

From the *Federal Student Aid Handbook*, Vol. 2, Ch. 6, p. 113, at <https://ifap.ed.gov/fsahandbook/attachments/1617FSAHbkVol2Ch6.pdf>

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 (www.copyright.gov).

Intellectual Integrity (KST Handbook, p. 75)

The students of Kenrick School of Theology are to maintain at all times an intellectual integrity. Such integrity entails both a commitment to the truth and a refusal to be false or misleading, even when this course of action may involve inconvenience or embarrassment. Plagiarism, defined as the use of another’s words or ideas without acknowledgment, is a failure in both of these dimensions. Plagiarism may involve the word-for-word use of another’s phrases, sentences, paragraphs, or longer passages, always without acknowledgment; it may involve the construction of a mosaic or tissue of such passages; it may involve a paraphrase or summary of such passages; it may involve failure to identify use of another author’s exact words by quotation marks or block quotes. When students make use of ideas or writings that are not their own, they are expected to acknowledge the source from which they are borrowing, either through an acknowledgment in the text or through the use of a footnote.

Plagiarism is a *serious* failure of integrity, and the faculty and administration of Kenrick view it with grave prejudice. Penalties for plagiarism include a failure in the course, a case review by the Academic Dean and the Dean of Students, a possible suspension from the seminary program.

Computer Usage Policy (KST Handbook, pp. 18-20)

Introduction: The use of computing resources and the network at Kenrick-Glennon Seminary is required to be consistent with the mission and values of the institution and the Archdiocese of St. Louis and with local, state, and federal laws.

Kenrick-Glennon Seminary understands that it “must insure that format and content are consistent with all relevant archdiocesan policies,” the norms of *Pastores dabo vobis*, and the *Program of Priestly Formation*, 5th edition. The Seminary is also responsible for taking “steps to insure that all applicable restrictions and regulations are met, such as appropriate presentation of copyrighted materials and specified age qualifications for social networking sites” (Archdiocese of St. Louis, “Use of Electronic Communications Devices and

Applications by School Personnel”).

Usage Policy and Disclosure of Monitoring, Filtering: To ensure that Kenrick-Glennon Seminary engages this task responsibly, this policy applies not only to the institution-owned computers and related equipment but also to all computers and related equipment used on institution property but not owned by the institution. Accountability is ensured through the institution’s monitoring of all computing resources accessing the institution’s network. Users may not use for illicit purposes alternative means of accessing cyberspace. Because computing resources on the institution grounds may not be used for illegal purposes, users are required to comply with all federal, state, and other applicable laws. This includes the laws of privacy, copyright, trademark, obscenity, and child pornography. The Electronic Communications Privacy Act and the Computer Fraud and Abuse Act prohibit "hacking," "cracking," and infringement of applicable software licenses.

General Norms:

1. Examples of violations of the computer usage policy include, but are not limited to, the following as concerns institutional computers or personal computers that access the institutional network:
 - Loading or attempting to load unlicensed software on institutional or personal computers.
2. Additionally, it is unethical to illicitly misuse the computing resources, interfere with the use of computing resources by others, or intimidate others. Examples include, but are not limited to, the following:
 - Any unauthorized monitoring of or tampering with another user's electronic communications, including any unauthorized reading, copying, changing, or deleting of another user's files or software.
 - Any posting of materials on course management systems, electronic bulletin boards, or other outside forums that violate existing federal, state, or local laws or violate the codes of conduct for this institution.

Policies for Seminarians:

Those uncertain of whether an activity violates a policy or law should seek guidance prior to engaging in the activity. Students, faculty and staff who believe they have been unjustly accused of violating this policy have the right of redress via the Rector. The person suspected of violating the policy has the right to defense, including the right to know the source and full nature of the allegations. The person has the right to challenge the allegations for the purpose of clearing his or her record.

KST Handbook, pp. 154, 155:

Peer-to-peer file-sharing applications or services such as BitTorrent are not permitted...

Electronic resources may never be used for sinful, illegal, or inappropriate purposes, including, but not limited to...using unlicensed software or violating copyright law, including possessing, transmitting, or copying unlicensed intellectual property such as movies, shows, and music...