A Checklist of a Few Requirements for Lawful Compliance with The T.E.A.C.H. Act

Dr. F. J. Dolak

Institutional Requirements:

❑ We hereby affirm that we are an accredited educational institution
❑ We have policies regarding copyright in place
❑ We have copyright informational materials available to the academic community
❑ We have copyright description materials available to the academic community
❑ We have copyright compliance materials available to the academic community
❑ We have copyright notices to the students re: copyrighted materials in the distance education course
❑ We promote an environment of compliance with the Copyright Law
❑ We promote an environment of responsibilities under the Copyright Law
❑ We promote an environment to decrease unintentional and uninformed acts of infringement
❑ We have verified that the students are officially enrolled in the distance education course
❑ We hereby affirm that the mediated instructional materials being used are legally purchased, copyrighted protected materials

Technological Requirements:

❑ We are preventing retention of the copyrighted work(s) past the class session
❑ We are preventing unauthorized further dissemination of the work(s)
❑ We ensure that encryption or other technological measures to prevent retention are not being circumvented
❑ We ensure that only anticipated, authorized enrolled recipients have access to the class session and mediated instructional materials
❑ We ensure that these students are verified for transmission reception through password access or other similar measures
❑ We ensure that any digital versions of any mediated instructional materials are subject to technological protection
❑ We ensure that analog materials converted to digital are not available in that digital format
❑ We ensure that analog materials converted to digital entailing portions are authorized to be performed or displayed under section 110(2) of the Copyright Law
❑ We ensure that analog materials converted to digital are in compliance with section 112(f)(2) of the Copyright Law

Instructor Mediated Instructional Activity Requirements:

❑ As instructor, I affirm that the performance of copyrighted material(s) is an integral part of my class session
❑ As instructor, I affirm that the display of copyrighted material(s) is an integral part of my class session
❑ As instructor, I affirm that the performance of copyrighted material(s) is directly related and of material assistance to the teaching content of the transmission
❑ As instructor, I affirm that the display of copyrighted material(s) is directly related and of material assistance to the teaching content of the transmission
❑ As instructor, I affirm that the mediated instructional activities materials being performed would be an integral part of my face-to-face classroom
❑ As instructor, I affirm that the mediated instructional activities materials being performed are analogous to my face-to-face classroom use
❑ As instructor, I affirm that the mediated instructional activities materials being performed are under my control
❑ As instructor, I affirm that the mediated instructional activities materials being performed are under my actual supervision
❑ As instructor, I affirm that the mediated instructional activities materials being displayed would be an integral part of my face-to-face classroom

❑ As instructor, I affirm that the mediated instructional activities materials being displayed are analogous to my face-to-face classroom use
❑ As instructor, I affirm that the mediated instructional activities materials being displayed are under my control
❑ As instructor, I affirm that the mediated instructional activities materials being displayed are under my actual supervision
❑ As instructor, I affirm that any displays and performances of mediated instructional activities materials are not ancillary materials
❑ As instructor, I affirm that any displays and performances of mediated instructional activities materials are not used for entertainment of the students
❑ As instructor, I affirm that any displays and performances of mediated instructional activities materials are not used as unrelated background material
❑ As instructor, I affirm that the mediated instructional activities materials will not displace a textbook
❑ As instructor, I affirm that the mediated instructional activities materials will not displace a coursepack
❑ As instructor, I affirm that the mediated instructional activities materials will not displace e-reserves
❑ As instructor, I affirm that the mediated instructional activities materials will not displace digital library resources
❑ As instructor, I affirm that the mediated instructional activities materials will not displace other material in any media
❑ As instructor, I affirm that the mediated instructional activities materials will not displace copies of phonorecords specially sold to students for independent use and retention
❑ As instructor, I affirm that the copyrighted works used as mediated instructional activities materials are not those works that are marketed primarily for performance or display as part of mediated instructional activities materials via digital networks

© Copyright 2003, Fritz Dolak & the University Copyright Center, All Rights Reserved