

Copyright FAQs

We recently learned quite a bit about copyright laws, and we want to make you aware of what has been learned, so that that all comply with laws in the future.

The reason for copyright laws is to protect the intellectual property of the author, composer, creator of the material. Since in most cases they sell their material, if we make copies of their writing, or showing their film, without their permission, we are in essence, misappropriating them.

Copyright of Written Materials:

We should begin by saying that we are required by law to comply with copyright laws.

Please note that we are not permitted to post copyrighted materials on our website (for example, in our *Instructor Handouts* section).

While we are permitted to use materials under the doctrine of “fair use,” that exception is extremely narrow and we should take every precaution to protect the intellectual property of others.

There are many copyrighted materials available on the web.

- We are not permitted to post these web-based copyrighted materials on our website either. Yes... even though anyone can read them on the web, we are not permitted to republish them without permission unless we can fit into the “fair use exception.”
- **However**, we can provide links to the website. Newspaper articles are also copyrighted, therefore they should not be posted on our website, and must only be used in classrooms if they fit into the “fair use exception.”

For information on that exception, please see:

<https://library.temple.edu/about/policies/university-libraries-copyright>

When using copyrighted materials, we must be mindful to

- only use them for educational purposes; that we
- only use a small portion of the copyrighted work; and that
- our use of the work will not diminish the value or market of the copyrighted work.

For example, we are only permitted to make copies and then hand out very brief portions of a larger work, for the classroom.

- We are not allowed to make copies and handout sections from textbooks in lieu of having students purchase them for use in class.

Thank you for your diligence in ensuring that OLLI follows all applicable copyright laws. If you know that some of the material that you've requested we post in your *Instructor Handouts*, is copyrighted, let us know as soon as possible so we can take it down. We will be reviewing it ourselves and will take anything down that is copyrighted.

Also, please review every document, before you submit it, that you want posted on *Instructor Handouts*, to determine whether it is copyrighted. If it is copyrighted, please don't submit it. If questions come up during this process, please don't hesitate to ask.

We appreciate your support in this matter.

Copyright of Visual Materials:

As you know, films and television programs are protected by copyright as well as written materials. Copyright owners have certain exclusive rights under the federal Copyright Act, including the right to control how and when a film is screened and shown publicly.

The Copyright Act permits teachers to show a film, video, or TV program in a classroom for teaching or educational purposes under the "face to face" teaching exemption.

In order to satisfy this exemption,

- the film must have been lawfully obtained (no illegally downloaded or pirated copies allowed),
- the film must be shown in the classroom, and the instructor must be engaged in face-to-face teaching activities.

In other words, film or video content should be connected to whatever subject matter you are covering in your class and not merely for entertainment. (We know that many of you do many of these things already.)

To comply with the federal Copyright Act's provision of the "face to face" teaching exemption we will need you to do the following:

- Your syllabus must explain the connection between the film and the course and have a clear justification for why it is being shown;
- You must credit the company that made the video in your syllabus and in your classroom before you show the film (since it is their intellectual property);
- Before the film screening, you should provide educational content for discussion after the film has been shown, such as readings, questions for students to think about as the film is being shown, this can be included in your syllabus or attached to your instructor page as a weekly addition.
- After showing the film, you should have a discussion that achieves certain educational objectives.

Notwithstanding the foregoing,

- **you may not show programs from Netflix in your classroom unless the program is a documentary.**

This is because the terms of the Netflix subscription agreement prohibit the screening of any programs outside of an individual's household, except in the case of documentaries.

However:

- You may use a personal Netflix account only to stream a documentary program for your class for educational purposes.
- You must also confer with our office before streaming programs from other online third-party services (e.g., Hulu), which may also restrict what content may be screened in a classroom.

If you wish to show a film or television program, the simplest way would be to borrow it from your local library.

Many educational films are available for streaming online through your local library without the restrictions on Netflix films.

- You may also show a film that you lawfully obtained (e.g., a DVD that you own).

If none of these options work, please reach out to us and we will try to brainstorm other solutions.

- If you wish to show DVDs from other companies, for example, *The Teaching Company*, you must notify OLLI office beforehand. The Teaching Company requires that we purchase a license in order to show their films to a group of people.

We understand that these rules may pose a challenge to some of you. However, we need to ensure that we are following the rules of the Copyright Act and other rules pertaining to online streaming services. If you have any questions or concerns, please reach out to Betsy Reese, our Program Manager.