# Copyright Material and Infringement

Network Usage- The network is to be used in accordance with the mission of Aviator College as a tool to enhance education and is not available for unrestricted use for other purposes. The following policies address the proper use of Aviator College’s network. These policies are subject to change.

o Unauthorized networking equipment (such as routers and wireless access points, etc.) is prohibited from use on the network. Network services and wiring may not be modified or extended beyond their intended use. This policy applies to all institutional network infrastructure and services.

o Users may not manually assign an IP address to any network device. Doing so may disrupt connectivity for other users.

o Users of the Aviator College network may not provide access to resources on the local network to anyone outside of Aviator College for any purpose unless accomplished by means approved by the Campus Director.

o Computer names, computer descriptions, and messages broadcast across the network should not be defamatory, lewd, or obscene.

o Federal law prohibits the transmission (sharing) of copyrighted materials without express written permission from the copyright holder. Copyrighted works (including but not limited to original writings, software, movies and music) may not be shared on the local network without written permission of the copyright holder. Per Title 17 and Title 18 of US Code, penalties may include up to $150,000 in civil liability and up to five years in prison for a first offense.

o Aviator College prohibits the installation of peer-to-peer software such as but not limited to KaZaA, Napster, Gnutella, FreeNet, WinMX, Morpheus, AOL Messenger-AIM, MSN Messenger, ICQ, on any computing device connected to the institution’s network. Aviator College reserves the right to restrict access to any service detrimental to Aviator College’s technology resources. Attempts to bypass these restrictions will be considered a violation of this policy.

o Aviator College does not allow network users to run unauthorized SMTP, DHCP, or directory services on any networks.

o Defective, malfunctioning, compromised or misconfigured equipment on the network will be disabled without prior notification.

o Unauthorized registration of a domain to a Aviator College IP address is prohibited. This includes but is not limited to direct DNS resolution and DNS aliasing.

o Unauthorized hardware and/or software used to detect and/or exploit network vulnerabilities are forbidden on Aviator College networks.

o Forgery or other misrepresentation of one's identity via electronic or any other form of communication is prohibited regardless of intent.

o Violation of these policies will result in penalties up to and including expulsion.

**DISCLAIMER** From time to time this Technology Systems Usage Policy and related policies may be revised. The latest official copy of this policy is available from the Information Technology Services.

As most students know by now, record and motion picture companies are suing college students across the country for downloading and sharing music and movie files without the copyright holder’s permission.

So what does this mean, exactly?

It means that when you download music and movie files from the internet, unless you know for sure that the file isn’t copyrighted, or receive permission from the copyright holder, you are taking a big chance, and can safely assume you are committing copyright infringement.

Downloading or distributing copyrighted material without the express permission of the copyright owner is copyright infringement and is against the law. Unless you receive actual express permission from the copyright owner, assume you do not have permission to download or share the file.

If you illegally download or share copyrighted material such as music or movie files, you could face legal action from the owner of the copyright for the work, which could mean many thousands of dollars in fines, as well as college disciplinary action.

Does it matter that you didn’t know you were “sharing” the file?

No, it doesn’t. Copyright infringement under federal law does not require intent, or even knowledge, on the part of the alleged infringer. Also, keep in mind that simply downloading a music or movie file without permission, whether it’s shared, or not, is illegal. And again, if you share such a file without permission, whether you knew or intended to share it, or not, you can be held liable for copyright infringement under federal copyright law.

Because programs such as Limewire, BitTorrent and Grokster are designed to allow for the sharing of files pretty much automatically-that’s why they’re called “peer-to-peer” programs-whenever you download a file using their software, it’s probably going to be stored so that it can be accessed by anyone else having that software.

Many of the files found on such sites are made available for downloading and sharing without the copyright holder’s permission. To protect themselves from liability, Limewire and other such peer-to-peer programs include a disclaimer stating that they do not condone copyright infringement, and disclaiming any liability for downloading and sharing of files in violation of copyright law. In other words, they are making such files available to their users, but disclaim any copyright infringement liability which might result from files being downloaded and shared without the copyright holder’s permission.

Again, by downloading and sharing a file you should assume you are committing copyright infringement, unless you have clear and express permission from the copyright holder.

How do people get caught, and why are colleges being targeted?

The Recording Industry of America (RIAA), a trade group made up of record labels such as Sony and RCA, is leading the charge in targeting university and college students in an attempt to curb what it deems to be illegal file sharing.

The RIAA and other copyright holders use automated methods to identify infringements, and even small amounts of sharing can be detected and tracked to students’ IP addresses.

The IP (Internet Protocol) address is assigned to each user by the ISP (Internet Service Provider).

Aviator College and other colleges and universities across the country are easy targets for the detection of illegal file sharing. Why? First, university and college ISP’s tend to provide internet access at very high speeds, which facilitates quick and easy downloading and sharing of files. Second, college students are the demographic most likely to take advantage of free downloading and sharing of files.

The bottom line is that if you download music and movie files, you’re probably breaking the law and setting yourself up for, at best, a costly settlement and, at worst, a very costly civil lawsuit.

How costly will it be if you’re caught committing copyright infringement?

Currently, the RIAA is seeking $750.00 per illegally downloaded file in cases that don’t settle before a complaint is filed in federal court. Thus, if you download only ten songs, you may be responsible for $7,500.00.

# CAMPUS SECURITY AND CRIME PREVENTION POLICY

Aviator College of Aeronautical Science & Technology Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics Report is distributed to every student and employee on an annual basis and is available to prospective students at their request. Employees receive a copy as part of their employment package and the reports are included in the Employee Handbook. The report is distributed to all students through the Student Handbook and it is posted on the college website.

# REPORTING CRIMES AND EMERGENCIES

A safe environment is everyone’s responsibility. Students, faculty and staff are encouraged to report all criminal acts, suspicious activities or emergencies promptly and have the right to report these matters confidentially. Victims or witnesses to a crime are encouraged to file a report of the incident. Reports can be filed on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

It is the policy of Aviator College of Aeronautical Science & Technology that all criminal acts or other emergencies be properly documented and reported to local authorities as required by law.

Students and employees should promptly report all criminal actions and emergencies occurring on or around Aviator College of Aeronautical Science & Technology facilities to the Director of Education Mr. Pierre Lavial (772) 466-4822 ext. 115, President Michael Cohen (772) 466-4822 ext. 108 and the St. Lucie County Sheriff’s Office by dialing 911.

To report emergencies or criminal acts occurring in college housing, students should contact the Housing Office (772) 475-7427 to speak with the professional staff or dial 911 to report a crime or emergency requiring an immediate response. All criminal activity reported to college personnel is acknowledged by the completion of an Incident Report and is reported to local police agencies. Criminal activity may include, but is not limited to, burglary, motor vehicle theft, aggravated assault, assault, battery, robbery, sexual offenses, hate crimes, gender crimes, homicide and theft. In the event of fire or medical emergencies, students, staff and employees should contact the St. Lucie County Sheriff’s Office by dialing 911 and then notify the President’s office.

# POLICIES FOR PREPARING THE ANNUAL DISCLOSURE OF CRIME/FIRE STATISTICS

All reported incidents are documented on an Incident Report and are kept in a secure location in the College’s Administration Building, located at 4220 Aviator Way. The annual crime report is prepared by the Compliance Director by gathering campus fire and crime statistics and data from the St. Lucie County Sheriff’s Office and internal reports, if any.

# SECURITY AND ACCESS TO THE COLLEGE

It is the policy of Aviator College of Aeronautical Science & Technology that access to all campus facilities, including housing facilities, be limited to authorized personnel, students and invited visitors. Visitors are at all times subject to Aviator College of Aeronautical Science & Technology’s policies, conduct codes, airport safety regulations and TSA regulations and procedures. Students and employees are at all times responsible for the conduct of their guests. Students, staff and faculty are required to present a valid College Identification Card upon request and encouraged to have the identification visible at all times. Guests must present valid identification upon signing in and must remain with their host while in the facility.

ALL VISITORS MUST SIGN IN AT THE FRONT DESK OF THE ADMINISTRATIVE BUILDING LOCATED 4220 AVIATOR WAY.

# ACCESS TO ACADEMIC BUILDINGS

Aviator College of Aeronautical Science & Technology is concerned that every student enjoys a safe, secure stay on the facilities. Aviator College of Aeronautical Science & Technology’s policies and housing rules strictly prohibit the possession of weapons and the illegal use of alcohol, controlled substances and other drugs on the campus or in off-campus housing. Violation of these rules or criminal acts of any kind may result in prompt disciplinary action including expulsion. The lawful and appropriate behavior of the visitor is the responsibility of their student or employee host. Closed circuit security cameras continuously monitor the school facility at 4220 Aviator Way.

# CAMPUS LAW ENFORCEMENT

Campus staff with security responsibilities is always at the College during business hours. While the staff does not have arrest authority, such persons have the authority to evict unauthorized persons from the campus premises and/or notify local authorities of all actual or suspected criminal activities, including trespassing.

# PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT CAMPUS SECURITY

All new students and employees are informed about safety and security procedures at their respective orientation programs and in their respective handbooks.

# PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT THE PREVENTION OF CRIMES

In the event of the commission of certain crimes that represent a continuing threat to students and employees, Aviator College of Aeronautical Science & Technology will issue warning reports to advise everyone on the recurring actions and the procedures that will be taken for further prevention. For instance, in the case of repeated burglary or thefts in a facility, warnings will be distributed to all faculty and staff with instructions for faculty to inform their classes and/or post notices throughout the building.

# DRUG AND ALCOHOL POLICIES

In keeping with Sections 120(a)-(d) of The Higher Education Act of 1965, as amended, including the Drug-Free Schools and Communities Amendments of 1989 (Public Law 101-226), a “Drug Free Schools and Campuses” publication/the College Drug Prevention Policy, is provided to all Aviator College of Aeronautical Science & Technology students and employees annually. Pursuant to federal and state drug laws as well as the FAA regulations, students are prohibited from the unlawful manufacture, distribution, possession, sale or use of illicit/illegal drugs. Aviator College of Aeronautical Science & Technology also enforces Florida laws regarding underage drinking. This prohibition applies while on school property or when participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to and including, expulsion from school or termination of employment and suspension of their FAA / JAA licenses.

The following prohibited conduct is applicable to both employees and students:

* Employees and Students are prohibited from the unlawful manufacture, distribution, possession or use of illicit drugs or alcohol while on school property or when participating in any school activity on or off campus. This prohibition applies to flight training and time building outside the territorial limit of the state.
* All underage students are subject to Florida laws regarding alcohol possession and consumption. All students and employees are also subject to all federal and state laws regarding illicit drug possession and use. Employees or students who violate this policy will be subject to disciplinary action up to and including expulsion. In addition to legal penalties, a felony record or conviction of a drug related crime can prevent a person from entering some careers. Violations of this policy could result in the College losing its eligibility to receive institutional and/or federal financial assistance. Confidential help is available to any person requesting this assistance.

Students with questions or concerns about drug and alcohol abuse should contact a school official immediately.

# PROCEDURES REGARDING SEXUAL ASSAULT/RAPE, STALKING AND DOMESTIC/DATING VIOLENCE

Should any of the offenses identified above occur the procedure is the same as reporting other crimes occurring on campus. Students are encouraged to file a report with both campus security/administration and law enforcement immediately. Aviator College of Aeronautical Science & Technology designated staff will assist in filing such reports at the student’s request.

The St Lucie Sexual Assault Assistance Hotline in Fort Pierce can be reached at: 1-866-828-7373 (% State Attorney, 19th​ Judicial Circuit, 411 S 2nd Street Fort Pierce, FL 34950-1594).

Victims of sexual assault/rape, stalking; and domestic/dating violence should follow these recommended steps as applicable. All evidence should be preserved in the event of a sexual assault/rape; clothes kept, the area of the offense unaltered and the victim should not wash, bathe or clean before notifying police. Contact the police immediately by dialing 911. Do not destroy any of the clothing worn at the time of the attack. Go to a hospital emergency room for medical care. Make sure evaluations are made related to the risk of pregnancy and sexually transmitted disease. A medical examination is the only way to ensure injuries are properly evaluated and could provide valuable evidence toward prosecution of the offender. The victim should have someone with them to provide emotional support. It is the student’s option to notify the appropriate law enforcement authorities, including on-campus authorities and local police.

In the case of an alleged offense, if requested by the victim, Aviator College of Aeronautical Science & Technology will make reasonable arrangements to change a student’s academic and living situation, transportation and college working conditions, if applicable. Following such a request the college will offer alternate and separate transportation and classes to the parties involved; as well as separate living arrangements at the college’s two housing locations. An offender may be turned over to law enforcement officials when appropriate, although some cases may be handled internally. In such circumstances, students accused of offenses would be subject to investigation by officials of the College; be given the opportunity to make a written statement and present witnesses

in their defense and may then be subject to disciplinary actions up to and including suspension or termination from the college. In the case of an investigation handled internally by the college, during the disciplinary hearing both parties have the right to have the each other in attendance and clear and convincing evidence shall be the standard of proof in the proceeding. Both the accused and the accuser will be informed of the outcome of any institutional disciplinary proceeding alleging a sex offense.

# DISCIPLINARY ACTION AND SANCTIONS

On-campus disciplinary procedures against students will be conducted in accordance with Aviator College of Aeronautical Science & Technology published Student Conduct Policy. Both the accuser and the accused are entitled to have others present during a disciplinary proceeding wherein clear and convincing evidence or in some instances preponderance of the evidence may be the standard of proof. Both will be informed of the outcome of any campus disciplinary proceeding. For this purpose, the outcome of a disciplinary proceeding means only Aviator College of Aeronautical Science & Technology’s final determination with respect to the alleged sexual offense and any sanction that is imposed against the accused. Sanctions which may be imposed following a final determination in a disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses and those identified in the preceding paragraph, may include warning, probation, suspension or dismissal.

# CRIME STATISTICS

The following statistics are provided for your information in compliance with the Jeanne

Clery Disclosure of Campus Security Policy and Crime Statistics Act. Aviator College of Aeronautical Science & Technology prepares the crime statistics annually by gathering all reported crime and fire data and preparing a report for its employees and students. These statistics include College sponsored housing facilities. Set forth are statistics available to Aviator College of Aeronautical Science & Technology concerning the occurrence on the campus of criminal offenses in the categories reported to campus official or local police agencies for the years 2016, 2017 and 2018 at 4220 Aviator Way including on campus student housing.

The following statistics are provided for your information. In the first box are statistics available to Aviator College of Aeronautical Science & Technology concerning occurrences on the campus which were reported to the St. Lucie County Sheriff’s Department. The second box below sets forth available statistics concerning the number of criminal offenses in relation to hate crimes on the campus, in College sponsored housing, and public property. The third set reflects the number of arrests and/or “referrals for campus disciplinary action,” for liquor law violations, drug law violations, and illegal weapons possession violations. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The following statistics show total criminal offences, hate crimes and arrests/referrals for campus disciplinary action that occurred on the College’s campus, non-campus building and property and public property.

The crimes listed plus any other crimes involving bodily injury reported to local police agencies and/or to a campus security authority, that manifest evidence that the victim was purposely selected because of the victim's actual or perceived ​race, gender, religion, sexual orientation, ethnicity, or disability​ are listed below. ​*Should a hate crime be reported, it will be identified by hate crime category (race, gender, religion, etc.).*

Arrests/Persons Referred For Campus Disciplinary Action

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  | Calendar Year | | |  |  |  |
|  | 2016 |  | 2017 | | |  | 2018 |  |
| On  Campus  s | Non-Ca mpus  building  & propert y\* | Public  Property\*  \* | On  Campu  s | Non-Ca mpus  building  & propert y\* | Public  Property\*  \* | On  Campu  s | Non-Ca mpus  building  & propert y\* | Public  Property\*  \* |
| Liquor Law Violations |  |  |  |  |  |  | 0 | 0 | 0 |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Abuse Violations |  |  |  |  |  |  | 1 | 0 | 0 |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Disciplinary Action |  |  |  |  |  |  | 0 | 0 | 0 |
| Weapons Pos sessions |  |  |  |  |  |  | 0 | 0 | 0 |
| Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Action |  |  |  |  |  |  | 1 |  |  |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |

*\* Includes school housing*

*\*\*Aviator College of Aeronautical Science & Technology will not release information other than the specific buildings occupied by Aviator College of Aeronautical Science & Technology.*

Emergency Response/Evacuation Procedures

In the event of an emergency, students, faculty and staff will be notified via text message. Aviator College will perform an annual text of the emergency/evacuation text messaging system. All students are responsible for updating their telephone numbers with the Administrative Coordinators.

Active Shooter Plan

Any event where a firearm or any other weapon is known to be involved, all employees and students are asked to contact the Campus Director and notify them of the situation.

If confronted by an armed/violent intruder, do not resist and follow their instructions.

• If 911 has not been contacted, call 911 immediately and inform them of the following:

- What is going on

- Location of incident

- What type of weapon is involved

- How many people are involved

• If scene is not safe, stay out of danger area and wait for police to arrive

• If 911 has been called, and the scene is safe, evacuate all employees and guests from the area.

• Complete a detailed incident report

• Forward incident report to the Campus Director

Natural Disaster Plan

• If a Hurricane Warning or Watch (defined below) takes place outside of normal business hours the Campus Director will determine if the campus will be closed. If the campus is closed all students, faculty, and staff will be notified via text message.

• If a Hurricane Warning or Watch takes place during normal business hours the Campus Director will determine if the campus will closed. Each student, faculty, and staff member will be notified verbally or via text that the campus will be closing.

• If severe weather or any other natural disaster occurs during normal business hours the Campus Director will determine if the students, faculty and staff need to move away from the windows and move to a designated “Severe Weather Area” in the school.

Hurricane Watch – hurricane conditions (sustained winds of 74 mph or higher) are possible within the specified area. A hurricane watch is issued 48 hours in advance of the anticipated onset of tropical-storm-force winds in an area.

Hurricane Warning – hurricane conditions (sustained winds of 74 mph or higher) are expected within the specified area. A hurricane watch is issued 48 hours in advance of the anticipated onset of tropical-storm-force winds in an area.

Bomb & Terrorist Plan

All bomb threats should be treated as though they are real. In the event that a bomb threat is received, the following steps should be taken:

• If a bomb threat has been received at the facility, the Campus Director shall initiate an emergency evacuation of the facility.

• Call 911 and report the bomb threat.

• If the bomb threat has been received via phone, the person taking the call should remain calm and obtain as much information from the caller as possible including the following:

- How many bombs are there?

- Where are they located?

- When are they set to explode?

# Graduation and Employment Rates

The following graduation and employment rates listed below are reported annually to the Accrediting Commission for Career Schools and Colleges (ACCSC). The rates were reported in October 2019.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Program | Student Started | Student Who Graduated | Graduation Rate | Number of Student Employed in Their Field of Study | Employment Rate |
| BS (Ft Pierce) | 0 | 0 | 0 | 0 | 0 |
| AS (FtPierce) | 37 | 8 | 22% | 6 | 75% |
| AMT (FtPierce) | 0 | 0 | 0 | 0 | 0 |
| Commercial (FtPierce) | 85 | 50 | 59% | 22 | 44% |

# Family Education Rights and Privacy Act (FERPA)

In compliance with Public Law 93-380, “The Family Educational Rights and Privacy Act” (FERPA), the Academy has adopted policies and procedures which give students the opportunity to view their educational records upon request. Educational records mean those files, documents, and other material that contains information directly related to a student. Educational records do not include working papers concerning students, such as informal notes and other temporary notes of a similar nature that are in the sole possession of the faculty or staff and are not accessible or revealed to any other person. The College will not permit access to, or the release of, confidential information to any individual or agency without the express written consent of the student except as follows:

* to other school officials who have educational interest in the information
* to officials or another school where the student seeks or intends to enroll or is enrolled, representatives of the Comptroller General of the United States, the Secretary of Education or State and local educational authorities relating to financial aid and is necessary to determine eligibility for aid, determine amount of aid, determine conditions for the aid, enforce the terms and the conditions of the aid
* to State officials if required by State statute
* to organizations, conducting studies for educational agencies or institutions to develop, validate, or administer student aid programs or improve instruction. No personally identifiable information will be released except to representatives of the organization and the information provided to the organization will be destroyed when no longer needed for the study
* to accrediting agency to carry out accrediting functions
* to parents of a dependent student
* to comply with a judicial order or subpoena
* to meet a health or safety emergency
* to an alleged victim of a crime or violence regarding the final results of disciplinary proceedings against the alleged perpetrator of the crime

# High School Diploma-Determining the Validity

For admittance in accordance with our accrediting commission, ACCSC, Aviator College requires all students to provide evidence that the applicant possesses one of the following: a High School Diploma, a GED equivalent, a home-study certificate or transcript from a home-study program that is equivalent to high school level and is recognized by the student’s home state. An applicant to any program who has not yet obtained a GED or who cannot provide proof of graduation may obtain GED testing information from the Admissions Department.

‘Diploma Mill’ is a term that refers to any entity that offers, for a fee, degrees, diplomas, or certificates, that may be used to represent to the general public that the individual possessing such a degree, diploma, or certificate has completed a program of education or training; and requires such individual to complete little or no education or coursework to obtain such degree, diploma , or certificate; and lacks accreditation by an accrediting agency or association that is recognized as an accrediting agency.

Aviator College keeps a record of any institutions known to be diploma mills and partners with Hart Investigations to ensure its practices result in fair and impartial assessments. If a high school’s validity is in question either by the Secretary of Education or the institution, Aviator College will consider the following factors:

• The institution’s website: are there indicators of education for a fee, correspondence (mail-in) training and testing as well as any other unusual inconsistencies? Does the institution require little coursework or little attendance to obtain a credential?

• Does the institution provide information about its corporation’s location, its governance, or ownership

• Does the institution provide little or no contact information other than a telephone number or email address?

• Does the institution publish false or exaggerated claims of external quality review?

• If the institution does not have a website, the institution will need to be contacted by phone. If the institution cannot be contacted by internet or phone, this is an indication that the high school diploma is valid;

• Review high school transcripts to verify the extent of the coursework involved for the diploma the applicant is presenting;

• Determine the length of time to completion. How does this time frame correlate to the amount of coursework needed to complete high school?

The determination of the validity of a high school diploma is a collective effort based on a variety of factors. The Campus Director and the Director of Compliance & Oversight will make the final decision after taking into account the results of the research, including the use of outside agencies.