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TEACH ACT

Faculty and students will often want to incorporate some or all of the copyrighted work of others into course materials that are to be digitized and transmitted for distance education. The conditions for lawfully using materials under the Technology, Education, and Copyright Harmonization (TEACH) Act without requiring copyright permission are outlined here, but faculty and students are encouraged to seek advice from their university attorneys and distance education experts.

Overview of TEACH Act Requirements (check as applicable)

WHO:

- UNCW activity / course

WHAT (one of the below):

- Performances of non-dramatic literary works or
- Performances of non-dramatic musical works or
- Performances of reasonable portions of any other work or
- Display of any other work in an amount comparable to that typically displayed in a live classroom setting

BUT NOT (none of the below):

- Digital educational works (Works produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks) or
- Unlawful copies (copies you know or reasonably should know were not lawfully made or acquired)

WHEN (all of the below):

- By, at the direction of, or under the actual supervision of an instructor, and
- As an integral part of a class session, and
- As part of systematic mediated instructional activities, and
- Directly related and of material assistance to the teaching content

HOW (all of the below):

- Transmission made solely for and reception limited to (as technologically feasible) students enrolled in the course, and
- Downstream controls instituted:
 - Technological measures that reasonably prevent retention in accessible form for longer than a class session, and
 - Unauthorized further dissemination in accessible form, and
 - No interference with copyright holder's technological measures that prevent such retention and dissemination

**CONVERSION
ANALOG TO DIGITAL:**

- Conditions allowing conversion (one of the below):
 - No digital version available to the institution (contact Library for more information on documenting this) or
 - The available digital version is technologically protected to prevent TEACH uses

GENERAL INSTITUTIONAL REQUIREMENTS (all of the below):

- Promulgate copyright policies and
- Provide accurate information about copyright and
- Promote copyright compliance and
- Provide notice to students that course materials may be copyrighted

Does your proposed use satisfy all requirements of the TEACH Act? ___ Yes ___ No

Signature: _____

Course: _____

Semester: _____

For a glossary of definitions used in this form, see the Office of General Counsel's [webpage on copyright](#).