

TEACH Act Checklist for Use of Nondramatic Works in a K-State Online Classroom

All boxes must be checked to comply with Section 110(2)/TEACH Act of the U.S. Copyright Act

Is the copy of the dramatic work (e.g. a film)...	✓/x	Is/does the university...	✓/x	Is the nondramatic work...	✓/x	Is/does the online transmission of the work..	✓/x
a legally obtained copy?	<input type="checkbox"/>	an accredited nonprofit educational institution?	<input checked="" type="checkbox"/> <i>K-State is an accredited nonprofit educational institution</i>	an integral part of the class session and relevant to the course learning objectives?	<input type="checkbox"/>	limited to students officially enrolled in the course? (e.g. through a learning management system such as Canvas)	<input type="checkbox"/>
the only copy made in order to make the online transmission?	<input type="checkbox"/>	institute policies regarding copyright and provide information materials to faculty, students, and relevant staff members on copyright?	<input checked="" type="checkbox"/> <i>K-State has policies on copyright and intellectual property and provides accurate information about U.S. copyright law.</i>	of an amount similar to typical displays in face-to-face teaching? (e.g. images)	<input type="checkbox"/>	only accessible during the class session (i.e. it is streamed/displayed during a period of time comparable to a face-to-face classroom session)?	<input type="checkbox"/>
not part of materials specifically marketed for classroom use for digital distance education?	<input type="checkbox"/>	Did you...	✓/x			prevent users/students from further retaining and/or disseminating the film/work (e.g. they cannot download or easily make a copy of the work)?	<input type="checkbox"/>
		include a notice that the work is protected by copyright?	<input type="checkbox"/>				
If an analog copy (e.g. VHS), is there no digital copy available or is the digital copy that is available have technological protections that prevent your copying?	<input type="checkbox"/>	<p>Definitions</p> <p>Dramatic works: any audiovisual work (e.g. videos), and dramatic literary and musical works, such as plays and operas.</p> <p>Nondramatic works: literary and musical works that do not include dramatic elements, such as symphonies and poems.</p> <ul style="list-style-type: none"> • TEACH Act allows for entire performances of nondramatic literary and musical works when appropriate. <p>Performance: showing or streaming an audiovisual work (such as a film)</p> <p>Display: showing/displaying a visual or textual work</p> <p>Class session: a period of time that is comparable to a regular face-to-face classroom session</p> <ul style="list-style-type: none"> • Could be displayed for a week or even an entire semester, depending on how long students need access to those specific copyrighted works for the learning objectives of the course's class sessions. 					

Reminder: Evaluation of copyrighted materials in online courses should be re-evaluated at the beginning of each semester, even if you plan to use the same materials.

TEACH Act Checklist for Use of Dramatic Works in a K-State Online Classroom

All boxes must be checked to comply with Section 110(2)/TEACH Act of the U.S. Copyright Act

Is the copy of the dramatic work (e.g. a film)...	✓ / ✗	Is/does the university...	✓ / ✗	Is the dramatic work...	✓ / ✗	Is/does the online transmission of the work...	✓ / ✗
a legally obtained copy?	<input type="checkbox"/>	an accredited nonprofit educational institution?	<input checked="" type="checkbox"/> <i>K-State is an accredited nonprofit educational institution</i>	an integral part of the class session and relevant to the course learning objectives?	<input type="checkbox"/>	limited to students officially enrolled in the course? (e.g. through a learning management system such as Canvas)	<input type="checkbox"/>
the only copy made in order to make the online transmission?	<input type="checkbox"/>	institute policies regarding copyright and provide information materials to faculty, students, and relevant staff members on copyright?	<input checked="" type="checkbox"/> <i>K-State has policies on copyright and intellectual property and provides accurate information about U.S. copyright law.</i>	a reasonable and limited portion of the work? • This condition is one of the major differences between Sections 110(1) and 110(2)/TEACH Act.	<input type="checkbox"/>	only accessible during the class session (i.e. it is streamed/displayed during a period of time comparable to a face-to-face classroom session)?	<input type="checkbox"/>
not part of materials specifically marketed for classroom use for digital distance education?	<input type="checkbox"/>	Did you...	✓ / ✗			prevent users/students from further retaining and/or disseminating the film/work (e.g. they cannot download or easily make a copy of the work)?	<input type="checkbox"/>
		include a notice that the work is protected by copyright?	<input type="checkbox"/>				
If an analog copy (e.g. VHS), is there no digital copy available or is the digital copy that is available have technological protections that prevent your copying?	<input type="checkbox"/>	<p>Definitions</p> <p>Dramatic works: any audiovisual work (e.g. videos), and dramatic literary and musical works, such as plays and operas.</p> <p>Nondramatic works: literary and musical works that do not include dramatic elements, such as symphonies and poems.</p> <ul style="list-style-type: none"> • TEACH Act allows for entire performances of nondramatic literary and musical works when appropriate. <p>Performance: showing or streaming an audiovisual work (such as a film)</p> <p>Display: showing/displaying a visual or textual work</p> <p>Class session: a period of time that is comparable to a regular face-to-face classroom session</p> <ul style="list-style-type: none"> • Could be displayed for a week or even an entire semester, depending on how long students need access to those specific copyrighted works for the learning objectives of the course's class sessions. 					

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