

## LISD Checklist for Fair Use for Visual Media

(Please note: some libraries have transferred this info onto a Google form for electronic tracking.)

Name:	Media Title:	Date to be shown:
Describe which, and how, educational objectives will be met through the use of this media:		

*Using the four legal criteria for establishing Fair Use below, evaluate the planned use for the above item for approval by checking all that apply in both columns.*

<b>PURPOSE for use</b>	
<i>Favoring Fair Use</i>	<i>Opposing Fair Use</i>
<input type="checkbox"/> Teaching (direct course/TEKS instruction) <input type="checkbox"/> Research <input type="checkbox"/> Educational setting (as related to activity taking place, not the facility itself) <input type="checkbox"/> Face to face instruction (educational objectives are addressed within 10 days of viewing)	<input type="checkbox"/> <b>Entertainment*</b> <input type="checkbox"/> <b>Reward*</b> <input type="checkbox"/> <b>Commercial or non-curricular activity (e.g., fundraiser, after school care, field day, recess, end of semester/year parties)*</b> <input type="checkbox"/> <b>Instruction on educational objectives takes place later than 10 days from time of viewing*</b>
<b>NATURE of the work</b>	
<i>Favoring Fair Use</i>	<i>Opposing Fair Use</i>
<input type="checkbox"/> Factual or nonfiction based <input type="checkbox"/> Relationship to educational objectives is readily apparent	<input type="checkbox"/> Highly creative work (films, plays, or other works created largely for entertainment rather than instruction) <input type="checkbox"/> Relationship to educational objectives is not readily apparent
<b>AMOUNT of the work used</b>	
<i>Favoring Fair Use</i>	<i>Opposing Fair Use</i>
<input type="checkbox"/> Small quantity of fiction/entertainment works or other works not clearly related to course content (less than 10% of whole work) to be shown <input type="checkbox"/> Amount is no more than what is necessary and appropriate for meeting educational purpose	<input type="checkbox"/> Large portion of fiction/entertainment works, or other works not clearly related to course content (greater than 10% of the whole work) to be shown <input type="checkbox"/> <b>Amount used is beyond that necessary to meet the educational objective*</b>
<b>EFFECT of the use on copyright holder</b>	
<i>Favoring Fair Use</i>	<i>Opposing Fair Use</i>
<input type="checkbox"/> Lawfully acquired copy of original work (not dubbed, or, if taped off air, rights have not expired) <input type="checkbox"/> No significant effect on the market or potential market for copyrighted work (use is in keeping with original purpose for the work, or amount used is less than 10% or not essence of the work) <input type="checkbox"/> Work is no longer available for purchase	<input type="checkbox"/> <b>Illegally acquired copy (e.g., dubbed, expired rights of off-air taping)*</b> <input type="checkbox"/> Could replace sale or rental of work <input type="checkbox"/> Significantly impairs market or potential market for the work (purchase or rental) <input type="checkbox"/> Repeated or long-term use <input type="checkbox"/> Distributing or otherwise making work widely available (dubbing copies, web access, etc.)

**\*These items cannot meet fair use standards; if you have checked any of these boxes, your use cannot be approved.**  
 I have previewed the above media and have determined that it will be used in compliance with U.S. copyright law.

\_\_\_\_\_  
 Teacher's Signature Date

\_\_\_\_\_  
 Principal's (or designee) Signature Date