

Using Materials in Distance Learning: A Guide to 110(2) (the TEACH Act)

If you would like to...

Perform or Display

- Perform a **nondramatic literary or musical work** (a work that does not require both dialogue and action to represent the narrative, e.g. reading aloud a passage from a textbook or playing a part of a pop song from an album)
- Perform other works in **reasonable and limited portions**
- Display any work in an amount **comparable to live classroom session** (e.g. showing photographs)

You must...

Institutional Requirements

- Be a governmental body **or** accredited nonprofit education institution
- Have **policies** and provide **informational materials** regarding copyright to faculty, students, and relevant staff
- Provide **notice** to students that materials may be subject to copyright protection

&

Teaching Requirements

- Perform or display the work **at the direction or under actual supervision** of instructor
- Perform or display the work as an **integral** part of **regular class time instruction**
- Perform or display a work that is **directly related and of material assistance** to educational objectives of the class

&

Technology Requirements

- Strictly **limit to officially enrolled students** (to the extent technologically feasible)
- Apply **technical controls** to prevent downloading, copying, access to materials beyond the class session, and unauthorized further dissemination of the work (for works that are transmitted digitally)
- Abstain from interfering with technological protection measures already in place

Need to make copies?
See reverse.

EXCLUSIONS

- Cannot include works **produced or marketed** primarily as eLearning or distance learning materials.

- Cannot include copies the institution **knew or had reason to believe were unlawfully made and acquired.**

Using Materials in Distance Learning: A Guide to 110(2) (the TEACH Act)

If you would like to...

Make copies in order to perform or display material

The work to be copied must be the type covered under the TEACH Act (see reverse)

Format Requirements

May convert from analog if:

- Digital version not available to institution, **OR** available digital version is subject to technological protection measures preventing its use under TEACH Act
- New digital copy meets all requirements for works already in digital form

For works already in digital form:

- Copies retained and used solely by body or institution that made them
- No further copies made

Meet all Institutional, Teaching, and Technology Requirements of TEACH Act (see reverse)