

Central Virginia Community College Policies
VI – Academic Services Assisting Instruction
The TEACH Act



Policy #:	CVCC0151
Effective:	__/__/__
Last Reviewed/Revised:	08/30/2022
Responsible Dept.:	Library Services
Other Policy References:	NA

The TEACH ACT

The TEACH Act expanded educators' rights to transmit copyrighted works in digital distance education so long as strict conditions are met.

- CVCC is a non-profit educational institution.
- CVCC is responsible for meeting some of the TEACH conditions such as limiting reception to enrolled students, taking technological measures to control access and to prevent further dissemination, and limiting the time any distance education class will be retained on the system or network.
- CVCC and faculty are responsible for making copyright information available to students who will be viewing the copyrighted materials.

1. Permissible Use of Legally Acquired Materials:

- Transmitting complete performances of non-dramatic literary works.
- Transmitting complete performances of non-dramatic musical works.
- Transmitting limited portions of other works. See guidelines for off-air recordings and multimedia for allowable portions.

2. Not Permissible:

- Transmitting anything that is produced and sold for performance or display as part of a digitally transmitted mediated instructional activity unless CVCC purchases a license that allows us to do so.
- Transmitting textbooks or course packs.
- Converting anything to digital format that already is available – usually for sale – in digital format.
- Converting to digital format, a greater portion of a copyrighted work than educator will use in a course.

3. Conditions:

- Amount displayed must be the same as for a live class.
- Content must be directly related to a class session and part of systematic mediated instructional activities.
- Content cannot be supplemental material.

There may be instances in which the planned use of copyrighted material does not fall within the scope of the TEACH Act but may nonetheless be permitted under the criteria of fair use. When using copyrighted materials based on the Doctrine of Fair Use, instructors should remember to consider and document the evaluation of all four fair use factors including effect on market value. Use should be spontaneous and limited to one time.

See *Checklists for Fair Use/TEACH Act* for assistance in determining possible fair use.