

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Board of Higher Education Act is amended by
5 adding Section 9.33 as follows:

6 (110 ILCS 205/9.33 new)

7 Sec. 9.33. Student residential computer networks.

8 (a) The Board shall require public institutions of higher
9 education that have student residential computer networks to do
10 the following:

11 (1) adopt and reasonably implement a policy defining
12 computer and network usage and ethics that applies to
13 students, staff, and faculty; that clearly describes and
14 prohibits the infringement of copyrighted works over the
15 institution's computer and network resources, including
16 over the institution's local area and internal networks;
17 that details the penalties for infringement provided under
18 both State and federal law; and that is visibly posted in
19 the institution's computer labs and when users sign on to
20 the network; and

21 (2) subject to subsection (b) of this Section, if the
22 institution receives 10 or more legally valid notices of
23 infringement within the preceding year, undertake

1 reasonable efforts to install and implement a
2 technology-based deterrent system to attempt to prevent
3 the infringement of copyrighted works over the
4 institution's computer and network resources.

5 (b) Nothing in this Section is intended to prohibit the
6 noninfringing use of copyrighted material by students, staff,
7 and faculty, to restrict an institution's use of copyrighted
8 material under the provisions of Section 107 of Title 17 of the
9 United States Code, or to waive the protections available to
10 Internet service providers under Section 512 of Title 17 of the
11 United States Code.

12 A student or faculty member may request, and the
13 institution may grant in writing, permission to use a
14 particular software application or file that has been
15 prohibited on the institution's computer and network resources
16 under subdivision (2) of subsection (a) of this Section if the
17 institution determines that such use is for academic, research,
18 or other purposes consistent with Section 107 of Title 17 of
19 the United States Code.

20 (c) Each institution to which subsection (a) of this
21 Section applies shall, by January 15 of each year, report to
22 the Board either (i) that the institution has not received 10
23 or more legally valid notices of infringement within the
24 preceding year from owners of infringed works or their
25 authorized agents or (ii) a detailed description of the
26 reasonable efforts the institution has taken to install and

1 implement a technology-based deterrent system under
2 subdivision (2) of subsection (a) of this Section.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.