided to copyright owners and licensees to programs and data; do not engage in unauthorized duplication, transmission, alteration or destruction of data, programs or software.*" Students should also familiarize themselves with the University's *Copyright Infringement, Settlement Letters, and Preservation Notices Procedures* located on the Student Rights and Responsibilities webpage at <http://www.newschool.edu/student-services/rights/>.

The University is committed to upholding University policies and federal laws including the *Digital Millennium Copyright Act*. Students who violate our policies and federal laws will be subject to the disciplinary process as outlined in the *Student Code of Conduct and Non-Academic Disciplinary Procedures*. These students may also be subject to additional legal action that may result in civil and/or criminal penalties.

Penalties may include but are not limited to:

- (1) Disciplinary action taken pursuant to the University's policies and procedures including suspension of user access to the University's network;
- (2) Civil liability for copyright infringement ranging from \$750 to \$150,000 per item infringed in addition to legal fees; and

(3) Criminal penalties for a first offense which may be as high as three years in prison and a fine of \$250,000.

As an institution of higher learning, The New School affirms certain basic principles and values, including respect for law and adherence to fair rules and regulations. We expect members of our community to uphold and abide by the basic principles and standards of behavior that underlie our educational purpose.

Thank you.

Sincerely,

*/s/ Thomas J. McDonald*

Thomas J. McDonald  
Assistant Vice President  
Student and Campus Life

CC: Office of Student Services  
Office of the General Counsel  
Office of Information Technology