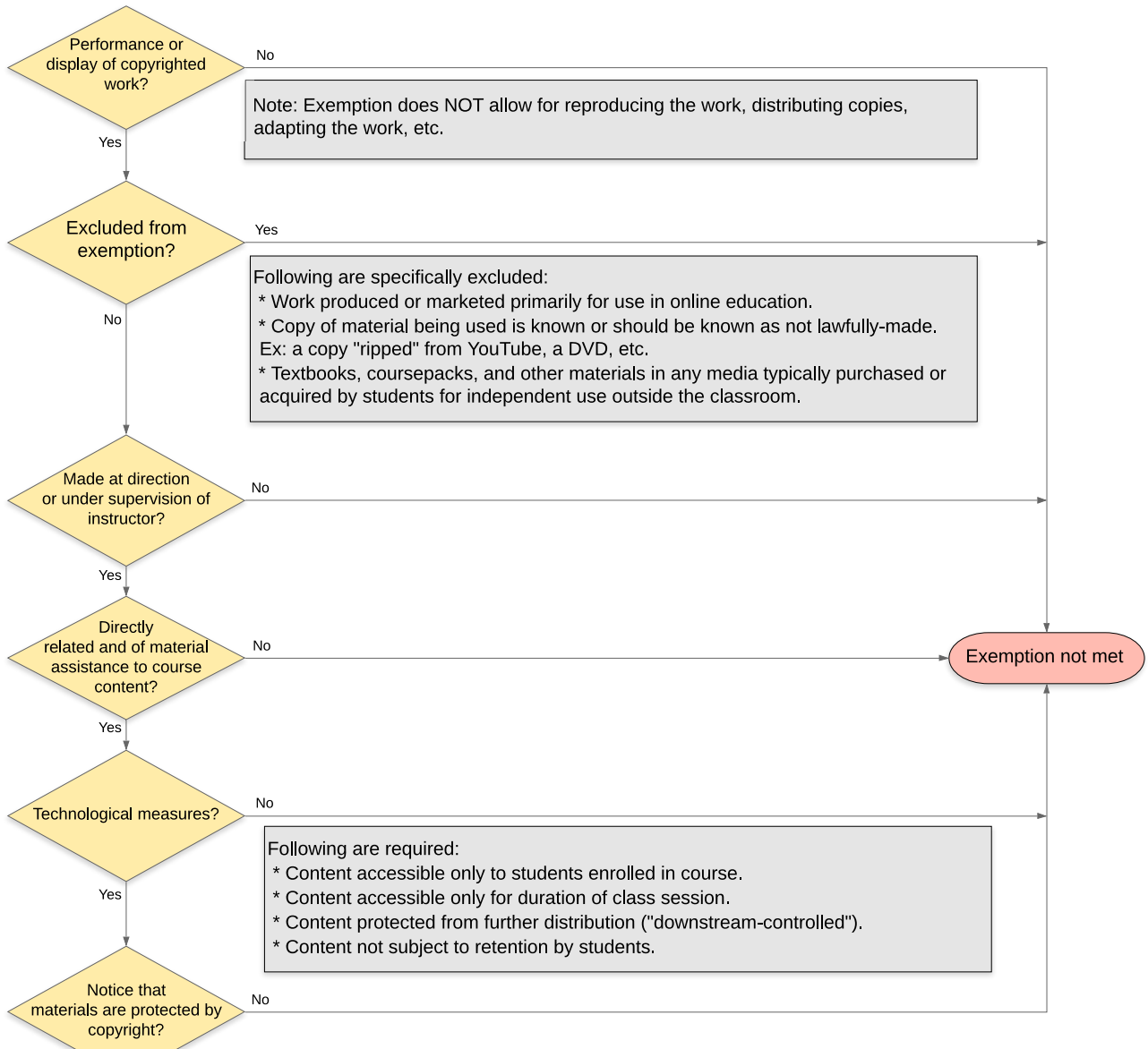




# TEACH ACT (DISTANCE EDUCATION) EXEMPTION FLOWCHART

## 17 U.S.C. § 110(2)

The Technology, Education, and Copyright Harmonization Act ("TEACH Act") extends the Face-to-Face Classroom Exemption to distance learning courses in a limited way. The exemption applies only to online courses restricted to registered students. When the TEACH Act does apply, it allows the instructor to transmit performances of entire non-dramatic works and reasonable and limited portions of any other audiovisual work without obtaining permission. The TEACH Act attempts to balance the benefits of robust and creative teaching with the rights of a copyright holder, acknowledging the ease with which copyrighted works can be infringed in an online setting.



Note: Exemption does NOT allow for reproducing the work, distributing copies, adapting the work, etc.

Following are specifically excluded:  
 \* Work produced or marketed primarily for use in online education.  
 \* Copy of material being used is known or should be known as not lawfully-made. Ex: a copy "ripped" from YouTube, a DVD, etc.  
 \* Textbooks, coursepacks, and other materials in any media typically purchased or acquired by students for independent use outside the classroom.

Following are required:  
 \* Content accessible only to students enrolled in course.  
 \* Content accessible only for duration of class session.  
 \* Content protected from further distribution ("downstream-controlled").  
 \* Content not subject to retention by students.

Use permitted under Distance Education Exemption (see restrictions)

TYPE OF USE	TYPE OF WORK	AMOUNT AUTHORIZED UNDER TEACH ACT
Performance	Nondramatic literary or musical work	Entire work
	Any other work (including dramatic literary or audiovisual)	"Reasonable and limited portions" of work
Display	Any work	Amount comparable to face-to-face teaching