

# Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, <http://librarycopyright.net/fairuse/>

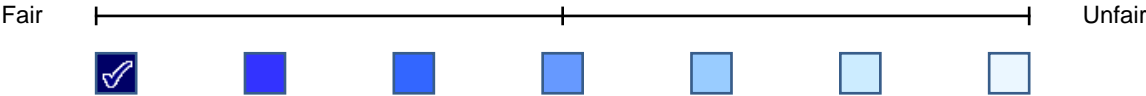
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<b>Name:</b>	Emily Tolley Boyles
<b>Job Title:</b>	Student
<b>Institution:</b>	Virginia Tech
<b>Title of Work Used:</b>	Discrepancy of Academic Achievement for Economically Disadvantaged Students Table
<b>Copyright Holder:</b>	United States Department of Education
<b>Publication Status:</b>	Unknown
<b>Publisher:</b>	
<b>Place of Publication:</b>	
<b>Publication Year:</b>	
<b>Description of Work:</b>	
<b>Date of Evaluation:</b>	February 29, 2020
<b>Date of Intended Use:</b>	February 29, 2020

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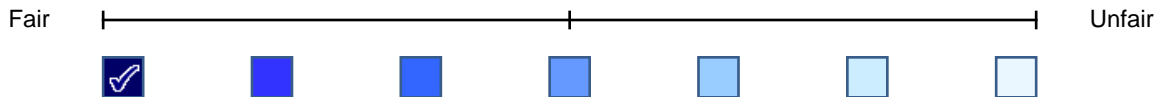
Describe the **Purpose** and Character of Your Intended Use:

[+] Use is one-time, or is only occasional or spontaneous  
[+] Use is socially beneficial (promotes the creation of new knowledge, learning, etc.) [define how]  
[+] Use is clearly defined and is restricted in scope (limited duration, not iterative, restricted access, etc.)



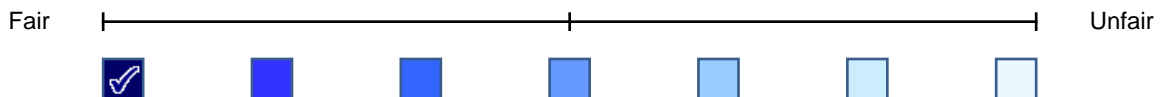
Describe the **Nature** of Your Intended Use of the Copyrighted Work:

[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)  
[+] Work to be used has been previously PUBLISHED  
[+] Work to be used contains limited new knowledge, content, or creative expression (in relation to previously copyrighted works)  
[+] Original work was not created and/or has not been marketed for the stated purpose of the proposed use



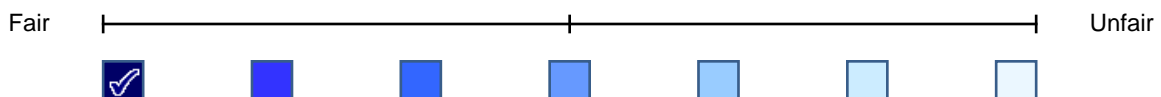
Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole)  
[+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)  
[+] Only limited and reasonable portions will be used  
[+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)  
[+] The amount used falls within widely recognized fair use guidelines\* vetted by key stakeholder groups [reference guidelines]



Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

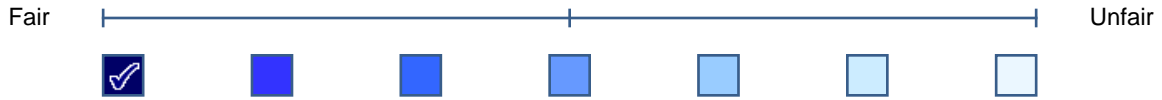
[+] The work is NOT currently under commercial exploitation (out of print, no licensing available, etc.)  
[+] A market for the work as it will be used is absent or is negligible & use of the work will have little or no negative impact on its value or potential value  
[+] Use of the work minimizes the potential for unauthorized use that could impact its value (i.e. steps are taken to ensure the content is not used outside of the stated purpose or audience)



The Average **"Fairness Level,"** Based on Your Rating of Each of the 4

Factors, Is:

[\[see tool disclaimer for important clarifying information\]:](#)



Based on the information and justification I have provided above, I, Emily Tolley Boyles, am asserting this use is **FAIR** under Section 107 of the U.S. Copyright Code.

Signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

***\*Disclaimer:** This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.*