

Policy Title	Peer-to-Peer File Sharing
Policy Number:	ADM 10.02
Department:	SOMI
Functional Area:	Information Technology
Contributing Department	
Approved by:	RHEI Leadership Team
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Version:	1
Status:	Approved
Manual	To be entered by Compliance360 System administrators or N/A if not in C360
Section	ADM z10

I. Mission, Vision and Values

This policy reflects our commitment to human dignity, integrity, compassion, stewardship, and service by guiding decisions and actions that uphold respect for all individuals and promote excellence in our work.

This policy aligns with our mission of extending the compassionate ministry of Jesus by improving the health and well-being of our communities and providing good help to those in need, especially the poor, dying, and underserved by ensuring that our practices support ethical, effective, and accountable service across all areas of the organization.

II. Policy

The 2008 Higher Education Opportunity Act requires the School to assist in the effort to combat copyright infringement by taking affirmative steps to prevent the use of School technology for illegal peer-to-peer (P2P) file sharing.

The School may be required to report or respond to reports of illegal file sharing. These violations may result in School disciplinary procedures and both civil and criminal penalties for the offending individual.

It is incumbent upon students and School personnel to be aware of what constitutes copyright infringement and how peer-to-peer file sharing may violate this policy.

III. Purpose

The purpose of this policy is three-fold:

- 1) To combat the violation of intellectual property rights and unauthorized distribution of copyrighted material through School resources.

- 2) To inform stakeholders of their rights and responsibilities.
- 3) To mitigate the School's potential exposure to liabilities associated with intellectual property infringement by employing the protections afforded by the Digital Millennium Copyright Act (DMCA).

IV. Scope

This policy applies to all students who use School technologies. This policy does not prohibit appropriate file sharing, and the School will continue to support technologies that facilitate legitimate information dissemination and academic collaboration.

V. Policy Details

Prohibited Activity

It is a violation of this Policy to use the School's systems to distribute, download, upload, stream, scan, store, or share any material including software, data, document, sound, music, video, picture, design, graphic, game, or any other electronic file when:

- (a) The file is copyrighted but distribution to the user has not been authorized by the copyright owner.
- (b) The intended use under the relevant circumstances is specified as illegal by any federal or state law, statute, regulation, proclamation, order, or decree;
- (c) When the material is considered by the School to be protected information, and the user is not authorized to access that information for the purpose intended

Enforcement

The School reserves the right in all instances, and upon its reasonable suspicion, to block access from and to its technologies for any user who can be traced to illegal activities, including illegal P2P file sharing. The School employs automated technologies to assist in enforcement.

Penalties

Individuals who violate this policy may be subject to appropriate discipline up to and including:

- Permanent loss of access to School technologies and systems.
- Expulsion.
- No final adverse action may be taken, however, with respect to any student of the School unless the student is afforded a meaningful opportunity to contest the adverse action, per the appeals process policy.

In addition to the above actions, copyright holders and their representatives may take legal action against infringers, and the resulting penalties can be severe. Courts may award the victim of infringement actual damages (for example the amount of lost profits resulting from the infringement), or statutory damages ranging from \$750 to \$30,000 per work infringed. In cases of willful infringement, courts may award as much as \$150,000 per work infringed. In some instances, courts may also award the copyright holder

their reasonable attorneys' fees incurred in enforcing their rights. The law even permits a court to impose criminal penalties including fines and imprisonment.

Disclosure

The Director of Information Technology shall be responsible for disseminating through the School's website, email, orientation, and/or student publications an annual notice to enrolled students that summarizes the School's policies and sanctions related to peer-to-peer file sharing.

VI. Definitions

Peer-to-Peer (P2P) File Sharing

The process of sharing files (e.g. music, movies, e-books, applications, etc.) from one person to another using technology (e.g. BitTorrent).

Digital Millennium Copyright Act (DMCA)

A federal law passed in 1998 that revised copyright law for the digital environment to, among other things, define how alleged copyright infringements are to be handled.

VII. Attachments

N/A

VIII. Related Policies and Procedures

None

IX. Regulatory Notices

Nothing in this policy creates a contractual relationship between Bon Secours St. Mary's Hospital School of Medical Imaging (SOMI), a department owned and controlled by Bon Secours St. Mary's Hospital of Richmond, LLC, and any party. SOMI, in its sole discretion, reserves the right to amend, terminate or discontinue this policy at any time, with or without advance notice.

X. Version Control

Version	Effective Date	Next Review Date	Description	Supersedes, if applicable	Prepared By
1.0	8/15/2021	N/A	Initial Version	N/A	Director of Information Technology

1.1	4/17/2024	4/17/2028	Policy Adoption & Minor Revision	1.0	Director of Information Technology
1	4/17/2024	4/17/2028	Version changed – BSMH Template Adopted	1.0	Director of Information Technology

This policy/procedure/guideline is not intended to establish a standard of clinical or non-clinical care or practice. Rather, this policy/procedure/guideline creates a general tool to help guide decision-making with the understanding that different action(s) may be necessary in response to the totality of the circumstances presented.

Sites revised 05/06/2025- Bon Secours Mercy Health adopts the above policy, procedure, policy & procedure, guideline, manual / reference guide / instructions, or principle / standard / guidance document for all Bon Secours Mercy Health entities including, but not limited to, facilities doing business as Mercy Health – St. Vincent Medical Center, St. Vincent – St. Charles Hospital, St. Vincent – St. Anne Hospital, Mercy Health – Perrysburg Medical Center, Mercy Health – Tiffin Hospital, Mercy Health – Willard Hospital, Mercy Health – Defiance Hospital, Mercy Health Allen Hospital LLC, Mercy Health - Lorain Hospital, Mercy Health St. Elizabeth Youngstown Hospital, Mercy Health St. Joseph Warren Hospital, Mercy Health - St. Elizabeth Boardman Hospital, Mercy Health - St. Rita's Medical Center, Mercy Health – Springfield Regional Medical Center, Mercy Health - Urbana Hospital, Mercy Health - Anderson Hospital, Mercy Health - Clermont Hospital, Mercy Health – Fairfield Hospital, Mercy Health - West Hospital, The Jewish Hospital – Mercy Health, Mercy Health – Kings Mills Hospital, LLC, Mercy Health - Lourdes Hospital LLC, Mercy Health – Marcum and Wallace Hospital, Chesapeake Hospital Corporation DBA Rappahannock General, Maryview Hospital, Bon Secours Richmond Community, Bon Secours Memorial Regional Medical Center, Bon Secours – St. Mary's Hospital, Bon Secours St. Francis Health System, Bon Secours St. Francis Medical Center, Bon Secours Mary Immaculate Hospital, Bon Secours - Southside Medical Center, Bon Secours Mercy Health Franklin, LLC, Southern Virginia Medical Center, and Bon Secours Harbour View Medical Center. This also may apply to Bon Secours Mercy Health Medical Group LLC and its medical group affiliates.