TEACH Act Checklist

1. Is the work a digital educational work, i.e., a work produced or marketed primarily for performance/display as part of mediated instructional activities transmitted via digital networks?
   - No: Proceed
   - Yes: Seek Fair Use, Permissions, or Licensing

2. Is the work lawfully made and acquired?
   - Yes: Proceed
   - No: Stop
   - Don't Know: Would a reasonable evaluation indicate the origin of the work to be questionable? If so, stop.

3. Is the work
   - An integral part of the class session?
   - Part of systematic mediated instructional activities?
   - Directly related and of material assistance to the teaching content?
     - Yes: Proceed
     - No: Reevaluate use of the work or seek Fair Use, Permissions, or Licensing.

4. Amounts allowed:
   - Nondramatic literary works: All
   - Nondramatic musical works: All
   - Any other works:
     - Performances - Reasonable portions in an amount comparable to that performed in live classroom
     - Displays - Amount comparable to that performed in live classroom
       - Yes: Proceed
       - No: Stop; seek Fair Use, Permissions, or Licensing

5. Is transmission of the work limited, as technically feasible, to students enrolled in the course?
   - Yes: Proceed
   - No: Stop; seek Fair Use, Permissions, or Licensing

6. Have you implemented reasonable measures to prevent retention of the works for longer than the class session? And, have you implemented reasonable measure to prevent unauthorized further dissemination in accessible form by the recipients?
   - Yes: Proceed
   - No: Stop; seek Fair Use, Permissions, or Licensing

7. Is there a digital version of the work available to the institution?
   - Yes: Is the digital version technologically protected to prevent TEACH uses?
   - Yes: Conversion of analog to digital permitted
   - No: Conversion of analog to digital not permitted
   - No: Conversion of analog to digital permitted

8. Is there a notice accompanying the work notifying students that the work may be protected by copyright?
   - Yes: Proceed
   - No: Provide one with the materials; Example: "The materials on this course Web site are only for the use of students enrolled in this course for purposes associated with this course and may not be retained or further disseminated."

Office of Legal Affairs
Georgia Southern University