

# EXHIBIT B

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

CAMBRIDGE UNIVERSITY PRESS, §  
*et al.*, §  
Plaintiffs, §  
v. §  
MARK P. BECKER, in his official §  
capacity as Georgia State University §  
President, *et al.*, §  
Defendants. §  
§  
§

Case No. 1:08-CV-1425-ODE

**DECLARATION OF JENNIFER ESPOSITO, Ph.D**

I, Jennifer Esposito, do hereby declare under penalty of perjury as follows:

1. My name is Jennifer Esposito. I am over the age of 18 and competent to make this declaration. All of the facts stated herein are within my personal knowledge and are true and correct.

2. I am a professor of Educational Policy Studies at Georgia State University. Following adoption of the USG Policy on Copyright and Fair Use ("the Policy"), I completed a fair use checklist in accordance with the Policy for each of the course reading assignments I made available on electronic reserves ("eReserves") and concluded that each such use was a fair use. True and correct copies of fair use checklists I have completed are attached hereto as Exhibit A.

3. Each course reading assignment I have made available on eReserves since adoption of the Policy has been narrowly tailored to support a specific teaching point and constitutes less than ten percent of the entire work. For each course I have taught following adoption of the Policy, the total course reading assignments available on eReserves have been less than ten percent of the total reading assignments for the course. In addition to the supplemental reading material I place on eReserves, I also require my students to purchase books, including one published by Sage Publications, Inc.

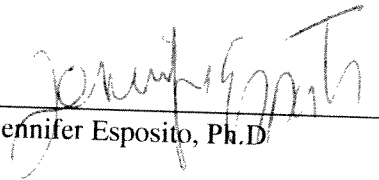
4. My completion of fair use checklists has changed my understanding of how the fair use analysis works. It has made me aware of the stakes involved in posting on eReserves a substantial portion from any particular book.

5. My practices have changed as a result of the Policy and my completion of fair use checklists. For example, I have determined that certain proposed uses were not fair uses after completing the fair use checklist and accordingly have required less course reading for that course in order to ensure the use was a fair use. Though I believe students' education has suffered as a result, I had to make the tough decision to drop those assignments because it would be too expensive to require students to purchase the books on top of the other books they must purchase for my course. I also looked into the option of licensing excerpts of

a book for a course I was teaching in Summer Semester of 2009. Because licensing was too expensive, however, I chose not to assign those excerpts.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 2, 2010.

  
Jennifer Esposito, Ph.D

# EXHIBIT A TO DECLARATION OF J. ESPOSITO



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Home > Library Services > Course Reserves > Course Reserves Request Form

### Course Reserves Request Form

**One more step to finish...**  
**Please review your list below.**  
**Press the SUBMIT button at then end of the page to send your request.**

#### Review

Please review the following reserves requests

Press **Submit** at the bottom of the page to send the request

Press **Back** at the bottom of the page to return to the reserves cart

#### Reserves Request

##### Personal Information

Instructor Jennifer Esposito  
Department EPS  
Work Phone 404-413-8281  
E-mail jesposito@gsu.edu

---

##### Course Information

Course Name EPRS 8500  
Course Number CRN 14126  
This request is for Spring 2010  
Additional Instructors - Sharon Duhart,GTA

---

##### Material Owned by the Library

#### Electronic: Book

Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number

Author Howard S Becker

Title How I learned what a crock was

Place of Publication

Publisher SAGE

Edition Journal of Contemporary Ethnography / Vol 22, No 1

Year of Publication April 1993

Chapter or Page Numbers Pages 28-35

Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number

Author Carolyn Ellis

Title Emotional and Ethical Quagmires in Returning to the Field

Place of Publication

Publisher SAGE

Edition Journal of Contemporary Ethnography / Vol 24, No 1

Year of Publication April 1995  
Chapter or Page pages 68-98  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I  
completed  
Call Number  
Author Christopher Shea  
Title Don't Talk to the Humans The Crackdown on Social Science  
Research  
Place of Publication  
Publisher Lingua Franca  
Edition Lingua Franca / September / Vol 10  
Year of Publication September 2000  
Chapter or Page pages 27-34  
Numbers

[Submit](#) [Back](#)

## Fair Use Checklist

Name Jennifer Esposito Date January 14, 2010

Class or Project Qual/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Emotional and Ethical Quagmires in Returning to the Field

Author and Publisher Carolyn Ellis / Journal of Contemporary Ethnography / SAGE / Vol 24 / No 1 / April 1995

Portion(s) to be used (e g , pages, timer counts) pages 68-98

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

For more information regarding the fair use factors, please see the fair use sections of the Policy on the Use of Copyrighted Works in Education and Research for the University System of Georgia, which can be found on the web at <http://www.usg.edu/copyright/>

Complete and retain a copy of this checklist for each "fair use" of a copyrighted work in order to establish a "reasonable and good faith" attempt at applying fair use should any dispute regarding such use arise.

### Factor 1: Purpose and Character of the Use

#### *Weighs in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*



## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 14, 2010

Class or Project Qual/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work How I learned what a crock was

Author and Publisher Howard S Becker /Journal of Contemporary Ethnography SAGE Vol 22 No 1 April 1993

Portion(s) to be used (e g , pages, timer counts) pages 28-35

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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- Use is necessary to achieve your intended educational purpose

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- Commercial activity
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- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weighs in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weighs Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

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---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weighs in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weighs Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 14, 2010

Class or Project Qual/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Don't talk to the humans the crackdown on social science research

Author and Publisher Christopher Shea / Lingua Franca / September 2000 / Vol 10

Portion(s) to be used (e.g., pages, timer counts) pages 27-34

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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- For public distribution
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*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
- 

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

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  - Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
  - Amount taken is more than necessary for criticism, comment, research, or subject being taught
- 

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

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  - Use stimulates market for original work
  - No similar product marketed by the copyright holder
  - No longer in print
  - Licensing or permission unavailable
  - Supplemental classroom reading
  - One or few copies made or distributed
  - User owns lawfully acquired or purchased copy of original work
  - Restricted access (to students or other appropriate group)
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*



13ac fwp 7S








**EPRS8500 - Qualitative/Interpretative research in Education I (Spring 2010) - Esposito**

Course Info

Documents

Library Research  
Guides

Open/Close All Folders | Help Opening Documents

Title	Primary Author	Format	Size (KB)
Atkinson, Paul, et al, editors. Handbook of Ethnography. London Sage, 2001. Chapters 11, 27, & 30.		Multiple Attached Files (3)	3589 KB
 Boote, David N., Penny Beile. Scholars before Researchers: On the Centrality of the Dissertation Literature Review in Research Preparation. Educational Researcher, Vol. 34, No. 6 (Aug. 1, 2005), pp. 3- 15.		Web Link	-
 Bowen, Glenn Preparing a Qualitative Research-Based Dissertation: Lessons Learned. The Qualitative Report. 10.2 (2005): 208-222.		Web Link	-
 Ercikan, Kadriye and Wolff-Michael Roth. What Good Is Polarizing Research Into Qualitative and Quantitative? EDUCATIONAL RESEARCHER 2006; 35; 14.		Web Link	-
 Fisher, Maisha T. "Open mics and open minds: Spoken word poetry in African Diaspora Participatory Literacy Communities." Harvard Educational Review 73.3 (2003): 362.		Web Link	-
 Johnson-Bailey, Juanita. "The ties that bind and the shackles that separate: race, gender, class, and color in a research process." International Journal of Qualitative Studies in Education (QSE) 12.6 (1999): 660.		Web Link	-
 Schwandt, Thomas A. On Understanding Understanding. Qualitative Inquiry, Vol. 5, No. 4, 451-464 (1999)		Web Link	-
 Solorzano, Daniel G. and Tara J. Yosso. Critical Race Methodology: Counter-Storytelling as an Analytical Framework for Education. 8.1 (2002): 23-44.		Web Link	-

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**Confirmation: 01/19/10 3:50:34 AM**

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### Personal Information

Instructor Jennifer Esposito  
Department: EPS  
Work Phone 404-413-8281  
E-mail [jesposito@gsu.edu](mailto:jesposito@gsu.edu)

---

### Course Information

Course Name EPRS 8500  
Course Number CRN 14126  
This request is for: Spring 2010  
Additional Instructors: - Sharon Duhart, GTA

---

### Material Owned by the Library

#### Electronic: Article

Copyright Status The library licenses a database that provides an electronic version

Title of Journal Qualitative Report

Volume 14

Issue 3

Month: September 2009

Year 2009

Title of Article. The Poliferation of Theoretical Paradigms Quandary: How One Novice Researcher Used Eclecticism as a Solution

Author of Article. David W Stinson

Page Numbers 498-523

Persistent/Stable URL.



# *ERes*

*electronic reserves system*

Ereserves Home > Ereserves Index > Course Reserves Page

Admin Login | Help Pages | Help Videos

## EPRS8500 - Qualitative/Interpretative research in Education I (Spring 2010) - Esposito

Course Info

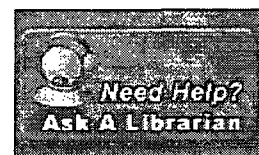
Documents

Library Research  
Guides

<p><b>Course Number:</b> EPRS8500</p> <p><b>Course Name:</b> Qualitative/Interpretative research in Education I</p> <p><b>Section Number:</b></p> <p><b>Term &amp; Year:</b> Spring 2010</p> <p><b>Instructors:</b> Esposito</p> <p><b>Assistants:</b></p> <p><b>Crosslistings:</b></p> <p><b>Courseware Link:</b></p> <p><b>Persistent URL:</b> <a href="http://reserves.gsu.edu/eres/coursepage.aspx?cid=1455">http://reserves.gsu.edu/eres/coursepage.aspx?cid=1455</a></p> <p><b>RSS Feed:</b> <a href="http://reserves.gsu.edu/eres/rss.aspx?cid=1455">http://reserves.gsu.edu/eres/rss.aspx?cid=1455</a></p> <p><b>Description:</b></p> <p><b>Email Alerts:</b> If you would like to be notified when the content of this Course Reserves Page changes please sign up for Email Alerts.</p>
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 Docutek ERes and DocuFax are trademarks of Docutek, a SirsiDynix Company  
 ([http //reserves.gsu.edu/eres/coursepage.aspx?cid=1455&page=ir](http://reserves.gsu.edu/eres/coursepage.aspx?cid=1455&page=ir))





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## Course Reserves Request Form

EPRS 8500  
CRN 14126

Thank you for your request. You can print this page for your records.

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**Confirmation: 01/6/10 9:02.03 PM**

[ [Print](#) ]

### Personal Information

Instructor Jennifer Esposito  
 Department EPS  
 Work Phone 404-413-8281  
 E-mail [jesposito@gsu.edu](mailto:jesposito@gsu.edu)

### Course Information

Course Name EPRS 8500  
 Course Number 14126  
 This request is for Spring 2010

### Material Owned by the Library

#### Electronic: Article

Copyright Status The library licenses a database that provides an electronic version  
 Title of Journal International Journal of Qualitative Studies in Education  
 Volume 12  
 Issue 6  
 Month Nov/Dec  
 Year 1999  
 Title of Article The ties that bind and the shackles that separate race, gender, class, and color in a research process  
 Author of Article Juanita Johnson-Bailey  
 Page Numbers 659-670  
 Persistent/Stable URL  
 Copyright Status The library licenses a database that provides an electronic version

- Title of Journal The Qualitative Report  
Volume 10  
Issue 2  
Month June  
Year 2005  
Title of Article Preparing a Qualitative Research-Based Dissertation  
Lessons Learned  
Author of Article Glenn A Bowen  
Page Numbers 208-222  
Persistent/Stable URL  
Copyright Status The library licenses a database that provides an electronic  
version
- Title of Journal Harvard Educational Review  
Volume 73  
Issue 3  
Month Fall 2003  
Year 2003  
Title of Article Open Mics and Open Minds Spoken Word Poetry in  
African Diaspora Participatory Literacy Communities  
Author of Article Maisha T Fisher  
Page Numbers 362-389  
Persistent/Stable URL  
Copyright Status The library licenses a database that provides an electronic  
version
- Title of Journal Educational Researcher  
Volume 35  
Issue 5  
Month June  
Year 2006  
Title of Article What good is polarizing research in qualitative and  
quantitative?  
Author of Article Kadriye Ercikan and Wolff-Michael Roth  
Page Numbers 14-23  
Persistent/Stable URL  
Copyright Status The library licenses a database that provides an electronic  
version
- Title of Journal Educational Researcher  
Volume 34  
Issue 6  
Month August  
Year 2005  
Title of Article Scholars before Researchers On the Centrality of the  
Dissertation Literature Review in Research Preparation  
Author of Article David N Boote and Penny Beile  
Page Numbers 3-15  
Persistent/Stable URL  
Copyright Status The library licenses a database that provides an electronic  
version

Title of Journal Qualitative Inquiry  
 Volume 8  
 Issue 1  
 Month February  
 Year 2002  
 Title of Article Critical Race Methodology Counter-Storytelling as an  
 Analytical Framework for Education Research  
 Author of Article Daniel G Solorzano and Tara J Yosso  
 Page Numbers 23-44  
 Persistent/Stable URL  
 Copyright Status The library licenses a database that provides an electronic  
 version  
 Title of Journal Qualitative Inquiry  
 Volume 5  
 Issue 4  
 Month December  
 Year 1999  
 Title of Article On Understanding Understanding  
 Author of Article Thomas A Schwandt  
 Page Numbers 451-464  
 Persistent/Stable URL

Electronic: Book (checklist complete for each in this area)

Copyright Status It falls under fair use according to the Fair Use Checklist I  
 completed  
 Call Number HM24 M45 1975  
 Author Bernard N Meltzer, John W Petras, Larry T Reynolds  
 Title Symbolic interactionism genesis, varieties and criticism  
 Place of Publication London, Boston  
 Publisher Routledge & K Paul  
 Edition 1975  
 Year of Publication 1975  
 Chapter or Page 53-83  
 Numbers  
 Copyright Status It falls under fair use according to the Fair Use Checklist I  
 completed  
 Call Number BF204 5 M68 1994  
 Author Clark Moustakas  
 Title Phenomenological research methods  
 Place of Publication Thousand Oaks, California  
 Publisher SAGE  
 Edition 1994  
 Year of Publication 1994  
 Chapter or Page (ix-24) and (43-67)  
 Numbers  
 Copyright Status It falls under fair use according to the Fair Use Checklist I  
 completed

Call Number H61 Y56 2003  
Author Robert K Yin  
Title Applications of case study research Applied Social Research Methods Series Volume 34  
Place of Publication Thousand Oaks, California  
Publisher SAGE  
Edition 2nd Edition  
Year of Publication 2003  
Chapter or Page Chapter 3 (p 53-67)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number H62 M277 1995  
Author Catherine Marshall, Gretchen B Rossman  
Title Designing Qualitative Research  
Place of Publication Thousand Oaks, California  
Publisher SAGE  
Edition 4th Edition  
Year of Publication 2006  
Chapter or Page Chapter 3 (p 51-96) and Chapter 4 (p 97-150)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number H62 H2455 2000  
Author Norman K Denzin, Yvonna S Lincoln editors  
Title The handbook of qualitative research  
Place of Publication Thousand Oaks, California  
Publisher SAGE  
Edition 2nd Edition  
Year of Publication 2000  
Chapter or Page Chapter 6 (p 163-188)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number H62 H2455 2005  
Author Norman K Denzin, Yvonna S Lincoln  
Title The SAGE handbook of qualitative research  
Place of Publication Thousand Oaks, California  
Publisher SAGE  
Edition 3rd Edition  
Year of Publication 2005  
Chapter or Page Chapter 12 (p 303-343) and Chapter 25 (p 651-679)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number B828 2 L56 1985  
Author Yvonna S Lincoln  
Title Naturalistic Inquiry

Place of Publication Beverly Hills, California  
Publisher SAGE  
Edition 1985  
Year of Publication 1985  
Chapter or Page Chapter 9 (p 221-249)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
Call Number HQ1180 D48 1999  
Author Marjorie L DeVault  
Title Liberating Method Feminism and Social Research

Place of Publication Philadelphia  
Publisher Temple University Press  
Edition 1999  
Year of Publication 1999  
Chapter or Page Chapter 5 (p 84-103)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
Call Number LB1028 F64 2004  
Author Edited by Kathleen deMarrais, Stephen D Lapan  
Title Foundations for research methods of inquiry in education and the social sciences

Place of Publication Mahwah, N J  
Publisher Lawrence Erlbaum Associates  
Edition 2004  
Year of Publication 2004  
Chapter or Page Chapter 7 (p 103-121) and Chapter 13 (p 217-234)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
Call Number H62 G82 1997  
Author Gubrium, Jaber F  
Title The new language of qualitative method

Place of Publication New York, NY  
Publisher Oxford University Press  
Edition 1997  
Year of Publication 1997  
Chapter or Page Chapter 1 (p 3-16)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
Call Number HM48 G43  
Author Barney G Glaser and Anselm L Strauss  
Title The Discovery of Grounded Theory Strategies for Qualitative Research

Place of Publication Chicago, IL  
Publisher Aldine Publishing Company  
Edition 1967

Year of Publication 1967  
Chapter or Page Chapter 1 (p 1-18)  
Numbers  
Copyright Status It falls under fair use according to the Fair Use Checklist I  
completed  
Call Number GN345 H365 2001  
Author Edited by Paul Atkinson, Amanda Coffey, Sara Delamont,  
John Lofland, and Lyn Lofland  
Title Handbook of Ethnography  
Place of Publication London, Thousand Oaks, California  
Publisher SAGE  
Edition 2001  
Year of Publication 2001  
Chapter or Page Chapter 11 (p 160-174), Chapter 27 (p 395-406), Chapter 30  
Numbers (p 443-452)

## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Handbook of Ethnography

Author and Publisher Edited by Paul Atkinson, Amanda Coffey, Sara Delamont, John Lofland, and Lyn Lofland

Portion(s) to be used (e.g., pages, timer counts) pages (160-174) pages (395-406) pages 443-452

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Complete and retain a copy of this checklist for each "fair use" of a copyrighted work in order to establish a "reasonable and good faith" attempt at applying fair use should any dispute regarding such use arise.

### Factor 1: Purpose and Character of the Use

#### *Weighs in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*



## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work The Discovery of Grounded Theory Strategies for Qualitative Research

Author and Publisher Barney G. Glaser and Anselm L. Strauss

Portion(s) to be used (e.g., pages, timer counts) pages 1-18

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- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
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*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

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- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
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- Required classroom reading
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- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name: Jennifer Esposito Date: January 6, 2010

Class or Project: Qualit/Inter Research in Edu I

Course and Term: EPRS 8500 / CRN 14126

Title of Copyrighted Work: The new language of qualitative method

Author and Publisher: Jaber Gubrum and James A. Holstein

Portion(s) to be used (e.g., pages, timer counts): pages 3-16

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- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
- 

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
  - Portion used is not central or significant to entire work as a whole
  - Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
  - Amount taken is more than necessary for criticism, comment, research, or subject being taught
- 

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
  - Use stimulates market for original work
  - No similar product marketed by the copyright holder
  - No longer in print
  - Licensing or permission unavailable
  - Supplemental classroom reading
  - One or few copies made or distributed
  - User owns lawfully acquired or purchased copy of original work
  - Restricted access (to students or other appropriate group)
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project: Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Foundations for research methods of inquiry in education and the social sciences

Author and Publisher: Edited by Kathlen deMarrais, Stephen D Lapan

Portion(s) to be used (e.g., pages, timer counts): pages 103-121 and pages 217-234

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name: Jennifer Esposito Date January 6, 2010

Class or Project. Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work. Liberating Method Feminism and Social Research

Author and Publisher: Marjorie L DeVault

Portion(s) to be used (e.g., pages, timer counts) pages 84-103

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- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

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### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

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*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*



## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Naturalistic Inquiry

Author and Publisher Yvonna S. Lincoln

Portion(s) to be used (e.g., pages, timer counts) pages 221-249

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- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

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*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name: Jennifer Esposito Date January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work The SAGE Handbook of Qualitative Research

Author and Publisher. Norman K Denzin and Yvonna S. Lincoln

Portion(s) to be used (e.g., pages, timer counts): pages 303-343 and pages 651-679

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*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

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- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name: Jennifer Esposito Date: January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work. The Handbook of Qualitative Research

Author and Publisher Norman K Denzin and Yvonna S Lincoln editors

Portion(s) to be used (e.g., pages, timer counts) pages 163-188

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Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Designing Qualitative Research

Author and Publisher Catherine Marshall and Gretchen B Rossman

Portion(s) to be used (e g , pages, timer counts) pages 51-96 and pages 97-150

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Complete and retain a copy of this checklist for each "fair use" of a copyrighted work in order to establish a "reasonable and good faith" attempt at applying fair use should any dispute regarding such use arise.

### Factor 1: Purpose and Character of the Use

#### *Weights in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*



## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project: Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Applications of case study research Applied social research methods series Volume 34

Author and Publisher Robert K Yin

Portion(s) to be used (e g , pages, timer counts) pages 53-67

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- Nonprofit Educational
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- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

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---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

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- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 6, 2010

Class or Project Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Phenomenological Research Methods

Author and Publisher: Clark Moustakas

Portion(s) to be used (e g , pages, timer counts) pages ix-24 and pages 43-67

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#### *Weights Against Fair Use*

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- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

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---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

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- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date: January 6, 2010

Class or Project: Qualit/Inter Research in Edu I

Course and Term EPRS 8500 / CRN 14126

Title of Copyrighted Work Symbolic Interactionism Genesis, Varieties and Criticism

Author and Publisher Bernard N Meltzer, John W Petras, and Larry T Reynolds

Portion(s) to be used (e.g , pages, timer counts) pages 53-83

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### Factor 1: Purpose and Character of the Use

#### *Weights in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*



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Instructor Jennifer Esposito  
 Department EPS  
 Work Phone 404-413-8281  
 E-mail jesposito@gsu.edu

#### Course Information

Course Name EPRS 8510  
 Course Number CRN 17588  
 This request is for Spring 2010  
 Additional Instructors - Jennifer Esposito

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 Author D Jean Clandinin and F Michael Connelly  
 Title Narrative Inquiry Experience and Story in Qualitative Research  
 Place of Publication San Francisco, CA  
 Publisher Jossey-Bass  
 Edition  
 Year of Publication 2000  
 Chapter or Page Chapter 5 pages 63-91  
 Numbers  
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 Volume 75  
 Issue 1  
 Month January/February 2004  
 Year 2004  
 Title of Article Ethnographic Responsibility Without the "Real"  
 Author of Article Susan Talburt  
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 Author Edited by Jaber F Gubrium and James A Holstein  
 Title Handbook of Interview Research Content & Method  
 Place of Publication Thousand Oaks, California  
 Publisher SAGE  
 Edition  
 Year of Publication 2002  
 Chapter or Page Chapter 33 (pages 695-710)  
 Numbers  
 Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
 Call Number P302 7 R54 1993  
 Author Reissman, Catherine Kohler  
 Title Narrative Analysis  
 Place of Publication Newbury Park, CA  
 Publisher SAGE  
 Edition  
 Year of Publication 1993  
 Chapter or Page Chapter 3 pages 54-71  
 Numbers  
 Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
 Call Number H62 R737 2005  
 Author Herbert J Rubin, Irene S Rubin  
 Title Qualitative Interviewing the art of hearing data  
 Place of Publication Thousand Oaks, CA  
 Publisher SAGE  
 Edition  
 Year of Publication 2005  
 Chapter or Page Chap 3 (pages 39-63) and Chap 6 (pages 108-128)  
 Numbers  
 Copyright Status It falls under fair use according to the Fair Use Checklist I completed  
 Call Number HM48 G43  
 Author Barney G Glaser and Anselm L Strauss  
 Title The Constant Comparative Method of Qualitative Analysis  
 Place of Publication Chicago, IL  
 Publisher Aldine Pub Co  
 Edition  
 Year of Publication 1967



Chapter or Page Numbers Chapter 5 pages 101-115

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Call Number H62 H2455 2000

Author Norman K Denzin and Yvonna S Lincoln

Title The Handbook of Qualitative Research

Place of Publication Thousand Oaks, CA

Publisher SAGE

Edition

Year of Publication 2000

Chapter or Page Numbers Chapter 31 (pages 821-834) and Chapter 35 (pages 897-922)

Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number LB1028 F64 2004

Author Edited by Kathleen deMarrais and Stephen D Lapan

Title Foundations for research methods of inquiry in education and the social sciences

Place of Publication Mahwah, NJ

Publisher Lawrence Erlbaum Associates

Edition

Year of Publication 2004

Chapter or Page Numbers Chapter 10 (pages 161-180)

Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number GN345 H365 2001

Author Edited by Paul Atkinson, Amanda Coffey, Sara Delamont, John Lofland, and Lyn Lofland

Title Handbook of Ethnography

Place of Publication Thousand Oaks, CA

Publisher SAGE

Edition

Year of Publication 2001

Chapter or Page Numbers Chapter 26 pages 384-394

Copyright Status It falls under fair use according to the Fair Use Checklist I completed

Call Number HA29 3S823 1998

Author Anselm L Strauss and Juliet Corbin

Title Basics of qualitative research techniques and procedures for developing grounded theory

Place of Publication Thousand Oaks, CA

Publisher SAGE

Edition

Year of Publication 1998

Chapter or Page Numbers Chapter 6 (pages 73-85)

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## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Basics of Qualitative Research Techniques and Procedures for Developing Grounded Theory

Author and Publisher Anselm L. Strauss and Juliet Corbin

Portion(s) to be used (e.g., pages, timer counts) Chapter 6 pages 73-85

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- Nonprofit Educational
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- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
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---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
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- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

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- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
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*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Narrative Inquiry

Author and Publisher D. Jean Clandinin and F. Michael Connelly

Portion(s) to be used (e.g., pages, timer counts) Chapter 5 pages 63-91

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Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

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  - Portion used is not central or significant to entire work as a whole
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- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
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*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

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  - Restricted access (to students or other appropriate group)
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*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9,2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work The discovery of grounded theory, strategies for qualitative research

Author and Publisher Barney G Glaser and Anselm L Strauss

Portion(s) to be used (e g , pages, timer counts) Chapter 5 pages 101-115

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

For more information regarding the fair use factors, please see the fair use sections of the Policy on the Use of Copyrighted Works in Education and Research for the University System of Georgia, which can be found on the web at [http //www usg edu/copyright/](http://www.usg.edu/copyright/)

Complete and retain a copy of this checklist for each "fair use" of a copyrighted work in order to establish a "reasonable and good faith" attempt at applying fair use should any dispute regarding such use arise.

### Factor 1: Purpose and Character of the Use

#### *Weighs in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
- 

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
  - Portion used is not central or significant to entire work as a whole
  - Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
  - Amount taken is more than necessary for criticism, comment, research, or subject being taught
- 

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
  - Use stimulates market for original work
  - No similar product marketed by the copyright holder
  - No longer in print
  - Licensing or permission unavailable
  - Supplemental classroom reading
  - One or few copies made or distributed
  - User owns lawfully acquired or purchased copy of original work
  - Restricted access (to students or other appropriate group)
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Foundations for Research methods of inquiry in education and the social sciences

Author and Publisher Edited by Kathleen deMarrais and Stephen D Lapan

Portion(s) to be used (e g , pages, timer counts) Chapter 10 pages 161-180 / Chapter 6 pages 73-85

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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### Factor 1: Purpose and Character of the Use

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- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use



## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
- 

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
  - Portion used is not central or significant to entire work as a whole
  - Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
  - Amount taken is more than necessary for criticism, comment, research, or subject being taught
- 

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
  - Use stimulates market for original work
  - No similar product marketed by the copyright holder
  - No longer in print
  - Licensing or permission unavailable
  - Supplemental classroom reading
  - One or few copies made or distributed
  - User owns lawfully acquired or purchased copy of original work
  - Restricted access (to students or other appropriate group)
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work The Handbook of Qualitative Research

Author and Publisher Norman K. Denzin and Yvonna S. Lincoln editors

Portion(s) to be used (e.g., pages, timer counts) Chapt 31 pages 821-834 / Chapt 35 pages 897-922

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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#### *Weighs in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Qualitative Interviewing The art of hearing data

Author and Publisher Herbert J. Rubin and Irene S. Rubin

Portion(s) to be used (e.g., pages, timer counts) Chapter 3 pages 36-63 and Chapter 6 pages 108-128

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### Factor 1: Purpose and Character of the Use

#### *Weights in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

---

*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Narrative Analysis

Author and Publisher Riessman, Catherine Kohler

Portion(s) to be used (e.g., pages, timer counts) Chapter 33 pages 695-710

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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### Factor 1: Purpose and Character of the Use

#### *Weighs in Favor of Fair Use*

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
- 

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
  - Portion used is not central or significant to entire work as a whole
  - Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
  - Amount taken is more than necessary for criticism, comment, research, or subject being taught
- 

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
  - Use stimulates market for original work
  - No similar product marketed by the copyright holder
  - No longer in print
  - Licensing or permission unavailable
  - Supplemental classroom reading
  - One or few copies made or distributed
  - User owns lawfully acquired or purchased copy of original work
  - Restricted access (to students or other appropriate group)
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9,2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Handbook of Interview Research Content and Method

Author and Publisher Edited by Jaber F. Gubnum & James A. Holstein

Portion(s) to be used (e.g., pages, timer counts) Chapter 33 pages 695-710

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weighs Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*



## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
  - Factual or nonfiction work
  - Important to educational objectives
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Unpublished work
  - Highly creative work (art, music, novels, films, plays, poetry, fiction)
  - Consumable work (workbook, test)
- 

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
  - Portion used is not central or significant to entire work as a whole
  - Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Large portion or entire work used
  - Portion used is central to work or "heart of the work"
  - Amount taken is more than necessary for criticism, comment, research, or subject being taught
- 

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
  - Use stimulates market for original work
  - No similar product marketed by the copyright holder
  - No longer in print
  - Licensing or permission unavailable
  - Supplemental classroom reading
  - One or few copies made or distributed
  - User owns lawfully acquired or purchased copy of original work
  - Restricted access (to students or other appropriate group)
- 

*Factor Weighs in Favor of Fair Use*

### *Weights Against Fair Use*

- Significantly impairs market or potential market for copyrighted work or derivative
  - Licensing or permission reasonably available
  - Numerous copies made or distributed
  - Repeated or long-term use that demonstrably affects the market for the work
  - Required classroom reading
  - User does not own lawfully acquired or purchased copy of original work
  - Unrestricted access on the web or other public forum
- 

*Factor Weighs Against Fair Use*

## Fair Use Checklist

Name Jennifer Esposito Date January 9, 2010

Class or Project Qualit/Inter Research in Edu II

Course and Term EPRS 8510 / CRN 17588

Title of Copyrighted Work Handbook of Ethnography

Author and Publisher Edited by Paul Atkinson, Amanda Coffey, Sara Delamont, John Lofland, and Lyn Lofland

Portion(s) to be used (e.g., pages, timer counts) Chapter 26 pages 384-394

**Instructions:** Where the factors favoring fair use outnumber those against it, reliance on fair use is justified. Where fewer than half the factors favor fair use, instructors should seek permission from the rights holder. Where the factors are evenly split, instructors should consider the total facts weighing in favor of fair use as opposed to the total facts weighing against fair use in deciding whether fair use is justified. Not all of the facts will be present in any given situation. Check only those facts that apply to your use. No single item or factor is determinative of fair use. Instructors should consult the Legal Affairs office at their institution or at the Office of the Board of Regents if they have questions regarding analysis of the four factors.

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- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

#### *Weights Against Fair Use*

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

*Factor Weighs in Favor of Fair Use*

*Factor Weighs Against Fair Use*

## Factor 2: Nature of Copyrighted Work

### *Weights in Favor of Fair Use*

- Published work
- Factual or nonfiction work
- Important to educational objectives

### *Weights Against Fair Use*

- Unpublished work
- Highly creative work (art, music, novels, films, plays, poetry, fiction)
- Consumable work (workbook, test)

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 3: Amount and Substantiality of Portion Used

### *Weights in Favor of Fair Use*

- Small portion of work used
- Portion used is not central or significant to entire work as a whole
- Amount taken is narrowly tailored to educational purpose, such as criticism, comment, research, or subject being taught

### *Weights Against Fair Use*

- Large portion or entire work used
- Portion used is central to work or "heart of the work"
- Amount taken is more than necessary for criticism, comment, research, or subject being taught

---

*Factor Weighs in Favor of Fair Use*

---

*Factor Weighs Against Fair Use*

## Factor 4: Effect on Market for Original

### *Weights in Favor of Fair Use*

- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### *Weights Against Fair Use*

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- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

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*Factor Weighs in Favor of Fair Use*

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*Factor Weighs Against Fair Use*