Film Screening Guidelines
Public Performance Rights

Those wishing to exhibit a film or other media in a space on the Earlham College campus must produce documentation that a public performance license has been obtained.

Willful infringement is a federal crime that carries a maximum sentence of up to five years in prison and/or a $250,000 fine. Not only is the event sponsor responsible, but the College could also be liable for any civil penalties.

What are Public Performance Rights?
PPR, or Public Performance Rights, is permission to screen a film publicly in a venue. This public screening may be advertised, but admission may not be charged. These rights may be obtained from the creator or seller of the film after it has been purchased or may be included with the purchase of the film.

When are Public Performance Rights necessary?

It is a public performance, and therefore a public performance license is required if any of the following apply:

- The screening is open to the public (e.g. Richmond community).
- The screening is in a public space, including a residence hall lounge, auditorium, library, etc.
- Access is not restricted to the public.
- Persons attending the screening are outside the normal circle of family or friends.
- Any movies before 1923 are except for PPR Rights. All movies after 1923 are required to have PPR rights.

Examples of public performances include:

- Showing a film in residence hall or student union lounge to a large group of acquaintances
- Showing a film during a club or organization meeting advertise the screening (on social media, in the campus newspaper, via posters, etc.).
- A film series or lecture that is open to the public
- Showing a film in the classroom for curriculum-related purposes, but inviting others outside the class to attend.

Non-public performances and are exempt from Public Viewing Rights include:

- Privately viewing the film in a residence hall room with a small group of friends
- The movie will be shown by an instructor in the course of face-to-face teaching activities in a classroom or similar place devoted to instruction.
  - The faculty member may show the film/movie outside the normal class period (at night for example); however, it is only for those students who are registered for the class. The movie must also be shown in spaces that are designated for instruction; therefore, library screening rooms, residence hall or student union lounges, cafeterias do not qualify.
- The showing must be for instructional purposes (not for recreation, entertainment, or general cultural value) with the instructor personally present. Typically, the movie must directly relate to a course’s curricular goals as described in the course syllabus.
- The copy of the movie being shown must have been lawfully made. A legal copy purchased or rented from a store or distributor or borrowed from a library may be used. A movie taped or recorded from television or copied without permission may not be used.
Copyright Laws

- Copyright law does not permit public performance of a movie unless one of these exceptions applies or public performance rights are obtained.
- There is no general “educational”, “nonprofit”, or “free of charge” exception. This means that most movie showings outside the context of face-to-face classroom teaching will require you to have PPR.
- No admission fee may be charged for a movie showing nor may the movie showing be publicized to the general campus unless public performance rights have been secured.

The Law**

The Federal Copyright Act (Title 17 of the U.S. Code) governs how copyrighted materials, such as movies, may be used. Neither the rental nor the purchase of a copy of a copyrighted work carries with it the right to publicly exhibit the work. No additional license is required to privately view a movie or other copyrighted work with a few friends and family or in certain narrowly defined face-to-face teaching activities.

However, bars, restaurants, private clubs, prisons, lodges, factories, summer camps, public libraries, daycare facilities, parks and recreation departments, churches and non-classroom use at schools and universities are all examples of situations where a public performance license must be obtained. This legal requirement applies regardless of whether an admission fee is charged, whether the institution or organization is commercial or non-profit, or whether a federal or state agency is involved.

For more information on Copyright Infringement, click here.

Where can I find a list of films that Earlham owns which include PPR?

- You can find a list of titles in the Earlham collection that includes PPR by clicking the Public Performance Rights tab of this page (or link: http://library.earlham.edu/dvds/ppr)
- As new titles are purchased, they are added to this list.

Is there a cost to obtain PPR?

- Yes. For films that include PPR with purchase, the price of the film is usually much higher than that of a feature film. Obtaining PPR rights after purchase will include paying an additional fee.

If a film is available on Netflix or another online streaming website? Would that have the appropriate licenses?

- No. Netflix and other legal, online streaming websites do not have the appropriate public performance license attached. Streaming films assumes a private performance of the film, so you would not be permitted to show such a film publically.
- NOTE: YouTube has secured Public Performance Rights.

If you have questions about screening films on campus, copyright in relation to films, or Public Performance Rights, please consult Library Director or the website: http://library.earlham.edu/dvds/screening
Registered Student Organizations
Registered student organization events involving the showing of a movie must first speak to Earlham College Office of Student Life.

Proof of Public Performance Right licensure will be required before resisted student organization or department events are confirmed. Please email approved licensure to events@earlham.edu.