

SDCCD Libraries Course Reserve Request

PLEASE ALLOW UP TO 3 DAYS FOR PROCESSING

Official Use Only: Date: _____ Time: _____ Initials: _____
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Instructor _____ Dept. _____ Course Number _____

Phone: _____ Contract OR Adjunct Campus Mailbox: _____

Email Address: _____

DIRECTIONS: Please fill out the table below for items to be put on Library Course Reserve:

*Usage: For each item in the table below, please select one of the three borrowing period options:

- *Library Use Only [LUO]* *Library Use Only* is the most secure and is recommended when only one copy is available. Unless otherwise indicated, usage will be *Library Use Only*.
- *Three Day Loan [3D]*
- *One Week Loan [1W]*

Remove items at the end of ONE semester

Remove items at the end of TWO semesters

OFFICIAL USE ONLY			
BARCODE #	CALL #	P/L	REMOVED

TITLE/AUTHOR	COST	*USAGE (SEE ABOVE)

NOTICE OF INSTRUCTOR RESPONSIBILITY

- I accept that items placed on Library Course Reserve will be security stripped and a call number label and barcode applied to the items.
- I accept that the Library assumes no responsibility for damage to or loss of instructor-owned materials put on Library Course Reserve.
- I have reviewed the material to be placed on Course Reserve at an SDCCD Library using a Fair Use Evaluator tool and to the best of my ability I have determined there is no infringement of U.S. copyright law (Title 17 U.S. Code).
- I have attached a printed copy of the results from a Fair Use Evaluator tool to this form (see reverse side of form).

Instructor signature _____ Today's Date _____

Fair Use Evaluation

For SDCCD Libraries Course Reserve Materials

The *Library Course Reserve Request* on the reverse side of this document complies with the San Diego Community College District Copyright Policy and its Guidelines

<https://www.sdccd.edu/about/departments-and-offices/instructional-services-division/copyright.aspx>

Therefore, for **each item** to be submitted for Library Course Reserve:

- USE a Fair Use Evaluator tool like this one:
<http://librarycopyright.net/resources/fairuse/index.php>

What is Fair Use?

The fair use doctrine provides for limited use of copyrighted materials for educational and research purposes without permission from the copyright owner.

How is Fair Use Evaluated?

Section 107 of the United States Copyright Act lists four factors to help judges determine when content usage may be considered “fair use:”

1. The **purpose and character** of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes. However, not all educational uses are fair use.
2. The **nature** of the copyrighted work. Use of a purely factual work is more likely to be considered fair use than use of someone’s creative work.
3. The **amount and substantiality** of the portion used in relation to the copyright protected work as a whole. There are no set page counts or percentages that define the boundaries of fair use. Courts exercise common-sense judgment about whether what is being used is too much of — or so important to — the original overall work as to be beyond the scope of fair use.
4. The **effect** of the use on the potential market for or value of the copyright protected work. This factor looks at whether the nature of the use competes with or diminishes the potential market for the form of use that the copyright holder is already employing, or can reasonably be expected soon to employ, in order to make money for itself through licensing.

If it is unclear whether a particular use is permitted under the fair use doctrine, consider obtaining permission from the copyright owner to use the work.

The fair use provision is intentionally broad and flexible. It requires an analysis that weighs and balances the four factors based on the particular facts of an individual situation. SDCCD employees and students are encouraged to use a fair use evaluator tool (see link above) to determine fair use. A fair use evaluator tool will help determine whether fair use applies to the material under the U.S. Copyright Code. Furthermore, it will provide a time-stamped, PDF document that could prove valuable, if ever a copyright holder claimed infringement.

Questions concerning copyright issues may be directed to your campus librarians, who may forward it to legal counsel.