I. Institutional Requirements

✓ Non-profit institution
✓ Regional or national accreditation
✓ Copyright policies
✓ Informational materials for faculty, students, and staff regarding copyright law and compliance with copyright law


II. Curriculum Requirements

☐ Integral part of the class session
☐ Mediated instructional activities (with or without the faculty present during use)
☐ Related to and of assistance to the teaching of the content

III. Allowable Content

TEACH Act amends section 110(2) of the Copyright Act to allow for the inclusion of performances and displays of copyrighted works in digital distance education under appropriate circumstances and subject to certain limitations.

☐ Non-dramatic literary or musical work (entirety)
☐ Reasonable, but limited, portions of other performances and displays
☐ Legally obtained
☐ Conversions to digital format if no digital version of the work is available to the institution (see Fair Use guidelines and IT prevention measures)
☐ If the digital version of the work that is available to the institution, it is subject to technological protection measures that prevent its use (see IT prevention measures)

IV. Excluded Content

☐ Textbooks, course packs, or other material in any media, copies or phonorecords of which are typically purchased or acquired by the students in higher education for their independent use and retention

V. Faculty Requirements

☐ Provides notification to students that “The materials used in connection with the course may be subject to copyright protection.”

VI. Recipient/Student Restrictions

☐ Students officially enrolled in the course

VII. Institutional Technology Requirements

☐ Content accessible by intended recipients only
☐ Technological measures in place that reasonably prevent
   i. retention of the work in accessible form by recipients of the transmission from the transmitting body or institution for longer than the class session;
   ii. unauthorized further dissemination of the work in accessible form by such recipients to others;
   iii. does not engage in conduct that could reasonably be expected to interfere with technological measures used by copyright owners to prevent such retention or unauthorized further dissemination
☐ Password protected