A PLAN FOR CREATING A 21ST CENTURY

COPYRIGHT AND FAIR USE CURRICULUM IN THE

HEMPFIELD SCHOOL DISTRICT

by

Catherine M. Fuhrman

An executive position paper submitted to the Faculty of the University of Delaware in partial fulfillment of the requirements for the degree of Doctor of Education with a major in Educational Leadership.

Spring 2011

A PLAN FOR CREATING A 21ST CENTURY

COPYRIGHT AND FAIR USE CURRICULUM IN THE

HEMPFIELD SCHOOL DISTRICT

by

Catherine M. Fuhrman

Approved: _____
Robert L. Hampel, Ph.D.
Interim Director, School of Education

Approved: _____
Nancy W. Brickhouse, Ph.D.
Interim Dean of the College of Education and Human Development

Approved: _____
Charles G. Riordan, Ph.D.
Vice Provost for Graduate and Professional Education

I certify that I have read this executive position paper and that in my opinion it meets the academic and professional standard required by the University as an executive position paper for the degree of Doctor of Education.

Signed: _____

Fred T. Hofstetter, Ph. D.
Professor in charge of executive position paper

I certify that I have read this executive position paper and that in my opinion it meets the academic and professional standard required by the University as an executive position paper for the degree of Doctor of Education.

Signed: _____

Chrystalla Mouza, Ed. D.
Member of executive position paper committee

I certify that I have read this executive position paper and that in my opinion it meets the academic and professional standard required by the University as an executive position paper for the degree of Doctor of Education.

Signed: _____

Gail Rys, Ph. D.
Member of executive position paper committee

I certify that I have read this executive position paper and that in my opinion it meets the academic and professional standard required by the University as an executive position paper for the degree of Doctor of Education.

Signed: _____

Robert J. O'Donnell, Ed. D.
Member of executive position paper committee

ACKNOWLEDGMENTS

DEDICATION

To the four most important men in my life – my husband Barry and my three sons, Justin, Jordan and Garrett – I am forever grateful for the support and understanding you have given me over the past six years while I pursued yet another educational dream. To my sons - I know that it was not always easy when I missed an important game, was not there to help with homework or came home too late to tuck you in or hear about your day. To Barry – you have been the most understanding, supportive husband I could have ever asked for. You have supported me through most of our marriage as I pursued a bachelor's degree, a master's degree, and now a doctorate with unending patience. You have managed our home and our family when I was unavailable. You did the laundry, made dinners, chauffeured the kids, and everything in-between. You have done it without complaint and making sure that we remained partners in our successes. All four of you have allowed me to balance my energy and time so that I could be a mom, a wife, a teacher to my students and a student to my own learning.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

ABSTRACT

Hempfield School District must answer an important question in today's world: Are we preparing our students to be ethical, digital citizens in the 21st century? Educators need to consider students about copyright and Educational Fair Use when using content from the web and other digital sources. Most students are not amoral, but they have little if any knowledge about copyright laws concerning using media from the Internet (Johnson, 2008).

This paper specifically examines the rationale and process of developing an elementary curriculum unit for copyright and recommends an implementation plan for putting a copyright curriculum in place in the Hempfield School District.

This Executive Position Paper is comprised of three chapters. Chapter one defines the problem of teaching copyright in K-12 schools and examines the current state of the Hempfield curriculum in respect to copyright. The chapter contains a review of the literature that focuses on existing copyright attitudes and beliefs of teachers and students. It not only explores recommendations on how to teach students about copyright and Educational Fair Use, but also explains both the traditional and the newly proposed best practices in teaching about copyright and fair use.

Chapter Two presents the tools and procedures used to gather data for this study. The chapter describes the participants in detail and their role in the Hempfield School District. This chapter also includes the findings from data collection and a discussion that attempts to draw conclusions based on the findings.

Chapter Three offers recommendations on how Hempfield School District could implement a new copyright curriculum that meets the needs of their students and 21st Century learning. The end of the chapter includes a discussion about further study needed in the library and education field.

Chapter 1

**UNDERSTANDING THE PROBLEM OF TEACHING TODAY'S STUDENTS
ABOUT COPYRIGHT IN ELECTRONIC MEDIA**

<u>Introduction and Problem Statement</u>

An important question for Hempfield educators today is this: Are we preparing

our students to be ethical, digital citizens in the 21st century? My experience indicates we

need to do a better job of teaching students about copyright and Educational Fair Use

when using content from the web and other digital sources. Our current library

curriculum does not introduce copyright until sixth grade. If our goal is to integrate

technology and multimedia in the K-6 classroom, then we must include copyright

instruction in every lesson that students use information or multimedia from the web.

This insures that we are <u>truly</u> preparing students to be ethical, digital citizens.

We know that when students come to kindergarten, most have already used the

Internet at home. Due to the lack of adequate technology in our elementary buildings,

teachers struggle to include adequate instruction on creating student multimedia projects.

Therefore, students at home, without instruction, make their own choices about what is

and is not ethical about using digital material from the web. Most students have little

knowledge about the laws concerning using media from the Internet. Moreover, today's

students see many illegal uses of copyrighted multimedia located on many popular

websites. Advanced technology creates more opportunity for illegal uses of media.

Our students then advance to middle school and high school where technology is more accessible. Many secondary teachers require students to create multimedia projects. The lack of direct instruction about copyright causes confusion with students about what digital media they may use. Because they have not had any guidance in the past, some students appear very apathetic about even complying with the law. We have the chance to begin to change all that. We can teach students about copyright and Educational Fair Use as well as change the student's attitude toward it if we integrate an updated copyright curriculum in our K-6 classrooms.

<u>Copyright Confusion</u>

Doug Johnson (2008) found that the educational community has recently questioned the copyright guidelines that most educators have followed. Figure 1 illustrates that these guidelines are not part of the Fair Use law, but only guidelines.

Medium	Specifics	What you can do	The Fine Print
Printed Material (short)	• Poem less than 250 words; 250-word excerpt of poem greater than 250 words • Articles, stories, or essays less than 2,500 words • Excerpt from a longer work (10 percent of work or 1,000 words, whichever is less) • One chart, picture, diagram, or cartoon per book or per periodical issue • Two pages (maximum) from an illustrated work less than 2,500 words, e.g., a children's book	• Teachers may make multiple copies for classroom use, and incorporate into multimedia for teaching classes. • Students may incorporate text into multimedia projects.	• Copies may be made only from legally acquired originals. • Only one copy allowed per student. • Teachers may make copies in nine instances per class per term. • Usage must be "at the instance and inspiration of a single teacher," i.e., not a directive from the district. • Don't create anthologies. • "Consumables," such as workbooks, may not be copied.
Printed Material (archives)	• An entire work • Portions of a work • A work in which the existing format has become obsolete, e.g., a document stored on a Wang computer	• A librarian may make up to three copies "solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen."	• Copies must contain copyright information. • Archiving rights are designed to allow libraries to share with other libraries one-of-a-kind and out-of-print books.
Illustrations and Photographs	• Photograph • Illustration • Collections of photographs • Collections of illustrations	• Single works may be used in their entirety, but no more than five images by a single artist or photographer may be used. • From a collection, not more than 15 images or 10 percent (whichever is less) may be used.	• Although older illustrations may be in the public domain and don't need permission to be used, sometimes they're part of a copyright collection. Copyright ownership information is available at www.loc.gov or www.mpa.org.
Video (for viewing)	• Videotapes (purchased) • Videotapes (rented) • DVDs • Laserdiscs	• Teachers may use these materials in the classroom. • Copies may be made for archival purposes or to replace lost, damaged, or stolen copies.	• The material must be legitimately acquired. • Material must be used in a classroom or nonprofit environment "dedicated to face-to-face instruction." • Use should be instructional, not for entertainment or reward.

Figure 1   Educational Fair Use Guidelines – Common chart found in educational resources describing limitations based on the guidelines. Reprinted with permission by Hall Davidson, Tech Forum, Austin, TX, Nov. 10, 2005 http://www.halldavidson.net/copyrightTEACH.pdf.

The Fair Use provision of the 1976 Copyright Act limits the exclusive rights of the owner of the copyright to allow others to reproduce the work. The law passed Congress and a group of experts interpreted the provision into a set of guidelines for consistency and clarity for educators.

Unfortunately, the guidelines have restricted creativity and the development of in-depth multimedia applications in schools (K. Johnson & Groneman, 2003). The experts created the Fair Use guidelines to be clear and easy for educators to use. However, the guidelines restrict and dampen the creativity of educators and students to the point that many live in non-compliance either secretively or apathetically. Renee Hobbs (2009), professor and founder of Temple's Media Education Lab, feels:

> It is ironic that at a time when online digital technologies are enabling educators to create and share an ever-widening array of test, sounds, still and moving images, music and graphic art, we are seeing a dramatic increase in the climate of fear among educators concerning the use of copyrighted materials as tools for teaching. (para. 4)

Is this why many teachers or students at Hempfield cringes when asked if his or her multimedia project follows the copyright law?

Hobbs, Jaszi, & Auferheide (2007) contend that over the last 30 years three types of educational users of multimedia have emerged through the umbrella of Fair Use. They describe the three types in the following ways:

1. See No Evil – Teachers and students do their best to make sure they do not learn about copyright, fair use and the laws so that they can claim ignorance.

2. Close the Door – Teachers and students that understand Fair Use, but in the name of education, defy the norms behind classroom doors. Some use the excuse that the projects will never be seen outside the classroom, they will not be caught or that their illegal use will not affect the marketplace.

3. Hyper-Compliant – Teachers and students that are so worried about complying with Fair Use that they do not use legitimate media. (pp. 14-15)

Congress created educational Fair Use so that educators and students looking at media make critical decisions on whether the use falls under Fair Use based on certain factors. In November 2008, the Temple University Media Education Lab, The Program on Information Justice and Intellectual Property and The Center for Social Media unveiled the *Code of Best Practices in Fair Use for Media Literacy Education*. This document helps educators and students to interpret the copyright doctrine of Fair Use and make individual judgments about Fair Use on a case-by-case basis. The educational community can now confidently utilize multimedia they are legally entitled to use instead of being afraid of the copyright law (Media 2008).

Key Questions

The key questions this Executive Position Paper attempts to answer are:

- What are the attitudes and beliefs of Hempfield's students about copyright laws as they pertain to multimedia in student-created projects?

- What are the attitudes and beliefs of Hempfield's teachers about copyright laws as they pertain to multimedia in student-created projects?

- What are Hempfield teachers and librarians already teaching students about copyright and Fair Use?

- What are the best instructional strategies to teach students how to analyze multimedia to determine if the use falls under the Fair Use guidelines in student-created projects?

- How should Hempfield integrate a new copyright curriculum into the existing K-6 curriculum?

Hempfield Curriculum

A key element in teaching and learning in the 21st Century requires instruction about the ethical use of information and media. The Hempfield Library Curriculum contains only limited instruction on copyright. However, national standards from The American Association of School Librarians (AASL) (2007) and from the International Society of Technology Education (ISTE) (2007) both include skills for learners to use information and technology ethically and responsibly and respect copyright and intellectual property rights. Our own Hempfield School Board policy number 814 prohibits copyright violations (814 Copyright material, 2003).

Hempfield School District's current K-6 copyright curriculum is inadequate compared to the *Standards for the 21st Century Learner* (AASL, 2007). Furthermore, teachers and librarians deliver either inconsistent or non-existent copyright instruction

across the school district. As the Hempfield Library Department Supervisor, I have observed that we do not teach students to critically evaluate use of multimedia in student-created projects to determine if it is educational fair use. As I help students create multimedia projects in high school, I ask them where they have retrieved their images. Most students say they retrieved them from Google Images or just "on the Internet." When I ask them if they have permission to use the images, typically they comment that since they found it on the Internet, it must be free. If students in 9-12th grade feel that they have the right to everything on the Internet, then we have not done our job in teaching them about copyright or intellectual property.

In August 2009, the Assistant Director of Technology requested that the Library Department spearhead an initiative to include copyright in the district's Professional Development plan. As the Department Supervisor, I created a 45-minute presentation based on *The Code of Best Practices in Fair Use for Media Literacy Education* (Media, 2008) and other research I have done. I delivered this during our in-service activities the second day of school to all secondary staff. The elementary librarians used the presentation as a basis to instruct all elementary classroom teachers about copyright during mandatory technology training throughout October 2009. I have worked with and met with other technology leaders in our district as they include copyright information in their individual workshops that include multimedia. Hempfield School District administrators clearly understand that they must include staff development when implementing new instruction into existing curriculum.

<u>Purpose and Improvement Goal</u>

Hempfield school district wants to graduate students who understand the concepts of intellectual property and the important rights that all new creators have under the copyright law to use existing materials. Hempfield must strengthen its curriculum to develop students' understanding of principles of Educational fair use. Elementary students need to learn about copyright from the first introduction of multimedia projects in their classroom so that copyright ingrains itself into their nature by the time they graduate.

My project will first analyze current copyright and fair use instruction in fifth grade Hempfield classrooms. I will gather information about teachers' and students' attitudes toward copyright and digital media as a baseline for changing instruction. I will also investigate best instructional practices for implementing the new *Code of Best Practices* (Media 2008) and how to teach students to make critical decisions. These skills will need to be developmentally appropriate for grades K-6. The school district will need to develop assessments to evaluate the effectiveness of the instruction and indicate any misconceptions the students have. These assessments should include case studies so that students must use decision making to determine fair use. We need to include the writing process in these assessments in order to add qualitative data that shows how students make these decisions.

Hempfield School District is currently revising all curriculum into the Understanding by Design (UbD) framework published in Grant Wiggins and Jay McTighe's *Understanding by Design* (2005). Stage One includes essential questions, big

ideas and Know, Understand and Do (KUDs). Stage Two contains assessments only. UbD utilizes the backward design (Wiggins & McTighe, 2005). After gathering data from the focus groups, lesson plans currently taught and lesson plans available from other sources, I will create Stage One of the copyright unit for each grade level. This unit became a springboard to conduct interviews with librarians, a technology specialist and an elementary principal. All the data gathered laid the framework to create an implementation plan and timeline to integrate an updated elementary copyright curriculum, which addresses the misconceptions, and gaps found in the student and teacher surveys.

When we fully integrate the skills of making Educational fair use decisions at the elementary level, we will not only develop students who can understand and assert their fair use rights, but also develop students who grow into critical thinkers.

Background

History of Copyright

Historically, copyright comes from English common law. England enacted the first copyright law in 1710, titled the Statute of Anne. This gave the author the sole right of printing and copying of their work. The United States based their copyright law on the English version. George Washington signed the law in 1789 and the government revised it several times over the years. The United States follows the major revision in 1976 with minor modifications today (Simpson, 2005).

The intent of the law is not to restrict use of creative works or even to protect the authors and the artists. Reed (1988) points out that "the Constitution (Article I, Section 8, Clause 8), specifies the purpose of copyright protection: 'To promote the progress of science and useful arts'" (p. 1). Where does the confusion for education and copyright come from? It does not come from the actual law enacted in 1976, but from the addition of certain limitations placed on the exclusive rights of copyright owners in the revised law. The 1976 revision included the introduction of fair use. Educators must understand how we define educational fair use as well as the how the surge of digital media has made copyright more confusing. Educational leaders recently advocated for the educational community to create broader definitions of fair use and the rights of educators. The literature also attempts to analyze student and teacher attitudes towards copyright; as well, the role librarians should play. The national standards and many resources offer suggestions for teaching students about copyright.

Educational Fair Use

The fair use provision found in the Copyright Law of the United States (2003), section 107 – 118, limits the exclusive rights of the owner of the copyright to allow others to reproduce the work. The purpose was to benefit the public, without hurting the welfare of the owner. The justification for this was making copyrighted material available to scholars, researchers and teachers, which would benefit society as a whole. Educators benefit from this provision (Reed, 1988). The four factors of fair use are:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;

2. The nature of the copyrighted work;

3. Amount and substantiality of the portion used in relation to the copyrighted work as a whole; and

4. The effect of the use upon the potential market for or value of the copyrighted work. (U.S. Copyright Office, 2009, para. 2)

According to Reed (1988), "legislative history indicated that these four factors were meant to be illustrative, but they seem to have become determinative" (p. 4). Knowledge and understanding about the four factors is not enough. Educators and students must be able to apply the four factors to critically judge if a use is fair.

Confusion about Fair Use

Again, the question arises – where is the confusion about fair use coming from? The above four factors are judgments that only a court can make, so the Authors League of America and the Association of American Publishers initially reached an "Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions." These early guidelines were not law. They were pre-Internet and legislation recognized them as the minimum standards for educational fair use (K. Johnson & Groneman, 2003). In 1994, the Conference for Fair Use (CONFU) included 93 participants from organizations representing creative artists, publishers, professional educational associations, copyright

holders and copyright users. They updated the guidelines to include digital imagery, electronic reserves, interlibrary loan and educational multimedia.

Although the CONFU completed a draft proposal for educational multimedia, they could not get full endorsement from all the participants. K. Johnson and Groneman (2003) believe the greatest concern came from those representing the scholarly community. The scholars felt that the guidelines restricted instructional creativity and the development of in-depth multimedia applications (K. Johnson & Groneman, 2003). The educational community, however soon accepted the guidelines. National library associations, the K-12 School Boards Association and the National Association of State University and Land Grant Colleges however, do not endorse these guidelines (Hobbs, et al., 2007).

Until recently, most teachers did not concern themselves about copyright. They used what they needed and justified it under what they knew about fair use. Hobbs (2007) and her colleagues reflects historically by pointing out that sometime in the late 1990's, the idea that use of copyrighted material had to cease 100 percent resonated in the educational field. The University of Texas (2005) website admits that education cannot easily define fair use:

> What is fair use? We would all appreciate a clear, crisp answer that one, but far from clear and crisp, fair use is better described as a shadowy territory whose boundaries are disputed, more so now that is includes cyberspace than ever before. In a way, it is like a no-man's land. Enter at your own risk. (para. 1)

We can easily conclude based on this that copyright and fair use debates and disputes exist because of new technologies.

<u>Copyright and Digital Media</u>

The huge increase of digital media available on the Internet complicates the confusion of fair use in educational communities. Technology enables creators to make more content available, and gives users the ability to remix and share content in more ways (Wagner, 2007). The emergence of Web 2.0 tools adds to the challenge of teaching within the confines of copyright. Nagy and Bigum (2007) found that "these applications allow the easy publication, remix and digital distribution of digital artifacts: text, image, video and sound" (p. 80).

One view that emerges from the confusion suggests that institutions set clear guidelines and policies for their students and teachers. According to Lakhan and Khurana, (2008) there should be more respect from educators about copyright. People tend to overlook intellectual property rights because they are intangible. Material on the Internet should be similar to buying a book. Users can view it and read it, but should not be able to make copies of it or use it in another manner. "Clearly, some part of the education system is responsible for producing a healthy respect for the law and integrity in the student body" (Lakhan & Khurana, 2008, para. 41). If a district has educators who possess a deeper understanding of intellectual property, it results in students who have an opportunity to develop more respect for intellectual property. Even though some

disagree with the laws, there needs to be respect for the laws and a way to teach how to change the laws in a professional manner (Lakhan & Khurana, 2008).

K. Johnson and Groneman (2003) agree that policy and guidelines are necessary for education. The Internet provides a new way of accessing intellectual property; therefore, it does not need a new set of laws. "Every communication, message, bit of information, image, sound, or design that appears on the Internet is owned by someone" (K. Johnson & Groneman, 2003, p. 152). This view includes that education needs to simply interpret copyright and fair use of digital media with the traditional guidelines.

Questioning Current Copyright Guidelines

Another view advocates that educators need to begin to lobby for a change in the copyright law. A growing number of educators question the effectiveness of current copyright law as well as the guidelines recommended years ago. Should libraries and librarians be asking if legislators need to reconsider the copyright and fair use understandings from the past need in radical ways? (Shuler, 2003). Librarians allow creativity and innovativeness to take a back seat to fear. Hobbs (2010) believes the fear is becoming epidemic in education:

> It is ironic that, at a time when online digital technologies are enabling educators to create and share and ever-widening array of texts, sounds, still and moving images, music and graphic art, we are seeing a dramatic increase in the climate of fear among educators concerning the use of these resources for teaching and learning. (p. 2)

The music and media industry has had a hand in creating educational material available to teachers on the Internet in order to keep a stronger control over intellectual property rights. The media industry bombards the educational community with rules that teachers should be *more* restrictive with their fair use rights as well as their students' rights. Copyright Alliance, activist group created a web site offering teaching materials. Their members include large media companies like NBC. The material on their site advocates for requiring teachers to ask permission instead of encouraging teachers to exercise their fair use rights (Hobbs, 2010).

DVDs use Content Scrambling System Technology (CSS) to keep people from illegal copying excerpts. Ironically, more technology advances and content means more diverse content available for education but the technology advances makes it harder for teachers to use the material. The research conducted by Hobbs shows that most teachers do not break the law by illegally bypassing the CSS, but they also do not exercise their full fair use rights (Hobbs, 2010).

Wagner (2007) agrees that copyright laws need revision. Warner states, "digital technologies are forcing a reassessment of the rules of governing how people relate to each other and how they access and share intellectual resources" (p. 85). Users of media challenge copyright law the most. Wagner suggests that institutions collaborate actively to gain access to digital media instead of assembling collections in isolation. Instead of continuing with the "don't ask, don't tell" attitude about copyright, education needs to take advantage of the ability to share media digitally (Wagner, 2007). Aufderheide and Jaszi (2008) justify a fresh look at copyright and fair use in education by viewing the

world through the eyes of students today. Students get access to "the cultural production of their own society" (Wagner & Jaszi, 2008, p. 2) by making new creations. Fair use is how students who are making new creations. These advocates began a campaign to change the mindset about copyright.

New Code of Best Practices

Hobbs et al. (2007) have collaborated over the past three years to change the mindset of educators about copyright and fair use. Teachers receive confusing information about what they and their students legally can use in their classrooms. Fair use allows flexibility, but that also makes it a weakness because educators have difficulty defining clear-cut guidelines. Teachers and students see current fair use guidelines as authoritative statements instead of guidelines. Professional educational articles, website and print material has added to this confusion (Hobbs, et al., 2007, p. 6-7). These advocates, with the help of other interested educators, moved forward with changing the mindset.

On November 11, 2008, the Temple University Media Education Lab, The Program on Information Justice and Intellectual Property and The Center for Social Media unveiled the *Code of Best Practices in Fair Use for Media Literacy Education* (Media, 2008) (referred to as *Code of Best Practices* henceforth). After eighteen months of research and meetings, the above groups published this guide to help educators end the copyright confusion and fear. The Center for Social Media (2008) explains:

This code of best practices does not tell you the limits of fair use rights. Instead, it describes how those rights should apply in certain recurrent situations. Educators' and students' fair use rights may, of course, extend to other situations as well. (p. 1)

Simply speaking, the code helps educators and students go back to the four factors of fair use outlined in the law and helps them make judgments on whether a use is fair or not. The educational community can now stop looking at the limitations of the law and start looking at the rights of educators and students to use multimedia to benefit society.

Hobbs (2009) has also petitioned the U.S. Copyright Office for an exemption for educators to circumvent the CSS technology of DVDs so that they can use small clips. Laws should not restrict educators from recording sections of movies from DVDs they wish to use in their classroom (Hobbs, 2009). Educators should stop feeling paralyzed by copyright or guilty of breaking the law. Most of them want to do the right thing, but they also do not want to hold their students back from the creative process that aides them in learning valuable content. Davidson (199) agrees that if teachers can demonstrate all the good things that can be enlightened by the usage of digital media, then they can help broaden the accepted use of digital resources in fair use.

Hobbs (2009) and her team at the Temple University Media Education Lab has helped ease the uncertainty and fear for teachers by creating materials and resources for teachers and students to understand and apply their legal rights under the fair use doctrine. Music videos, lesson plans, handouts and instructional ideas introduce context and situation and how fair use applies to situations as well as helping students understand

the purpose of copyright (Hobbs, 2009). As more educators and students take advantage of their full fair use rights, new best practices change into the norm in the educational community. This can only improve instruction for students. Hobbs (2010) continues this justification by saying that students make better connections with content in school when using digital technologies because it makes the classroom content more culturally familiar to them (Hobbs, 2010). Although bringing digital media into the classroom improves teaching and learning, it also complicates the questions about fair use and copyright for teachers.

Education, Copyright and Digital Media

In the past, teachers and librarians buried copyright manuals and policies on shelves or overlooked them in the faculty handbooks. Before the Internet and digital resources, teachers had no idea if they infringe on copyright. Technology has transformed classrooms into more visible learning communities (Rife, 2007). Librarians typically study copyright law at some point in their educational background through coursework; however, even they never spent much time answering questions about copyright laws concerning printed material and use in the classroom. Librarians concentrated on teaching students how to use information in their own work while avoiding plagiarism and showing students how to credit an author's work. Educators still keep that goal at the forefront of intellectual property instruction. However, the digital age changes the landscape of copyright in education dramatically. No one disputes that

technology has changed instructional practices in education, therefore attitudes and beliefs about technology, including copyright begins to change also.

<u>Attitudes in Education</u>

DuBoff and King (2009) believe that most educators believe that they have a basic knowledge and understanding about copyright, but the law does not remain stagnate and inaccurate information often gets passed on from person to person. From that premise, we can conclude that confusion about copyright abounds in education, with student and with teachers. The underlying question lies in whether the digital native students drive the attitudes in education or if non-digital native teachers keep copyright in the digital age a low priority in instruction. Pettapiece (2008) believes "the difference here is not in the attitude of our students, but in the convictions of a teacher, her persistence in teaching how and why to get permission and expecting her students to do the right thing" (p.6). Regardless of which came first, copyright issues with digital technologies appear constantly in the news, professional journals and in the educational arena. Hobbs (2010) explains that the attitudes and beliefs of students and teachers effect education. The current confusion concerning copyright stifles innovativeness and limits teaching materials (Hobbs, 2010). Student attitudes about copyright in the K-12 setting are not readily available and based mostly on teacher observations. Analysis of teacher attitudes is more abundant in the literature.

Student Attitudes about Copyright

Research that tried to capture current copyright attitudes of students was more successful at the academic level. Greenhow (2008) at the University of Minnesota developed a Fair Use Analysis Tool for the students in 2005. They found that the tool affected student comprehension of copyright and fair use, but did not affect the accuracy in which students made conclusions about fair use. More importantly, the tool did not improve the confidence in their ability to make fair use decisions. Students had trouble understanding what it meant to weigh or balance the four factors of fair use. They also continued to be confused about the details of scenarios, which affected their ability to apply the four factors (Greenhow, 2008). In 2008, Microsoft attempted to glean the attitudes of teenagers about illegally downloading digital media. Five hundred and one teens between seventh and tenth grade answered the survey. Only 11% understood the current rules for downloading images, literature, music, movies and software. Forty-nine percent of teens said they are not familiar with rules and guidelines for downloading images, literature music, movies and software from the Internet. The teens felt that violators do not need punished and that illegal downloading over the Internet is less offensive than other forms of stealing ("Teens less likely," 2008). The announcement of the aforementioned study included Microsoft's enlistment of a company called Topics in Education. They developed a custom curriculum for middle school and high school students.

Professional journal articles about copyright include many generalizations about students' attitudes and beliefs about copyright based on teachers' observations and their

own attitudes and beliefs. In a 2008 article published in *Learning & Leading with Technology* ("Do students," 2008) a question posted to educators asked if students respected intellectual property. One teacher felt that students possibly do not know that stealing itself is wrong and that the students do not connect closely with the negative consequences of copyright infringement. However, Janesko and Morris (2008) believe modeling from teachers factors in to how students view illegal uses of media. A more insightful teacher in the article pointed out that students base their attitudes and beliefs on their perception of their role as a digital native. Jean-Christophe Delmar, another educator answering the post, stated that students see copyright as, "an abstract concept invented by lawyers to win lawsuits" ("Do students," 2008, p. 6). Other educators weighed in similarly by pointing out that students believe intellectual property rights are based on the concept of sharing, not single-ownership rights. The social aspect of sharing information with others drives a student's digital native world. They perceive copyright laws as extremely oppressive, irrelevant and out of date ("Do students," 2008). Hobbs (2010) concurs that students really do not understand why their teachers make such a big deal about copyright and fair use. Most educators need to see this opportunity as a teachable moment to make students aware that even in the current digital age, different cultures coexist between intellectual property owners and today's digital consumers ("Do students", 2008). Ribble and Bailey (2005) describe the turmoil students have about copyright as a compass trying to find the right direction. This complexity of technology and how society addresses the digital world makes it difficult for students to find their internal ethical compass. If students have difficulty making ethical decisions about

copyright, then it is also hard for them to express their own attitudes about it. Teachers, however, typically vocalize how they feel about copyright and fair use (Ribble & Bailey, 2005).

Teacher Attitudes about Copyright

Recently, the educational community has drawn two definitive lines in the sand concerning how teachers should model ethical use of digital media. Many teachers show confusion and fear about using digital media. Recent lawsuits reported in the news create a culture of fear among teachers and educators about using digital media in teaching. Hobbs (2008) declares that the fear of being harassed by media companies "is stifling innovation in the use of digital media as instructional tools" (p. 26). Teachers fall into one of three categories to cope with the confusion about fair use and copyright: They ignore copyright completely, keep it locked up in their classroom or stifle all uses of copyrighted material by attempting to hyper-comply with the law (Hobbs, 2008). Hobbs et al. (2007) interviewed many educators to conclude most do not have a working definition about fair use. They talked of citing sources, using fair use only as a defense. Transformativeness confused teachers or they did not know about it. Other educators took an oversimplified view of fair use and believed that fair use allowed them to use any type of copyrighted material for any use in education. The educators believed that it was easier to just say tell students not to use digital media. Most educators gain misinformation about the guidelines and their rights of fair use. Some schools have extremely restrictive and conservative policies banning teachers from use of media.

When asked about seeking permission to use copyright material, teachers described frustration due to either cost or paperwork leads educators to avoid seeking permission. In summary, most participants in the research study used copyrighted material without fully understanding the concept of fair use (Hobbs, et al., 2007, p. 18-20).

Teachers also confuse copyright instruction with plagiarism and citing sources. Users determine fair use; therefore, the law has nothing to do with attribution. Ethics and appropriate writing style underlie the need to give attribution, not copyright law. Rife (2007) explains that copyright protects expression and plagiarism protects ideas and expressions. Hobbs (2010) agrees with this state of confusion. Educators actually misinform students when they require them to give attribution to copyrighted works. Citing sources does not give teachers or students a free pass for using material. Some view librarians as too rigid about what students need to cite. Attribution has nothing to do with copyright, only plagiarism. Teachers need to teach about attribution because it concerns the basis of understanding the concepts of authorship and borrowing and sharing in the digital age (Hobbs, 2010, p. 76). Miller (2008) takes it one step further and advocates for teachers to create more original assignments for students and then carefully review the work for instances of plagiarism and copyright infringement.

Hobbs et al. (2007, pp. 14-15) define the three categories of teachers in the following ways:

1. See No Evil - Teachers simply ignore copyright completely when dealing with their own instructional materials as well as the material their students are using and feel that that any material they want to use, they can. They

consciously avoid learning about copyright and fair use. These teachers do not want to know more about copyright, because it might set them up to have to deal with it. Huffman (2010) describes this type of behavior as lowering the standards and expectations of students. Teachers overlook the fact that their students do not give credit for the use of others' work in multimedia presentations. They would not stand for a student not citing references in a research papers, but they allow it with digital content in multimedia. Teachers do not cite others' work in their presentations either. Huffman believes we need to hold ourselves to a higher standard than our students do. Most teachers do not understand that regardless of format, credit must be given to copyright owners when creating professional presentations, classroom lectures, videos or teaching materials as well as student work (Huffman, 2010).

2. Close the Door - These teachers also turn a blind eye when students use copyrighted materials for classroom projects. However, they restrict their students' work from displaying their works outside their classroom. Hobbs (2010) believes this type of teacher frustrates students because they want to be able to display their creativeness to a global audience as their culture dictates. This compounds the growth of all teachers because many of these assignments are not available for other educators to view and grow professionally.

3. Hyper-Comply - These teachers tend to over comply with the law, even narrowing what they have the legal right to use. *School Library Journal* (2008) in an article about copyright described the situation dramatically. "Indeed, with so much print and digital content now available, teachers are more fearful than ever about the proper use of copyrighted material in the classroom" ("Copyright 101," 2008, p. 14). Teaching about copyright can feel burdensome and teachers feel that they have to apologize for obeying the law (Salpeter, 2008). Unfortunately, many teachers do not allow their students to use quoted material that is central to the students' contemporary culture when completing assignments (Hobbs, 2008).

While teachers fit into these three defined areas, the role of the school librarian can be difficult for many to navigate.

Librarians and Copyright

Starkman (2008) feels that librarians tend to be the "copyright police" in K-12 schools because most teachers do not have the background about copyright. Teachers do not necessarily avoid copyright, but they do not understand the implications. Librarians are beginning to take the case of copyright directly to the students because they are becoming the creators (Starkman, 2008).

Repeatedly, "industry" experts publish guidelines throughout school library and educational professional journals and books. School library academic programs often include instruction to follow these fair use guidelines as law, and advocate for making the

librarian responsible instruction of the guidelines for the teachers and students in their building. This creates an atmosphere of the school librarian being the "copyright police." This philosophy creates an atmosphere where school librarians must constantly tell teachers and students what they *cannot* use in multimedia projects. Teachers and students show confusion. Teachers fear creators will sue them or their district will fire them. Many teachers and students end up either creating less than exemplary projects or the instruction designed turns into mundane lessons without the digital media. Eventually they may even end up shutting their classroom doors and allowing copyright infringements. This creates an atmosphere of modeling poor behavior or wrongdoing. This can never be good for learning (Hobbs, 2010).

The myriad of copyright beliefs among teachers affects education. Hobbs (2008) believes that a restrictive copyright environment creates short and long term effects. In the short term, students do not fully realize their creative potential. In the long term, educators pass on their fear of copyright to students (Hobbs, 2008). Hobbs (2010) continues this point by stating that teachers create less effective tools for their classroom because of confusion and fear about copyright. They do not share their teaching materials with other professionals, which stunts professional growth for all educators. Worse, the misinformation and confusion among educators perpetuates and communicates this to other educators and to the next generation of digital users (Hobbs, 2010). Often educators turn to national standards when confused about best practices in their instructional strategies.

National Standards

The AASL National Standards (AASL, 2007), as well as those of NETS-S Student Standards created by ISTE (ISTE, 2007), clearly outline the standards students need to reach concerning copyright. AASL standard 1.3.5 states that learners use skills, resources and tools to use information technology responsibly. This standard expands these skills in 3.1.6 including that students use information and technology ethically and responsibly. 3.1.7 states that learners have a responsibility to respect the principles of intellectual freedom (AASL, 2007). Typically, a school's Internet safety curriculum addresses these standards (Lehman, 2009). Most educators in technology education believe that students need to prepare for citizenship in a digital society, both in and out of school (Ribble & Bailey, 2004). Ribble, Bailey and Ross (2004) outline the ISTE NETS standards as addressing three broad areas of ethical use of technology:

1. Students understand the ethical, cultural, and societal issues related to technology.

2. Students practice responsible use of technology systems, information, and software.

3. Students develop positive attitudes toward technology applications that support lifelong learning, collaboration, personal pursuits, and productivity. (Ribble et al., 2004, p. 7)

Most school districts recognize these standards, but teachers implementing them can be difficult. School districts need to define the copyright expectations for students and teachers. Huffman (2010) declares that regardless of the medium in which our students create products, teachers need to hold students accountable for giving respect to the work

of others. She refers to a National Council of Teachers of English (NCTE) code of best

practices from 2008. From the NCTE code, Huffman strongly argues "educators need to

be leaders, not followers in establishing best practices, holding themselves accountable,

and extending that accountability to their students" (Huffman, 2010, p. 40). Ribble

(2009) concludes that having a digital citizenship curriculum will open the door for all

technology users to begin to discuss copyright issues, which will lead to better

understanding. In an earlier article Ribble and Bailey (2005) define digital citizenship as,

"…a developmental process of critical thinking, self-reflection, and maturation. Learning

digital citizenship is a lifelong journey" (p.38). Therefore, it takes an entire community to

teach digital citizenship, not just teachers.

<u>Teaching About Copyright</u>

Resources contain and abundance of recommendations for how to teach copyright

to students. Teachers need to determine the objectives and essential questions before

choosing instructional strategies to utilize. D. Johnson (2008) advocates for a change in

mindset among educators. Currently teachers do not use digital media when they cannot

decide if it falls under fair use. He believes in offering base instruction to students on the

following four concepts:

1. Change the focus from instruction – stop teaching what NOT to use
   and start teaching what our students CAN use; teach the outer limits.

2. When in doubt, err on the side of the user, not the owner.

3. Be prepared to question the law when it does not make sense.

4. Teach students by helping them arrive at their own level of comfort when it comes to exercising their fair use rights. Librarians need to convert themselves as copyright counselors. (D. Johnson, 2008, pp. 46-48)

Additionally, we should expect our students to be able to articulate *why* they believe a use of digital media constitutes a fair use. Teachers should help students THINK about fair use (D. Johnson, 2008).

Rife (2007) also encourages students to learn how to make fair use determinations on their own. She argues, "*equipping* students and giving them *strategies* should be the goals of new media pedagogy – such goals allow students to consciously and knowingly push at boundaries/legal-infrastructural framework" (Rife, 2007, p. 170). These strategies should help students to make the full use of their fair use rights with new technology. Rife further believes "teaching students about fair use, helping them apply the four-factor test to their own composing practices, is engaging students in multiliteracy/information literacy" (Rife, 2007, p. 170).

Both Rife (2007) and D. Johnson (2008) believe that best teaching practices call for teachers to utilize opportunities when students' create their own works. As students grow as content creators, they can easily grasp the concept of fair use (D. Johnson, 2008). Rife (2007) suggests using Creative Commons, a nonprofit corporation dedicated to making it easier for people to share and build upon the work of others, to help students make decisions about licensing their own work. This allows them to be more conscious of how to use fair use in making decisions about others work. Hobbs (2009), however, cautions about utilizing Creative Commons with students. Even though educators and

students have access to Creative Commons, this is no substitute for students and teachers understanding their full and legal rights to fair use (Hobbs, 2009).

Any course that teaches about media should cover the fair use instruction early. Students should learn that the intent of copyright does not stifle creativity, but encourages it. Again, if students understand that creativity has value and that theft does not, then they can begin to develop a mature understanding of copyright (Bartrom, 2009). Teachers and librarians need more than a road map to teach students about copyright, they need specific examples and lesson plans.

Recommended Instructional Strategies

The AASL and ISTE national standards provide the basis for instructional strategies used for teaching copyright. Educators accept these strategies as best practices in the field of technology education and information literacy. Eisenberg, Johnson and Berkowitz (2010) base their Information, Communications, and Technology (ICT) Skills for Information Problem Solving on the Big6 Skills Approach, an instructional strategy long recognized in the information literacy world as a staple for librarians. These skills include opportunities for students to apply legal principles and ethical conduct related to information technology as well as copyright and plagiarism to all of their final products. The Big6 Skills Approach also recommends that ICT be integrated into the curriculum instead of taught in isolation just as information literacy skills should be integrated into content area subjects (Eisenberg, Johnson, & Berkowitz, 2010). Huffman (2010) provides a specific model for digital presentations. It requires students to go beyond just

a credit slide, but to also include captions for images, figures, audio and video clips and an appendix slide for documenting free sources (Huffman, 2010).

Ribble and Bailey (2004) created nine categories of digital citizenship that should be included in a technology/information literacy curriculum. Two of these categories deal directly with copyright and fair use:

6. Responsibility

    a. What is ethical or unethical in a digital community inside school and outside school? How do Tech Leaders focus on the positive side of technology without over-emphasizing the rules and regulations?

    b. Slanderous websites, hacking computer information, downloading music illegally, plagiarizing, creating or distributing worms, viruses, Trojan Horses – all unethical behavior in a digital community.

7. Rights

    a. What are the digital rights of administrators, teachers, students, parents and community members? What policies need to be in place to protect the digital rights of everyone?

    b. Basic rights need to addressed. (pp. 14-15)

In a later article, Ribble and Bailey (2005) refine these teaching strategies by describing how teachers help students find their "true north" in making ethical decisions. Students begin to explore the compass as a metaphor for internally addressing the complexity of copyright and fair use decisions. By using this model, it will help stimulate the discussions with students. Once users join this ethical community, the expectation to practice appropriate use of technology exists. This model starts first with awareness and guided practice. The model includes modeling, demonstrations and finally feedback and

analysis (Ribble & Bailey, 2005). Ribble (2009) also suggests bringing parents and

community members into the process. Often no connection exists between what happens

at school and what happens at home. Schools need to develop a common language

between academics, home and what we expect from our students (Ribble, 2009).

Teachers use various methods when delivering instruction about copyright.

Ribble and Bailey (2005) describe best practices for this instruction. Teachers should use

scenarios with students to begin discussions about copyright. Not all students will agree

with the ethical decisions for each scenario. Forcing them to brainstorm about

consequences and why they have a certain opinion about appropriateness helps students

flex their internal compass of ethical decision-making (Ribble & Bailey, 2005).

Therefore, teachers need to decide when to teach copyright instruction. Instruction occurs

either in isolation or authentically when students need to make decisions about copyright.

When taught in real situations of utilizing digital media, students sometimes argue that

there are shades of gray when using technology. These teachable moments initiate into

healthy discussions with students. According to Ribble and Bailey (2005), "learning

digital citizenship is rooted in discussion and dialogue and not in acceptable use policies

(AUPs) that are simply lists of dos and don'ts" (Ribble & Bailey, 2005, p. 36).

The University of Texas (2005) calls their approach to teaching fair use their own

"Rules of Thumb." They believe this will protect their faculty, staff and students and

give them short, concise, and easy to read rules to follow. The website is clear and points

out that fair use might extend beyond their "Rules of Thumb." It does not dispense legal

advice, but only general information (Universtiy of Texas, 2005). Hobbs, Donnelley and

Braman (2008) created not only scenarios and checklists for students to use in learning about copyright and fair use but also many techniques to engage elementary, middle and high school students for teachers. Their free, comprehensive curriculum includes lesson plans, materials, objectives and professional development tools to implement a critical thinking copyright curriculum. (Hobbs, Donnelly, & Braman, 2008). Implementing any new curriculum will be doomed for failure unless teachers receive adequate professional development so they create confidence in their instruction.

Professional Development

The literature clearly shows that that a new copyright curriculum requires professional development for teachers. Applying fair use means considering the social practices of creative communities. Education belongs to one of these communities. Teachers need to start creating best practices which according to Hobbs (2010), includes "a robust interpretation of fair use, which enables the law to be relevant to the new forms of usage, sharing, and distribution that are now part of daily life in a networked information society" (Hobbs, 2010, p. 92). Since most teachers have limited knowledge of copyright laws, first, school administrators must determine who needs training and what topics need covered. Kozumplik (2010) advocates for training to take place at the beginning of a school year and include it as part of the new teacher induction process. Professional development activities should be causal and include both good and bad examples of fair use (Kozumplik, 2010). Butler (2008) believes that professional development on the subject of copyright can be sensitive with teachers because it deals

with legal issues. Educators can correct students on copyright infringement easily, but correcting fellow teachers can be more difficult (Butler, 2008). Butler and Parker (2009) recommend an eight-step process for implementing a copyright professional development plan:

1. Establish and communicate a copyright compliance policy.

2. Establish and communicate the copyright compliance procedures.

3. Analyze organizational impact.

4. Determine copyright training needs.

5. Provide necessary copyright training.

6. Audit the copyright process for compliance.

7. Provide feedback for copyright process improvement.

8. Maintain copyright compliance. (p. 9)

Hobbs (2010) recommends a different approach to professional development. She believes that teachers do not need a policy to use for compliance. Educators need to begin to exercise their fair use rights by understanding how to make fair use decisions on their own. Professional development should not cover what teachers can and cannot do with digital media, but should incorporate ways for teachers to develop reasoning and judgment skills in order to make fair use determinations (Hobbs, 2010).

Copyright has existed for hundreds of years and education has dealt with fair use for decades. The premise and purpose have remained the same, but the emergence of digital media has made fair use difficult and confusing for teachers and students to

determine. Moreover, educators have the right to question accepted guidelines and best

practices of the past with new technologies making more digital media available.

Chapter 2

**QUALITATIVE ANALYSIS OF FACTORS TO INFORM THE DESIGN OF A
CURRICULUM TO ADDRESS THE PROBLEM**

Methodology

This project used both qualitative and quantitative data collection techniques to

provide a mixed method approach. I analyzed the data collected in order to:

- Identify students' attitudes and beliefs about copyright laws as they
  pertain to multimedia projects.

- Identify teachers' attitudes and beliefs about copyright laws as they
  pertain to multimedia projects.

- Identify best instructional practices needed to teach students how
  to analyze multimedia to determine if the use falls under
  educational fair use guidelines in student created multimedia
  projects.

- Determine the best method to implement a new copyright
  curriculum in the Hempfield School District.

The questions for the fifth grade teacher focus group emerged based on the

student and teacher anonymous surveys. I triangulated the data with both classroom

observations and the quantitative data collected from all focus groups.

Data sources

Data sources included anonymous surveys, focus group discussions, teacher,

principal and librarian interviews and observations of copyright lessons and lessons involving student created multimedia projects. I used the anonymous survey to fifth graders in the school district found in Appendix I as a quantitative data source as well as an anonymous teacher survey for fifth grade teachers found in Appendix B. I asked five hundred and twenty-three fifth grade students in Hempfield School District to participate in an anonymous online student survey. I sent a letter home to parents informing them of this survey and requesting a signed form if the parents choose to NOT have their students participate. No one required the students to complete the survey, nor did their participation or non-participation affect their academic grade in any way. I requested the 23 fifth grade teachers in Hempfield School District to participate in the anonymous online teacher survey. I analyzed the results of both of these surveys in order to determine the current attitude and beliefs of both fifth grade students and their teachers.

After an analysis of the online student and teacher surveys, the four practicing fifth grade teachers from Rohrerstown Elementary participated in a focus group. Mountville Elementary's demographics most closely represent the demographics of all elementary students in the school district. However, my fifth grade son attends school in this building. My personal involvement could compromise the quality of the quantitative data. By eliminating Mountville Elementary, Rohrerstown Elementary's demographics most closely matches the demographics of Hempfield School District.

I conducted field observations in order to gather both copyright instructional practices currently taught in the Hempfield School District, as well as additional attitudes and beliefs of teachers and students using a qualitative method. Field observations

included one high school creative writing class, two sixth-grade social studies classes and two sixth-grade library classes. All of these classes included instruction about copyright and contained a multimedia component.

Finally, I conducted individual interviews with librarians, a technology specialist and one principal to analyze drafts of curriculum documents and a draft of an implementation plan to incorporate a K-12 copyright curriculum in the Hempfield School District.

Data Management and Analysis

I used data collected from the student and teacher surveys to develop the focus group questions for the fifth grade teachers. The data from the survey, while not generalizable, did provide a picture of the attitudes and beliefs of fifth grade teachers and students. I shared the statistical data from both surveys with the fifth grade teachers during the focus group discussion and used the statistical data to create questions about the attitudes and beliefs of Hempfield students.

The focus group discussion attempted to capture a better understanding of teacher attitudes and behaviors as well as the teachers' perspective on student attitudes toward copyright. I developed the fifth grade unit as well as the implementation plan by using this data.

I triangulated the data by analyzing the teacher and student surveys and my field observation notes from classrooms. Classroom observations included several sixth grade classes using multimedia in a student created project and several instructional lessons to

sixth graders by an elementary librarian in the Hempfield school district. Documents that were collected for the project included written lesson plans currently being used by elementary librarians as well as field observation notes taken during classroom instruction about copyright. I also examined the scores from a quiz given to sixth grade students after the librarian gave instruction concerning copyright.

I analyzed the qualitative data using content analysis, which examines social communications of artifacts. Content analysis uses not only the literal words of analysis, but also the manner in which the participant uses text. According to Berg (2007), this analysis needs to relate to both the literature and to the original research questions. This allows the researcher to learn not only how the subjects feel about the subject and their social views of the subject, but also how the subjects' views relate to the broader perspective of the interpretations of experts in the social sciences. Content analysis then is "a passport to listening to the words of the text and understanding better the perspective(s) of the producer of these word" (Berg, 2007, p. 308).

I analyzed the focus group data and the field observations using both manifest and latent content analysis. In this way, the analysis showed not just the physical data that occurred but also revealed an interpretive reading of the symbolism that I inferred from the underlying physical data. Qualitative data blended both manifest and latent content analysis strategy. The analysis of the qualitative data in the focus groups and field observations used a combination of several content analytic elements. In the analysis, I used a combination of counting both character and concept elements.

I used the data collected to create a draft of KUDs found in Appendix K regarding

copyright for each grade level. Hempfield utilizes the framework found in Grant

Wiggins and Jay McTighe's *Understanding by Design* (Wiggins & McTighe, 2005).

Stage One in the UbD framework contains KUDs. UbD has a three-stage approach to the

backward design process of curriculum writing. Stage One identifies the desired results.

Stage Two determines acceptable evidence and Stage Three plans learning experiences

and instruction (Wiggins & McTighe, 2005, p. 17-18). I collected copies of existing

lesson plans used by Hempfield School District librarians as well as lesson plans found in

the review of literature as a basis to create the draft of only Knows and Dos found in

Appendix K. From this draft of the Knows and Dos, I gathered feedback from two

librarians and one technology specialist before completing Stage One of the units for

each grade level. After interviewing two elementary librarians and one technology

specialist about the draft, all the data gathered became the basis for creating Stage One of

K-6 units on copyright found in Appendix M. Stage One in UbD format, as adopted by

the Hempfield School District includes essential questions, Understandings, big ideas,

Knows and Dos.

After evaluating the data gathered from the Focus Group, the individual librarian

and technology specialist interviews and the review of literature, I created an

implementation plan for a new copyright curriculum for the Hempfield School District.

The implementation plan included professional development ideas in Appendix O as well

as steps to complete the process of writing all three stages of curriculum found in

Appendix N. I gave these documents as well as the Stage One units for K-6 to an

elementary principal to analyze for feasibility, obstacles and concerns.

Participants

  I included teachers, students and administrators from the Hempfield School

District in this project. I collected initial data from fifth grade students and teachers. I

asked two elementary librarians, Kathy Martin, librarian at Farmdale Elementary and

Laura Brown, librarian at East Petersburg Elementary to participate in the project because

they include direction instruction on copyright with their students. RaeAnn Smith, a

technology specialist in Hempfield School District collaborates with teachers in helping

them design and utilize student-created multimedia projects in seven of the Hempfield's

K-6 buildings. Ron Swanter, elementary principal at Landisville Primary was included in

this study due to his experiences with elementary students and his role on the Hempfield

Elementary Technology committee.

<center>**Findings**</center>

Student Attitudes and Beliefs

  The findings from the anonymous student survey found in Appendix A provided

some insight into what elementary students believe about copyright. However, the field

observations showed a greater disparity, especially for older students. As indicated in

Table 1, most fifth grade students believe that illegally downloading media does hurt the

person who created it.

Table 1

Fifth Grade Student Responses as to Whether Illegal Downloading of Media Hurst the Person Who Created It

	Illegal downloading of media hurts the person who created it.	
	Disagree	Agree
N	76	298
% Of Total	20.32	79.68

Students also believe that violating copyright laws should be punishable as shown in Table 2. Almost 84% answered either definitely or probably that illegally downloading media from the Internet should be punishable.

Table 2

Fifth Grade Student Responses as to Whether Violating Copyright Laws Should Be Punishable

	Do you think downloading images, literature, music, movies or software without the owner's permission and not paying for it should be considered a punishable offense?			
	No, definitely not	No, probably not	Yes, definitely	Yes, probably
N	17	43	146	167
% Of Total	4.55	11.50	39.04	44.65

However, Rife (2010) found in her study that 73% of respondents would follow their conscience as opposed to the law when using copyrighted material. Only 14% would obey the law without exception. The Rife (2010) study included 41% college students from academic writing programs. The rest of the participants included teachers and "others." Rife also concluded that most of the respondents were aware of the legal and ethical implications of copyright and use from the Internet. So, while these college students understood the implications, many felt justified in going against the law. Yet, as shown in Table 3, the younger Hempfield students are not aware of the legalities of downloading media. The survey revealed that only half the students understand the laws about downloading media.

Table 3

Fifth Grade Student Perceptions of Illegal Downloading of Media

	Which of the following comes closest to your opinion about the practice of downloading media without paying for them? Would you say...		
	Don't Know/Not Sure?	You think it's illegal?	You think it's legal?
N	138	197	39
% Of Total	36.90	52.67	10.43

Microsoft (2008) found identical results in their survey, showing that 49% of the teens responding were not familiar with the rules or guidelines for downloading media.

Microsoft also found that most teens believe that downloading media falls below other forms of stealing in being an offensive activity. Hempfield School District's fifth graders did not make that same distinction when asked, as shown in Table 4. The survey provided situations for the students and asked them if the situation deserved a consequence. Most students answered that stealing, as well as downloading media illegally, deserved a consequence.

Table 4

Summary of fifth Grade Student Responses to Situations

Situation	N	% Of Total
Getting caught plagiarizing on a school assignment		
*Some level of consequence	342	92.68
No consequence	27	7.32
Getting caught stealing a video game, DVD or CD from a store at the mall		
*Some level of consequence	365	98.92
No consequence	4	1.08
Getting caught taking a mobile phone out of someone's locker at school		
*Some level of consequence	349	94.58
No consequence	20	5.42
Getting caught illegally downloading materials such as music, movies or software from the Internet		
*Some level of consequence	339	92.37
No consequence	28	7.63

Hobbs (2010) concludes that students do not really understand why some teachers make a big deal about copyright and fair use on the Internet. Some high school students get extremely agitated when discussing copyright. Field observations from high school classes in this project indicates that older students do feel justified when using copyrighted material, regardless of whether it falls under fair use. This perpetuates the attitude that if a creator puts something on the Internet, then they do not mind if anyone uses it for another purpose. Rife (2010) also found that digital writers willingly use copyrighted materials when low visibility characterizes the use and if they believe they will not get caught. Their attitude indicated that they felt the U.S. Copyright law overly restricts creativity. Our Hempfield High School students certainly feel the same way. During field observations, many felt that creators who put their images on the Internet give permission to use images by simply having them available. Students also felt that if they create a school project, they can safely use anything. As shown in Table 5, almost half of the Hempfield fifth graders agreed with this sentiment. Forty-two point four percent of students listed schoolwork as a good reason to download media without paying for it.

Table 5

Fifth Grade Student Perceptions Regarding the Use of Downloaded Media for Schoolwork

	It's okay to use anything on the Internet as long as it's for schoolwork.	
	Bad reason	Good reason
N	215	158
% Of Total	57.64%	42.36%

Hobbs (2010) agrees that our digital native students learn to be creators with digital technologies and therefore, the students believe that the Internet is about sharing material, including creative multimedia. Again, almost half of the Hempfield fifth grade students felt the same way as indicated in Table 6. Forty-eight percent of the fifth grade students said they would be willing to make their own creative works free for others to use on the Internet.

Table 6

Fifth Grade Student Attitudes Relating to Posting Their Own Work on the Internet

	If I make something original and creative, I am likely to put it on the Internet and make it free for others to download it.	
	Agree	Disagree
N	176	191
% Of Total	47.96	52.04

This reinforces the educators beliefs found in a 2008 article in *Learning & Leading with Technology* ("Do students," 2008) that students as digital natives do not view multimedia in terms of single-ownership rights, but through the lens of their social networked world. To them, information, including multimedia, incorporates sharing, not restriction. Appendix H contains a complete summary of the student data gathered.

Teacher Attitudes and Beliefs

The results of the anonymous survey given to fifth grade teachers in Appendix B indicate that most teachers seem comfortable about copyright and their understanding of it. Contrary to the survey results, the fifth Grade Focus group revealed the need for copyright professional development as a vital part of implementing any copyright instruction in the elementary schools.

Teachers in the survey rated themselves in their understanding of copyright and fair use and how it applies to student projects as somewhat confident. The survey requested that the teachers rate themselves on a scale of one to five with one having no knowledge and five being very confident. Figure 2 shows that teachers seem comfortable in helping students determine fair use with their students with a mean score of 3.82.

of Teacher Responses

N=11   M=3.82   SD=.60
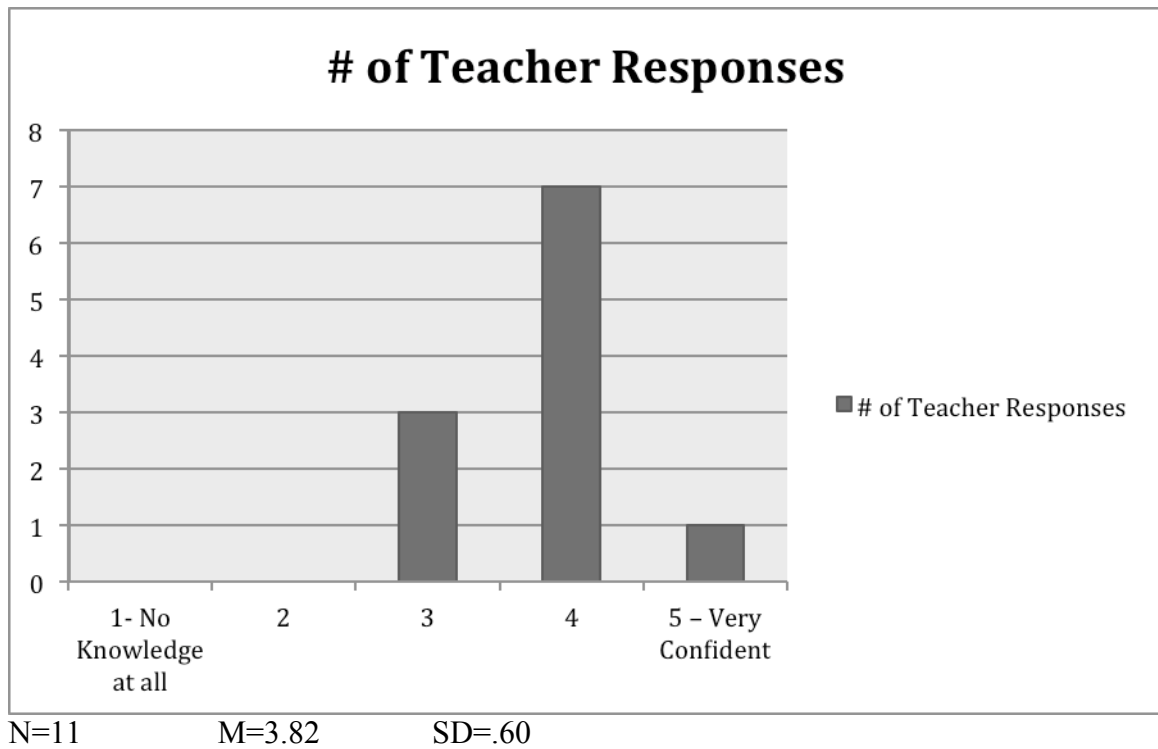
Figure 2   Teacher Self-Rating about Copyright and Multimedia Projects

The teachers' overall rating of knowledge about copyright, shown in Figure 3, however

resulted in a mean of 3.2.

of Teacher Responses

N=11   M=3.18   SD=.98
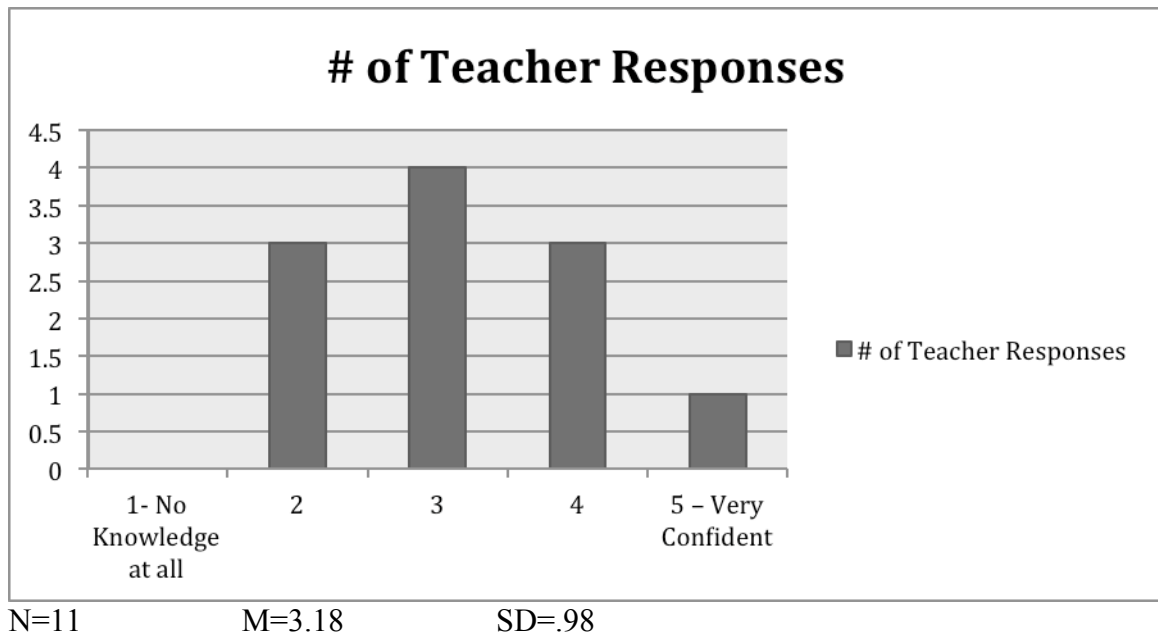
Figure 3   Teacher Self-Rating about Copyright Knowledge

The teachers' ability to explain copyright and fair use resulted in a lower mean of 2.7 as

indicated in Figure 4.

of Teacher Responses

N=11   M=2.73   SD=1.1
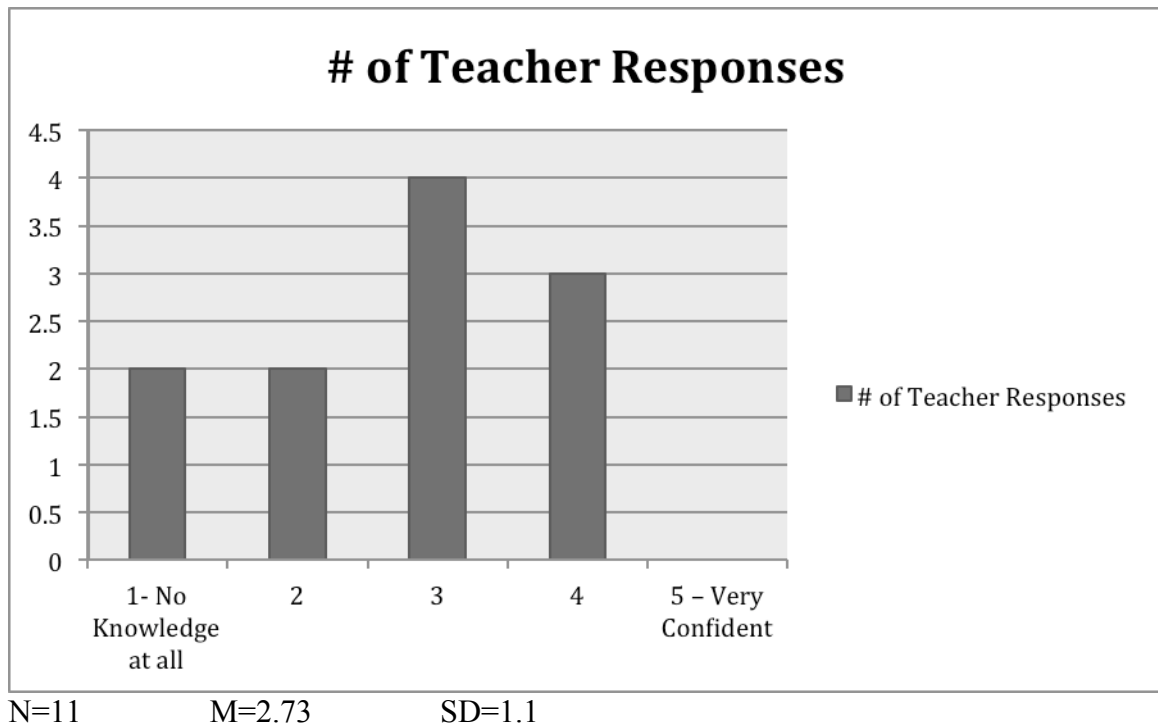
Figure 4   Teacher Self-Rating on Teaching Copyright

Considering these results, teachers exhibit more confidence in their understanding about copyright when they are working with students on multimedia projects, than when they explain it to students. Therefore, this reveals a low comfort level for teachers to instruct students about copyright. In comparison, Hobbs (2007) and her colleagues concluded their study with similar results. They believe teachers make use of copyrighted material in their instruction and with students, but do not have a full understanding of how to determine fair use or how it really works.

Similarly, during the focus group discussions, fifth grade teachers focused more on discussing their own knowledge and understanding about copyright. Overall, none of them felt comfortable teaching copyright to their own students. They felt an

overwhelming need for more professional development and need more communication as to what the librarian teaches outside of their classroom. As Starkman (2008) discussed, teachers just do not have the background in copyright to instruct their students. The teachers also focused a large part of their responses on how little time they felt they had to incorporate additional curriculum. While not specifically stating that they copyright should be delegated to a lower priority, they explained their need to spend more instructional time on other district initiatives. The teachers' comments concentrated on the decreasing ability to incorporate technology into their instruction. They also discussed the lack of opportunity to teach or support copyright lessons.

How Teachers View Student Attitudes about Copyright

How teachers view student attitudes about copyright reveals the most compelling data gathered. During the focus group discussion, the teachers felt that students do not understand copyright, or even the language relating to copyright and fair use. This corresponds to the teacher survey where 75% of the teachers felt that their students did not understand copyright as shown in Table 7. The data also shows that almost 92% of the teachers feel that copyright confuses fifth graders.

Table 7

Teachers Attitudes about Student Abilities to Understand Copyright

	N	%
Do you feel your fifth grade students understand copyright law as it pertains to digital media found on the web?		
No	9	75.00
Yes	2	16.67
Do you think the copyright law is confusing for your fifth grade students?		
No	1	8.33
Yes	11	91.67
Do you think your fifth grade students have the maturity to make decisions about Fair Use?		
No	5	41.67
Yes	7	58.33

Even more eye opening, the survey data shows that only half of the fifth grade teachers believe that students are mature enough to make decisions about copyright. The teachers reiterated this during the focus group when they discussed their students' inability to understand copyright. Teachers showed concern about the inequality of their students' technology ability and how that might affect instructional lessons about copyright.

Surprisingly, the fifth grade teachers, when surveyed, could not predict accurately what students would use as an excuse for using copyrighted material. As shown in Table 8, teachers viewed the student attitudes about copyright in a different light than what students actually answered. Teachers felt that students would use more excuses for downloading illegally. Students have more respect for copyright than the teachers think

they do. Students answered the survey listing school and not knowing it was illegal as the top two reasons for downloading illegally. However, teachers thought students would answer that they would download illegally if they saw their friends doing it. As Ribble (2009) suggests, engaging students in discussions about copyright issues will bring both students and teachers into the community of digital media and the copyright and fair use implications.

Table 8

Views of Student Reasons to Download Media Illegally

Reasons Students Give When Downloading and Sharing Media Illegally	N=374 Fifth Graders		N=12 Fifth Grade Teachers	
	Students Who Said It Was a Good Reason		Teachers Who Said Students Would Use This Excuse	
	N	%	N	%
Most students see their friends doing it.	24	6.40	12	100.00
Most students can't afford media.	116	31.20	5	41.67
Most students don't know it's illegal	184	49.20	9	75.00
Media should be free.	93	24.90	6	50.00
Entertainment companies make too much money	93	24.90	2	16.67
Rock Stars don't need the money.	59	15.80	4	33.34

	Students Who Said It Was a Good Reason		Teachers Who Said Students Would Use This Excuse	
	N	%	N	%
It's okay to use anything on the Internet as long as it's for school.	158	42.40	11	92.00

Students Receiving Instruction about Copyright

Through field observations, the data I collected about students after they have received instruction about copyright compares to what other researchers have found. Students at a younger age are more compliant at a younger age. However, students in at Hempfield High School vocalize their desire to have a digital community that shares more and restricts less.

I observed a sixth grade class, taught by Nicole Shoemaker during a geography unit. The classes received instruction from the teacher and technology specialist about copyright observed during their Caribbean Cruise project. The students were directed to use a website that contained images that fell under fair use. During the field observations, these students willingly used the website with the restrictions and did not complain or use any other images. The students explained to me why they used the image site and why they included a URL under each image they used. By changing the focus of the instruction to what the students can use instead of what they could not use, it showed in the positive attitude of the students. D. Johnson (2008) agrees that this mindset sets the stage for the best way to teach students about copyright.

The teacher, Nicole Shoemaker, commented after the project that when she introduced copyright into her lesson, it prompted very good discussions in her classroom. However, she believes that students think they should remain under the radar and have permission to use whatever images they find on the Internet. She also concludes that her students would feel flattered to if someone took one of their own creations and wanted to reuse or repurpose it. However, students declared that they wanted credit for it. Shoemaker indicated that having copyright friendly sites available for her students to search helped the project run more smoothly. She believed trying to help each individual student determine fair use on the Internet would increase the difficulty of getting the project completed.

Field observations took place after students at East Petersburg elementary had received copyright instruction from the librarian. Appendix E includes the detailed lesson plan as well as text from the PowerPoint shown during the field observation. The librarian introduced copyright in a previous lesson by using a video clip of an interview for J. K. Rowling. The librarian explained how she had written to ABC News to get permission to continue to use the clip, explaining that even as a teacher, it did not permit her to use the clip over and over, without permission. The students watched the clip and learned about Rowling's rise from welfare in England to her current wealth and famous position. They realized her accomplishments were due to her control of the rights of her creative works through copyright. This set up a very authentic and meaningful situation for students to understand the importance and the purpose of copyright. The librarian

then taught the students basic concepts of copyright, touching briefly on fair use and what it means for students.

The librarian gave the students a quiz two weeks after the instruction based on what they had learned about copyright. Appendix F describes the ten questions that librarian used in class. The librarian used a PowerPoint to orally quiz the students. Appendix G shows the raw data results from the quiz in the four sixth grade classes. As indicated in Appendix H and Figure 2, which charts the quiz scores from four classes, an average score of 87% of students were able to understand and retain what they had learned about copyright.
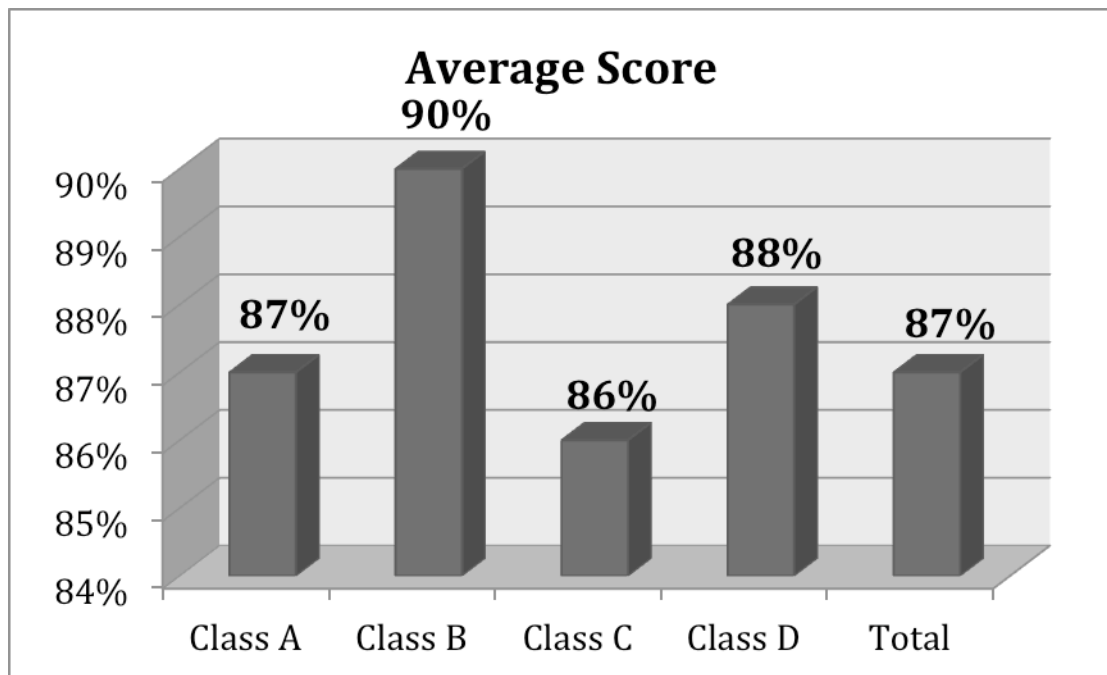
Figure 5   Average Scores of sixth Grade Copyright Quiz

During the quiz, students appeared to have respect for copyright and seemed to realize that it has grown into an important part of the digital culture. The students appeared to struggle with only one question from the quiz. This question dealt with whether something had to have the copyright symbol in order to have copyright protection. Thirty-six percent of the students missed this question. The librarian gave several examples during the observation to reteach this part of the lesson to students. The other questions with incorrect answers of 20% and 23.5% dealt with plagiarism and citations and do not necessarily relate to copyright.

Field observations in Hempfield High School classes compared well with the literature. The high school librarian gave a brief overview about determining fair use and how to locate images in creative commons in a creative writing class. The students were creating a multimedia project. Students bordered on showing disrespect to the librarian as they argued that they felt justified in using anything they could find on the Internet. Several students had the misconception that Google owned the images found in the search engine. Many of these students received instruction about copyright in previous classes. The librarian allowed the students several minutes to express their discontent about restricting their use of images. Subsequent field observations in high school classes indicated that when forced, students will use fair use images, but if left on their own, they prefer to search and grab images from a search engine without making any fair use decisions.

Existing Copyright Curriculum Taught

Although the Hempfield School District curriculum contains some instruction about copyright, only two elementary librarians include lessons specific to only copyright. The other librarians discuss copyright as part of other curricular units including instruction about plagiarism, bibliographic citations and parts of a book. Appendix E and I contains specific lesson plans and content used at Farmdale Elementary and East Petersburg Elementary schools. The librarians use both of these lessons with sixth graders. The Technology Specialist for the seven elementary schools always directly instructs students about copyright when she supports a student created multimedia project with teachers in the classroom. Middle school and high school librarians, as well as the Technology Specialists for secondary schools also directly instruct students about copyright and fair use as part of the integration of technology in student created multi-media projects.

Lesson Plans from Other Sources

The Internet and print publications offer an abundance of lesson plans from other schools as well as non-profit organizations. Appendix J lists a sampling of organizations and educational institutions that provide lesson plans for teaching about copyright to K-12 students on the Internet. However, educators cannot take lesson plans from other sources at face value. Hobbs (2010) reminds educators to beware of materials that distort the law to suit the interests of the media industry. Many of these curriculum materials equate sharing and downloading of media under fair use as stealing. Hobbs further gives

the following tips when trying to identify if the web site is providing accurate information

about fair use and the rights of educators and students:

- In the Copyright Alliance's 12-minute video for teachers, the phrase "fair use" is never even mentioned.

- At the Copyright Clearance Center, fair use is referred to with terms like "confusing," "uncertain," or "vague." Those words signal a dismissive attitude towards fair use.

- If seeking permission is presented as the first and most desirable option, look at the interests of the author, and consider how their interests intersect with the topic. (Hobbs, 2010, p. 36)

Many of the lesson plans available use examples of scenarios when teaching

students how to make fair use decisions. These scenarios offer authentic instruction so

that students can practice making these determinations. They also offer a greater

opportunity for students to openly discuss copyright in a classroom setting.

Feedback on Draft KUD's

After analyzing the findings from the survey, field observations, review of

existing curriculum and available lessons from other educators, I created a draft of

Knows and Dos for grades kindergarten to sixth grade found in Appendix K. Two

elementary librarians and one technology specialist in the school district examined the

draft for feedback. Mrs. Kathy Martin, elementary librarian at Farmdale Elementary, a K-

6 building in Hempfield School District felt that the draft KUDs would be too

challenging for our students. "I think these KUD's are too much too fast. Much of students' understanding of these concepts and ideas comes developmentally as they mature as learners." She suggested that the instruction for some topics were too complex for particular grade levels. However, Martin also felt strongly that the entire library department get involved in working on this part of the curriculum. Mrs. Martin commented that the librarians working together could further improve the curriculum.

Mrs. Laura Brown, elementary librarian at East Petersburg Elementary, another K-6 building in the Hempfield School District offered her comments on the draft KUDs in Appendix K. Our twenty-minute interview analyzed each grade level. Mrs. Brown has been an elementary librarian for 8 years and includes direct instruction about copyright at the sixth grade level. She identified specific vocabulary and concepts that she thought we need to move to different grade levels based on the maturity of students and their ability to use critical thinking. Mrs. Brown suggested moving the concept of fair use to fifth or sixth grade and moving the concepts of Intellectual Property, License and Transformative to sixth grade.

Brown commented on the need to implement this curriculum at all grade levels at the same time. She felt that during the first few years of implementation, librarians would need to introduce concepts and vocabulary at lower grades to get the students caught up with background content. However, after a year or two of instruction, Brown thought that if the librarians taught the copyright curriculum through direct instruction and integrated into other units, students would internalize their understandings of

copyright. She suggested integrating into other units such as citing sources, locating information and creating multimedia projects in the classroom.

Rae Ann Smith, technology specialist who works with elementary students and teachers reviewed the draft KUDs in Appendix K also. She agreed with Mrs. Brown and Mrs. Martin concerning the complexity of some concepts at the lower grade levels. However, Mrs. Smith felt strongly that sixth graders would understand the concept of infringement. She also stated that teachers should introduce fair use in fourth grade.

Elementary Technology Curriculum Committee

While investigating copyright for this study, Hempfield formed an elementary technology curriculum committee charged with revising an integrated technology curriculum in grades K-6. I am part of this committee. This curriculum bases its skills on the NETS-S standards (ISTE 2007) as well as other research documents. The committee creating the new elementary technology curriculum included a unit on digital citizenship, which covers goals for students to understand copyright. Appendix L contains the draft for this unit. Therefore, I created the draft of the Stage One unit as part of this study from the overarching Essential Questions from the Digital Citizenship unit.

Feedback on Feasibility of Implementation

Ron Swantner, principal at the Landisville Primary Center at Hempfield and a member of the Elementary Technology Curriculum evaluated several parts of this study. He considered the feasibility and looked for possible shortfalls in the Stage One

documents in Appendix K, the Curriculum Steps in Appendix L, the Professional

Development ideas in Appendix M and Guidelines for Student Projects in Appendix N.

Mr. Swantner commented that the Stage One curriculum I created linked to the desired

results of this study. He stated that the professional development steps appeared logical

and seemed to lead everyone in the school district to have a better understanding of the

legalities of copyright.   He recommended the implementation process include time for

teacher leaders to collaborate with supervisors to create assessments and multiple model

lessons for each grade level. This would grow capacity for implementing with fidelity.

Summary

It is evident that Hempfield School District needs an implementation plan in order

to integrate copyright and fair use into their curriculum. This plan will need to include

not only grade level units in UbD format, which do not exist at this time, but also a plan

for professional development for all teachers, K-12. The school district needs to change

the mindset for both teachers and for students. By educating teachers and librarians

about fair use and the rights of students and educators, we can dissipate the negativity

surrounding this topic.   Students view copyright as digital natives and therefore have a

different perspective than most adults. Outside sources have always told teachers what

they could NOT use instead of viewing copyright through the fair use lens on what they

and their students have a right to use.

Copyright and fair use confuses the teachers and the students in Hempfield School

District, as in most schools. Adhering to strict rules of dos and don'ts appears easier, but

it limits the rights of educators and students and perpetuates the negative attitude surrounded by copyright. Older students tend to turn this negative attitude into disrespect for copyright, fair use and the rights of creators. Younger students when taught to respect the rights of creators, while learning how to make decisions about fair use, view copyright in a much more positive light.

Using authentic learning opportunities helps students internalize how to make decisions about fair use. These opportunities include not only case scenario lessons, but also instruction about copyright and fair use integrated into student created multimedia projects. Teaching about copyright in isolation does not help students transfer and apply the knowledge and skills to other situations. It keeps copyright out of context. When students view copyright from their own rights as creators, they learn to respect copyright, and view fair use as a decision and not a set of rules. This will empower students to transform themselves into better digital citizens, no matter how much technology changes in the future.

Chapter 3

**PLAN FOR DEVELOPING AND IMPLEMENTING AN ELEMENTARY
CURRICULUM FOR COPYRIGHT AND FAIR USE IN HEMPFIELD SCHOOL
DISTRICT**

Recommendations

As stated in chapter one of this study, the goal of this paper is to recommend an

implementation plan for a revised copyright curriculum for the Hempfield School

District. The review of literature in chapter one in this study, the NETS-S standards

(ISTE, 2007) and the AASL Information Literacy standards (AASL, 2007) support the

alignment of these Essential Questions.

Hempfield School District adopted the UbD framework in 2006 that was written

by Grant Wiggins and Jay McTighe (Wiggins & McTighe, 2005). Past practices for

writing curriculum at Hempfield have always empowered their teachers to play a major

role in creating and revising their own curriculum. In UbD design, Wiggins and McTighe

(2005) suggest that teachers should be writing their own curriculum and constantly refer

to educators that write curriculum as designers. Curricular units, not individual lesson

plans give teachers "a comfortable and practical entry point for this design process"

(Wiggins & McTighe, 2005, p. 8). I used this study to create Stage One in the UbD

framework for the copyright unit for grades K-6. I also created an implementation plan

for writing Stage Two and Three of the curriculum and a plan to integrate the new

curriculum into existing instruction. Ideas for helping teachers and librarians implement a new copyright curriculum include vital professional development for the school district.

UbD Stage One

McTighe's and Wiggins' approach to curriculum development follows a backward design with Stage One consisting of identifying the desired results. This stage includes KUDs (Wiggins & McTighe, 2005). While I used the overarching Essential Questions from the Digital Citizenship unit created by the Hempfield Technology Curriculum Committee, found in Appendix L, I also developed specific essential questions dealing with copyright for each of the grade level units. I based grade level units on the following:

- Goals established from the research found in the literature review.

- The work done thus far by the Hempfield Elementary Technology Committee.

- Existing lessons taught at Hempfield.

- Lessons available online by other educators.

- Feedback from interviews with elementary librarians and the technology specialist.

The goals most prevalent in the review of literature encompassed three aspects. First, we need to base what we want our students to know, understand and do about copyright from an approach that includes authentic learning situations. Greenhow (2008) stated that copyright not only has to be an essential part of existing curriculum, but that

77

students need an authentic context in order for the instruction to have an impact. Eisenberg et al. (2010) support this concept, reminding educators that they should not teach technology literacy and information literacy in isolation. As educators integrate more technology into the world of our digital native students, we should include copyright during instruction when relevant, not in an isolated lesson.

Second, and most importantly, educators need to teach students about copyright from the mindset of the original purpose of copyright, not as a set of rules that they need to follow. D. Johnson (2008) advocates for major changes in the way we teach copyright based on the original purpose of copyright. He recommends teaching copyright from the view of the producer and recommends focusing on what we permit students to use, not what we forbid them to use. We need to view copyright in terms of encouraging creativity and invention for everyone. This includes instruction for K-12 students, academic students, and professional development for teachers. Educators need to always aim instruction by putting the students in the role of the creator. Students need to learn to view the rights of the creator balanced with the rights of the user while seeing the advantages of creators who share their creations. Educators need to teach fair use in the same way. Fair use is not a set of guidelines that educators and students follow, but a decision determined by the user, not the creator of the work.

Finally, educators need to develop instruction with the realization that our current students have transformed into digital natives in the 21st century. Wagner (2007) points out that our society is in "another period of significant flux" (p. 85). Technology forces all of us to reexamine how we share intellectual resources. Our students have grown up

with digital media easily obtained at their fingertips by clicking a download link. As educators, we must reinforce amongst our profession a respect for copyright and the ownership of creative works and expect our students to do the same. Current digital native students base their attitudes on their feeling that creators *should* share their works with others because they *can* share it so easily. As evidenced in the fifth grade student survey, half of our Hempfield students answered they would willingly share what they created with others on the Internet. At Hempfield, we need to realize the reality of the attitudes of our students. In the field observations at Hempfield High School, our students view copyright as digital natives, which conflicts with the views of our teachers. We need to put aside our previous experiences concerning copyright and help students make decisions about copyright and fair use, and help them grow into the changing digital society.

Appendix M details the final recommendation for Stage One for grades K-6. I used the Hempfield approved template for UbD format. After the Elementary Technology committee and the Assistant Superintendent for Elementary have granted approval, these units will be available in our online curriculum software as well as given to the elementary librarians for use in their instruction.

Curriculum Development

Appendix N details the steps needed to complete Stage Two and Stage Three of the UbD curriculum for copyright. As Mrs. Martin, elementary librarian, stated in her interview when reviewing the draft of KUDS, the school district needs to involve the

librarians in writing the copyright curriculum. All the librarians as well as the

Elementary Technology committee must have the opportunity to review and revise the

curriculum. Eisenberg, et al., (2010) recommend that we teach the technology and

library curriculum in an integrated environment through classroom student projects. The

teachers on the Elementary Technology committee can offer important insight into the

development of this curriculum and model lesson plans.

Vital to the success of a new curriculum lies in ensuring that those teaching the

lessons are not only comfortable with the content, but also view it as an integral part of

the success of their students when using multimedia. Huffman (2010) declares that

educators need to lead the transformation in copyright instruction to establish best

practices. Starkman (2008) reinforces that librarians need to play a key role in teaching

students about copyright. Offering professional development to the librarians after they

develop the curriculum should provide the best environment for the librarians to begin

teaching the new units.

<u>Faculty Presentations</u>

The teachers in the fifth grade focus group repeatedly commented on the

importance of communication between teachers and the librarians concerning the

curriculum taught. When the librarians present a copyright curriculum overview to the

faculty in their buildings, classroom teachers will be empowered to support and reinforce

the content the librarians will teach. The presentations will also identify opportunities for

integrated multimedia projects where the librarian and classroom teacher can co-teach

lessons about copyright. Hobbs et al. (2007) and Kozumplik (2010) reiterate that most

teachers do not an accurate base of knowledge about copyright or they lack a great deal

of training about copyright. Kozumplik (2010) also suggests that schools develop casual

and non-threatening professional development atmospheres. This creates a situation that

makes teachers feel comfortable and not that the district is investigating them about the

laws of copyright (Kozumplik, 2010). A more collegial environment for introducing the

new copyright curriculum develops when each librarian in their perspective buildings

presents the information because the classroom teachers trust and know the librarians.

Professional Development

I found contradictory results from this study about the copyright knowledge of

teachers in Hempfield School District. While the anonymous survey indicated that

teachers rated themselves somewhat high in their knowledge, the focus group of fifth

grade teachers indicated that most teachers do not understand fair use and do not feel

comfortable teaching about copyright. Renee Hobbs (2010) declares that the future of

education lies in how teachers explore the improvement of teaching and learning with

technology tools and other resources. Teachers who incorporate student created

multimedia projects "bring meaningful issues and authentic perspectives into the

classroom" (Hobbs, 2010, p.95). These teachers need their students to utilize copyrighted

material as part of the learning process. Therefore, teachers must understand copyright

and understand how to make fair use decisions in their classroom with their students.

Appendix O includes not only the development of a workshop for teachers, but also several ways to ensure that the faculty in the Hempfield School district has the right tools to support the new copyright curriculum. K. Johnson and Groneman (2003) recommend that school districts set strict copyright policy and monitor teachers and students for compliance. Butler and Parker (2009) agree that a district needs a copyright policy, but also point out that the district provide needed training to teachers and staff as the next step. Hobbs (2010) outlines a sample professional development workshop in her recent book *Copyright Clarity*. In fact, the Classrooms for the Future program sponsored by the Pennsylvania Department of Education uses this model (Hobbs, 2010). The administration at all levels; superintendents, principals and department leaders will need to support this important implementation of a new copyright curriculum. Starkman (2008) feels that if administrators do not support or model an initiative to improve copyright instruction and professional development, then teachers will not feel the need to grow professionally. Administrators will need to encourage their teachers to attend professional development workshops and reinforce the importance of copyright while observing their teachers during instruction. Teachers should know that administrators expect teachers to include copyright and fair use whenever their students are creating multimedia projects. Administrators also need to support the important collaboration that should occur between librarians and classroom teachers during these projects to insure authentic learning experiences for the students.

Student Project Guidelines

Finally, the fifth grade focus group teachers suggested that we develop basic copyright guidelines and post them in all the classrooms. We should write the guidelines broadly and use them as a reminder to students that their digital world includes copyright. Appendix P outlines a draft of the guidelines that Hempfield could post in classrooms, libraries and computer labs. However, these guidelines need to embody the philosophy of the Code of Best Practices (Media, 2008) and encourage teachers and students to exercise their fair use rights, while respecting the creative works of others. Including a simple reminder to give attribution when using digital media ensures that students consider the rights of the creators.

Costs

Costs to the school district will be minimal and primarily involve curriculum development and professional development. Table 9 details the costs to the school district. Appendix M details the curriculum development that needs to occur beyond Stage One that I developed as part of this study. The Hempfield library curriculum encompasses grades K-12. Therefore, we must recognize the importance of involving the entire library department in curriculum development. The twelve librarians in Hempfield School District, including the department supervisor should design Stage Two and Three of this curriculum. The Hempfield library department could complete this step in one summer curriculum writing day, paying the librarians the standard curriculum rate at Hempfield of $26.50 per hour. This would cost the district $1908 if all twelve librarians

can commit to this project. Additionally, we will need a half-day of in-service after we

finalize the curriculum to offer professional development for the librarians about the

curriculum. The librarians have ample time during the August in-service schedule or

within the first marking period, which would eliminate district costs for this additional

professional development.

The district's Print Shop can print the copyright guideline poster in Appendix P in

color on eight and half by eleven cardstock paper. Cost for these posters for the district

will be $150.

Table 9

Implementation Costs

Description	Detail	Cost
Design of Stage Two and Three of Curriculum	12 Librarians X $26.50/Hour 6 Total Hours of Curriculum Writing	$1908.00
Half-day In-service for librarians	This In-service can be conducted during regular professional development with no costs to the district.	$0.00
Printing of Student Guidelines for Multimedia Projects	250 Color Copies X $.60/ea.	$150.00
Total Costs		$2058.00

Anticipated Obstacles

       Since Hempfield needs to integrate the copyright curriculum into the content curriculum, its success will depend on the support of all the teachers in the school district. As Renee Hobbs (2010) has analyzed, we categorize teachers as hyper-compliant, apathetic to copyright or lacking desire to consider copyright during instruction. Regardless of which category they fall in, teachers will need to understand the copyright curriculum and "buy into" the implemented curriculum. If every elementary librarian aggressively and consistently teaches the prescribed curriculum, the support of the teachers will determine whether students apply what they have learned throughout their education and their everyday lives. The support of the elementary principals, the technology specialists and the administration can ensure that teachers realize that the every teacher's curriculum should contain copyright instruction and that copyright is not isolated in the library curriculum.

Timeline

       Based on approval of this implementation plan by the administration in Hempfield School District, I created the timeline below.

- Summer/Fall 2011 – Assign librarians different grade levels to complete Stage 2 and 3 of curriculum. Six hours of curriculum writing for twelve librarians.

- December 2011 – Librarians review all grade levels of Stage 2 and 3 for comments and changes.

- January/February 2012 – Submit second draft

- March 2012 – ½ In-service Day - Provide professional development to all librarians.

- April 2012 – Develop brief presentation on new curriculum.

- May 2012 – Present new curriculum to elementary principals.

- September 2012 – Begin teaching new curriculum.

- September 2012 – May 2013 – Library Department Supervisor formally and informally will observe lessons taught as well as field observations of student multimedia projects in the regular classroom.

- January 2013 – Meet with elementary librarians to evaluate curriculum.

- April 2013 – Develop teacher survey on effectiveness of curriculum.

- May 2013 – Administer teacher survey.

- Summer 2013 – Analyze survey, student assessments and field observations to create additional recommendations for revisions to administration.

Evaluation Plan

As noted in the above timeline, the elementary librarians will need to evaluate the effectiveness of the curriculum. The Library Department Supervisor will need to develop a series of questions for this portion of the evaluation. Student assessments from the lessons being taught will need to be analyzed to determine if students have a better understanding about copyright and fair use. Throughout the implementation of the first

year of instruction, I should conduct field observations of student multimedia projects. I will gather qualitative data about the attitudes of students during the instruction and when students are applying these principles to projects in the classroom.

At Hempfield, we consider curriculum a living and breathing document that needs constant attention. Feedback results in constant improvement for our students as well as the curriculum we use to teach our students. Wiggins and McTighe (2005) agree that this feedback does not need to be cumbersome or difficult. "The goal is frequent, timely, helpful, and nonintrusive feedback as to how the design is working from learner's perspective" (Wiggins & McTighe, 2005, p. 271). Asking students what worked best for them reveals the best feedback on whether the curriculum designed works well (Wiggins & McTighe, 2005). Creating an online, collaborative document for the elementary librarians to post this feedback from students after instructional lessons would enable the library department to revise the curriculum and lessons in a meaningful and productive way.

The library department needs to create an anonymous survey and send it to all teachers in the school district after the first year of implementing the new curriculum. This survey should attempt to capture not only the attitudes of the teachers, but also their beliefs on the effectiveness of the new curriculum. The survey should provide many opportunities for teachers to comment and make suggestions on improving the effectiveness of the curriculum.

Finally, the district needs to examine the teacher survey, the feedback from the students, comments and suggestions by the librarians and an analysis of sample student

assessments to form additional recommendations and revisions to the curriculum. Those

conducting this analysis will need to submit revisions to the administration and the

technology department.

Further Study

Although the *Code of Best Practices in Fair Use for Media Literacy Education*

(Media, 2008) has been available for several years, many librarians and educators still

adhere to the educational guidelines put forth in 1976 (Copyright law, 2003). We need to

study how the educational community and the school library community can adopt the

new best practices. Doug Johnson, Director of Media and Technology for the Mankato

(MN) Public Schools in an email to me two years ago felt that we lack professional

articles and discussion in the school library field about the *Code of Best Practices*.

Johnson points out that librarians change their mindset at a slow rate due to their own

insecurities about copyright. Many state and national conferences on technology and

libraries include copyright workshops. The attempt to push educators to exercise their

rights as users as well as train teachers create instruction that teaches their students to

make fair use decisions. The greatest need for study should explore how to change the

mindset of educators and librarians in the educational community. This change will help

us meet the needs of the students in a digital age and help them respect the rights of

creators. The balancing act between creators and users has not taken hold in the

educational field very quickly. Educators need to find a solution. More technology

developments will create a greater need for copyright understanding for both teachers and

students.

APPENDIX A

Student Survey

An Investigative Study of Student Behaviors and Perceptions about Copyrighted Electronic Media

This electronic survey is completely voluntary. You are not required to complete the survey, nor will your participation or non-participation affect your academic grade in any way. The survey will take approximately 15 minutes and you will be able to terminate the survey at any time without penalty.

Your answers and comments will remain completely anonymous.
The results of this survey will be used in a research study but will not reveal any of your personal information.

Please answer the questions as honestly as possible. None of the answers can ever be linked to you.

Media is defined as music, text, information, photographs, images, maps or sound.

Grade:

Gender:
     Male
     Female
Illegal downloading of media hurts the person who created it.
     Agree
     Disagree
     No Opinion
Do you think downloading images, literature, music, movies or software without the owner's permission and not paying for it should be considered a punishable offense?
     Yes, definitely
     Yes, probably
     No, probably not
     No, definitely not
If I make something original and creative, I am likely to put it on the Internet and make it free for others to download it.

Agree

Disagree

Don't know

If someone puts images or music on the Internet, they don't care if other people use them.

Agree

Disagree

No Opinion

Which of the following comes closest to your opinion about the practice of downloading media without paying for them? Would you say...

You think it's legal?

You think it's illegal?

Don't Know/ Not Sure?

Please, read the following list of situations. After you read each one, please select a consequence from the list of options that you believe is the most fair.

*Some level of consequence includes: 1)Your parents are notified and it goes on your permanent record; 2) You are exposed as a thief in your local newspaper and at school; 3) You are put on probation by the police and have to perform community service and 4) You are sent to juvenile detention for the appropriate criminal sentence

Getting caught plagiarizing on a school assignment.

*Some level of consequence

Nothing

Unsure/Don't know

Getting caught stealing a video game, DVD or CD from a store at the mall.

*Some level of consequence

Nothing

Unsure/Don't know

Getting caught taking a mobile phone out of someone's locker at school.

*Some level of consequence

Nothing

Unsure/Don't know

Getting caught illegally downloading materials such as music, movies or software from the Internet.

*Some level of consequence

Nothing

Unsure/Don't know

Please read the list of reasons that some have used when asked why they continue to download and share media illegally. After you read each one, decide if you feel this is a valid reason to download the media illegally.

Most people see their friends doing it.

       Good reason

       Not true

       Bad reason

Most people your age can't afford the media.

       Good reason

       Not true

       Bad reason

Kids your age don't know it is illegal.

       Good reason

       Not true

       Bad reason

It should be free.

       Good reason

       Not true

       Bad reason

Entertainment companies make too much money.

       Good reason

       Not true

       Bad reason

Rock stars don't need the money.

       Good reason

       Not true

       Bad reason

It's okay to use anything on the Internet as long as it's for school work.

       Good reason

       Not true

       Bad reason

APPENDIX B

Teacher Survey
An Investigative Study of Student Behaviors and Perceptions about Copyrighted Electronic Media

This electronic survey is completely voluntary. You are not required to complete the survey, nor will your participation or non-participation affect your professional standing in any way. The survey will take approximately 15 minutes and you will be able to terminate the survey at any time without penalty.

Your answers and comments will remain completely anonymous.

The results of this survey will be used in a research study but will not reveal any of your personal information.

Please answer the questions as honestly as possible. None of the answers can ever be linked to you.

Media is defined as music, text, information, photographs, images, maps or sound.

Please read the list of reasons that some students have used when asked why they continue to download and share media illegally. After you read each one, decide if you feel this is one of the reasons your fifth grade students might download media inappropriately.

Most people see their friends doing it.
      Students would use this excuse.
      Students would not use this excuse.

Most students my age can't afford the media.
      Students would use this excuse.
      Students would not use this excuse.

We don't know it is illegal.
      Students would use this excuse.
      Students would not use this excuse.

Media should be free.

Students would use this excuse.
Students would not use this excuse.

Entertainment companies make too much money.
Students would use this excuse.
Students would not use this excuse.

Rock stars don't need the money.
Students would use this excuse.
Students would not use this excuse.

It's okay to use anything on the Internet as long as it's for schoolwork.
Students would use this excuse.
Students would not use this excuse.

Do you feel your fifth grade students understand copyright law as it pertains
to digital media found on the web?
Yes
No
No opinion

When considering your own knowledge of copyright and Fair Use, rate yourself on a
scale of 1 to 5.

I understand how copyright and fair use applies to student media projects.
1 2 3 4 5
1 = No knowledge at all   5=Very Confident

I can explain how the doctrine of fair use protects users' rights.
1 2 3 4 5
1 = No knowledge at all   5=Very Confident

I can explain how copyright protects authors' rights.
1 2 3 4 5
1 = No knowledge at all   5=Very Confident

I can explain the difference between piracy and fair use.
1 2 3 4 5
1 = No knowledge at all   5=Very Confident

Do you think the copyright law is confusing for your fifth grade students?
Yes
No
No opinion

Do you think the copyright law is fair?

       Yes

       No

       No opinion

Would you feel comfortable looking at an open website and reading the property rights possibly contained on the site?

       Yes

       No

       No opinion

Do you feel confident helping your fifth grade students make decisions about copyright and Fair Use?

       Yes

       No

       No opinion

Do you think your fifth grade students have the maturity to make decisions about Fair Use?

       Yes

       No

       No opinion

What kind of professional development do you think would be necessary for you to feel comfortable making Fair Use decisions?

APPENDIX C

Student Survey Data Summary Mailed to Interested Parents

Gender	N	%
Female	191	51.1
Male	183	48.9

Total # of Participants: 374 fifth Graders

Illegal downloading of media hurts the person who created it.

Answer	N	%
Disagree	76	20.3
Agree	298	79.7

Do you think downloading images, literature, music, movies or software without the owner's permission and not paying for it should be considered a punishable offense?

Answer	N	%
No, definitely not	17	4.6
No, probably not	43	11.5
Yes, definitely	146	39.1
Yes, probably	167	44.8

If I make something original and creative, I am likely to put it on the Internet and make it free for others to download it.

Answer	N	%
Disagree	191	52
Agree	176	48

If someone puts images or music on the Internet, they don't care if other people use them.

Answer	N	%
Disagree	205	55.4
Agree	165	44.6

Which of the following comes closest to your opinion about the practice of downloading media without paying for them? Would you say…

Answer	N	%
Don't Know/Not Sure?	138	36.9
You think it's illegal?	197	52.7
You think it's legal?	39	10.4

Please, read the following list of situations. After you read each one, please decide if you feel the situation deserves some level of consequence or no consequence.

Getting caught plagiarizing on a school assignment

Answer	N	%
Some level of consequence	342	92.7
No consequence	27	7.3

Getting caught stealing a video games, DVD or CD from a store at the mall.

Answer	N	%
Some level of consequence	365	98.9
No consequence	4	1.1

Getting caught taking a mobile phone out of someone's locker at school.

Answer	N	%
Some level of consequence	349	94.6
No consequence	20	5.4

Getting caught illegally downloading materials such as music, movies or software from the Internet.

Answer	N	%
Some level of consequence	339	92.4
No consequence	28	7.6

Please read the list of reasons that some have used when asked why they continue to download and share media illegally. After you read each one, decide if you feel this is a valid reason to download the media illegally.

Most people see their friends doing it.

Answer	N	%
Bad reason	350	93.6
Good reason	24	6.4

Most people your age can't afford the media.

Answer	N	%
Bad reason	256	68.8
Good reason	116	31.2

Kids your age don't know it is illegal.

Answer	N	%
Bad reason	190	50.8
Good reason	184	49.2

It should be free.

Answer	N	%
Bad reason	280	75.1
Good reason	93	24.9

Entertainment companies make too much money.

Answer	N	%
Bad reason	280	75.1
Good reason	93	24.9

Rock stars don't need the money.

Answer	N	%
Bad reason	314	84.2
Good reason	59	15.8

It's okay to use anything on the Internet as long as it's for schoolwork.

Answer	N	%
Bad reason	215	57.6
Good reason	158	42.4

Summary of Teacher Self-Rating
From Fifth Grade Teacher Survey Results

When considering your own knowledge of copyright and Fair Use, rate yourself on a
scale of 1 to 5 in the categories below.

	I understand how copyright and fair use applies to student media projects.
Rating	# Of Teacher Responses
1- No Knowledge at all	0
2	0
3	3
4	7
5 – Very Confident	1
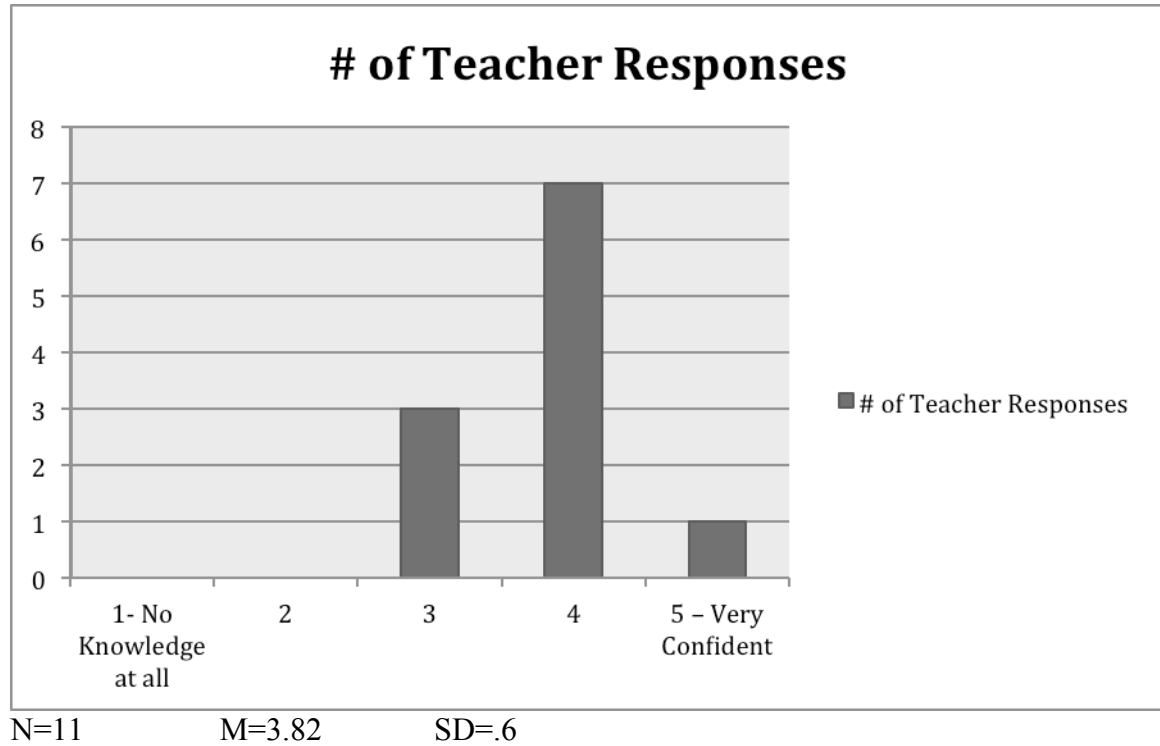
N=11   M=3.82   SD=.6

Rating	I can explain how the doctrine of fair use protects users' rights
	# Of Teacher Responses
1- No Knowledge at all	2
2	2
3	4
4	3
5 – Very Confident	0

of Teacher Responses

N=11   M=2.73   SD=1.1
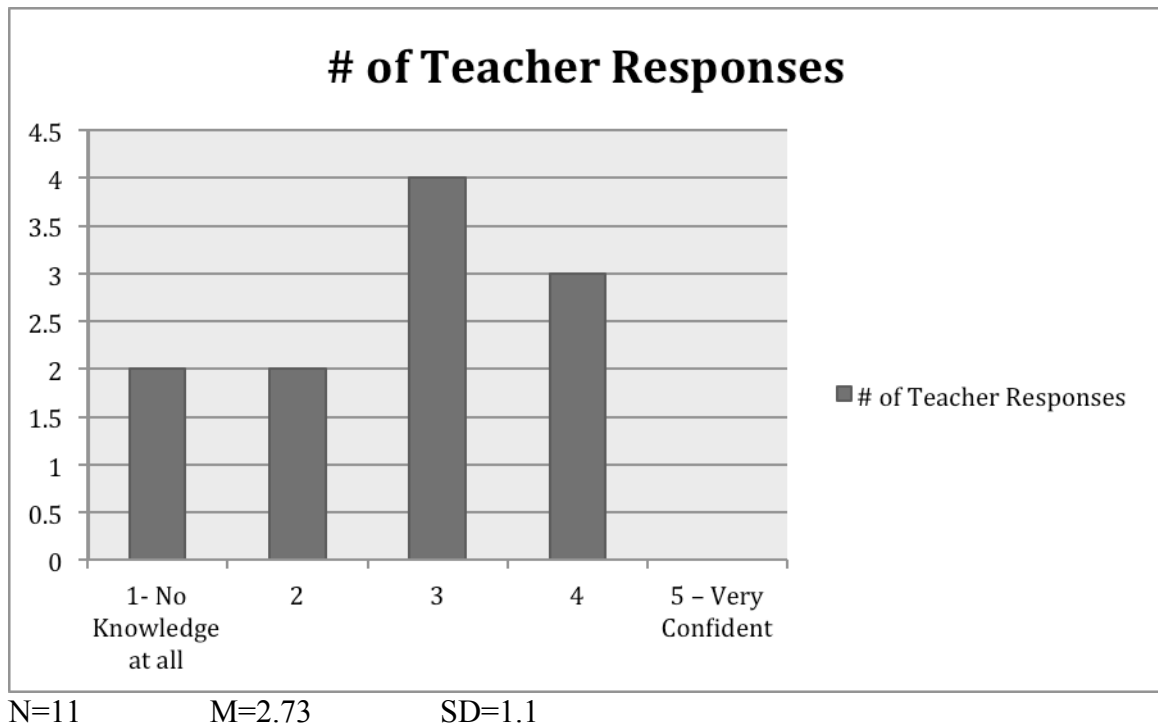
	I can explain the difference between piracy and fair use
Rating	# Of Teacher Responses
1- No Knowledge at all	2
2	2
3	3
4	4
5 – Very Confident	0
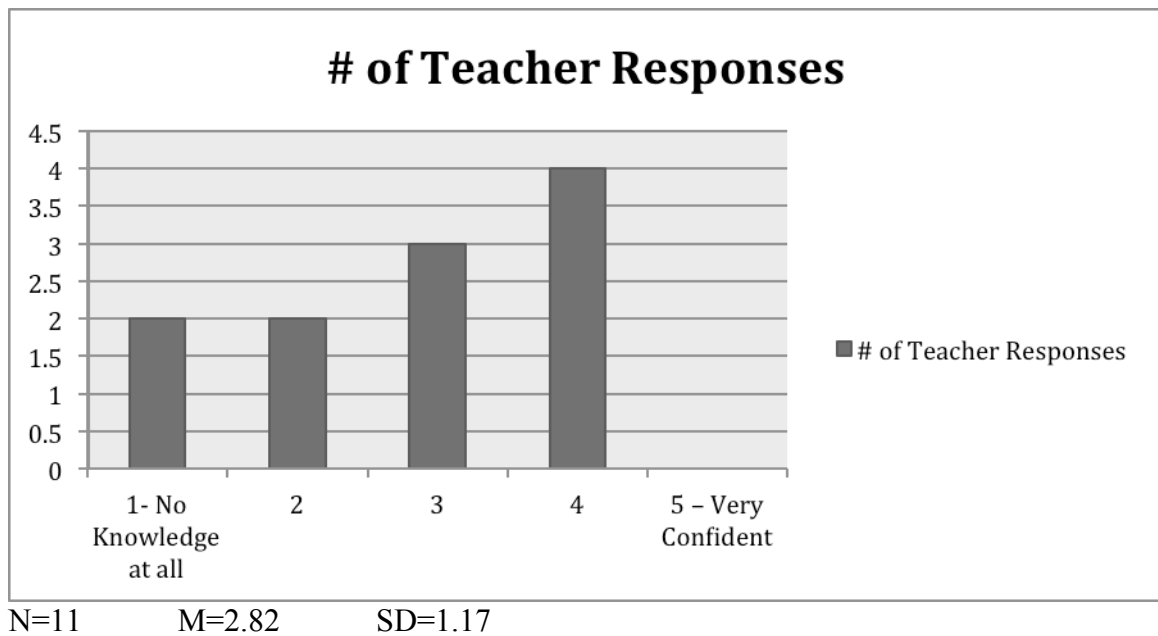
N=11   M=2.82   SD=1.17

	When considering your own knowledge of copyright and fair use, rate yourself on a scale of 1 to 5
Rating	# Of Teacher Responses
1- No Knowledge at all	0
2	3
3	4
4	3
5 – Very Confident	1

# of Teacher Responses
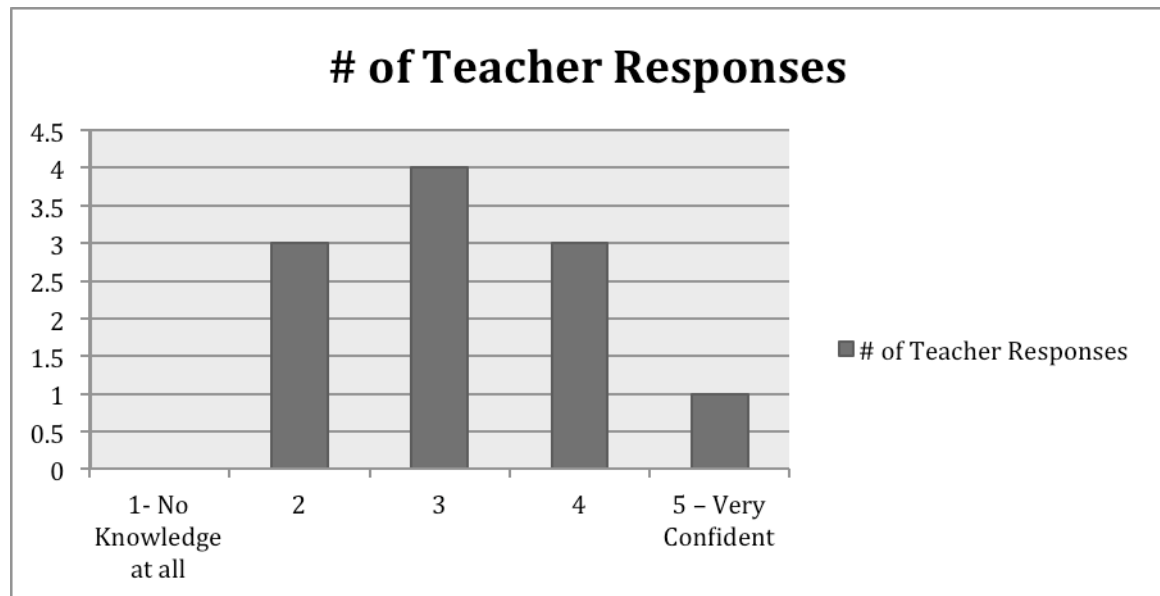
N=11   M=3.18   SD=.98

APPENDIX E

East Petersburg Elementary Lesson Plan Sample

Hempfield School District: East Petersburg Elementary Library Lesson Plan
Laura Brown January 2011

Parts of this lesson - Reprinted with Permission:
Copyright © 2005 Dr. Michael Lorenzen
Copyright © 2006 Copyright Society of the U.S.A.

| **Grade: 6**	**Lesson**: Copyright with J.K. Rowling Part I and II
Materials: Copyright and You PowerPoint, Handout " How Harry Potter Was Born", video "J.K. Rowling: A Year in the Life", Copyright and You Quiz and Review PowerPoint, scrap paper, pencils, crayons	

Differentiation
Content   *Process*   Product
As a result of this lesson/unit students will…
Essential Question: What is copyright? What is plagiarism? What are students' responsibilities?
Do: 1. Understand that all forms of information have legal ownership **2. Demonstrate an understanding of how to avoid plagiarism** **3. Understand that creators own their work and it is against the law to copy it** **Know: copyright, plagiarism, creators, royalties**
Implementation: **Part I 1. Copyright and you PowerPoint- discuss 2. Handout concerning J.K. Rowling- read aloud, students, follow- discuss vocabulary 3. View first segment of video** **Part II   4. Copyright and You Quiz and Review PowerPoint- verbally give quiz for students to record answers on scrap paper 5. Students check answers as reviewing information 6. View remaining two segments of video** **Closure:** **Review/clarify important copyright information and inspiration for writing**
Assessment Evidence: Guided Practice *Independent Practice Verbal Response Observation of Actions*

- Copyright Basics
    - Michael Lorenzen
- Agenda
    - What is Copyright?
    - What Can Be Copyrighted?
    - How Long Does Copyright Last?
    - What is in the Public Domain?
    - What is Fair Use?
    - Alternatives to Copyright
    - Copyright in the News (MP3s, Copyright Extension)
- What is Copyright?
    - Copyright allows authors, musicians, artists, etc. to make money off of their labor. It prevents others from taking their work for free. It also prevents people from altering the work without permission.
- If There is No Copyright…
    - The main motive for creative endeavors (money) disappears. If authors can't make a living writing, most will not write. If a record company can't profit from a band, they will sign fewer bands and cut loose the money losers.
    - If copyright exists but can't be enforced, the above still happens eventually. The end result is less creative content and hard to pirate distribution methods become preferred like print and closed databases.
- What Can Be Protected?
    - Literary Works
    - Musical Works
    - Dramatic Works
    - Choreographic Work
    - Pictorial, Graphic, and Sculptural Works
    - Motion Pictures and AV
    - Sound Recordings
    - Architectural Works
- What Does Copyright Give
  Rights Holders?
    - Right to reproduce the work.
    - Right to prepare derivative works.
    - Right to distribute copies for sale.
    - Right to perform AV works publicly.
    - Right to display musical and artistic works publicly.
- How Long Does Copyright Last?

- A copyright last for life plus 70 years for individuals for anything on or after 1978.
- A copyright lasts for 95 years for corporate authors after publication for anything on or after 1978. (It is 120 years after creation if not published.)
- Works published before 1978 and after 1923 are protected for 95 years.
- Copyright is Automatic
  - There is no need to include a copyright notice. (©, 2003). However, it is a good idea to do so due to ignorance.
  - The copyright is in force when the work is "fixed" which includes saving to disk or writing it on paper.
- Public Domain
  - Anything in the public domain is useable by anyone in any way that they want. No one owns it.
  - Everything published before 1923 is in the public domain.
  - US federal works are in the public domain.
  - Authors can choose to put work in the public domain by including a notice that the item is in the public domain.
- Public Domain Examples
  - Project Gutenberg (many sites including http://promo.net/pg/) places classics in the public domain online, which are scanned by volunteers.
  - The US Federal Government search engine FirstGov (http://www.firstgov.gov/) indexes public domain government info.
  - Most works published prior to 1923 are not online and are unlikely to be put online in the future do to the costs of scanning and hosting and the difficulty of profiting from this work.
- What is Fair Use?
  - Use of material for criticism, comment, news reporting, teaching, scholarship, and research.
  - Limitations apply. This includes consideration of the purpose, nature, amount and substantiality, and the effect of the use on potential value of work.
- More Fair Use
  - You can use excerpts from a book to write a review of it. However, you can't reproduce whole chapters of the book for reviewing purposes without permission.
  - A class dealing with film studies can screen a movie without payment for study purposes. However, no admission can be charged and only students in the class can attend the screening.
  - Difficult area that can get people in trouble. Consult an attorney if you are in doubt…
- Alternatives to Copyright
  - Licenses – Creators can retain copyright but allow people to use content under certain terms. For example, the copyright can give schools to use

content for free and without permission. Example:
(http://www.creativecommons.org/)
- o Open License – Others can use but must credit original source. Further, any version that others create must also have the open license and be useable by others as well. Example: (http://www.wikipedia.org/).
- Copyright in the News
  - o Many object to recent extensions of copyright terms. Recent legislation extended copyright terms keeping pre-1923 as the beginning of the public domain. Disney and other corporations lobbied for this but it also erodes the concept of public domain, as content is staying protected longer.
- MP3 Files
  - o And of course, the widespread piracy of music and movies has resulted in a crackdown by the respective industries.
  - o The whole MP3 issue (and the bad attitudes which consumers have towards copyright) has convinced many publishers to distribute content in copy protected or non-computerized forms. Print is not dying…it is making a comeback.
- Read…
- Please read the following short articles:
- Courthouse Rock by Steve Levy and
- Out of Tune by Barney Gimbel and Sarah Childress.
- Will suing pirates work to stop piracy?
- Is the music industry out of touch with consumers?
- Does it matter morally?

Copyright Awareness Week

Lesson Plan for Middle School / Junior High School Classes
  <u>Note</u>: **Please refer to the information included in the "overviews of Copyright."**

<u>Goals of Lesson</u>:   1. To help students understand the importance of "Copyright law"
                2. To define, understand, and demonstrate, the components of
Copyright Protection

<u>Teacher notes</u>:   Use this story as a learning tool. Give each student a copy of the story and information. Chose to read together or separately…then discuss.

"HOW HARRY POTTER WAS BORN"

<u>A rags to riches copyright Story, Discussion Points & Quiz</u>

"I was very low, and I had to achieve something."

J.K. Rowling

J.K. Rowling, a single mom with an infant daughter, had reached rock bottom. She was a single mom raising a child alone and living on welfare in the cold winter of Edinburgh, Scotland. As she later said, "I was very low, and I had to achieve something. Without the challenge, I would have gone stark raving mad."

This is the true story of J.K. Rowling, the author of the famous Harry Potter books, and how her dream to support herself and her child by writing books turned into reality. During her daughter's naps, she simply sat at a table in a local coffee shop, and began to write the stories that became world famous as books, movies, computer games, music, and more.

J.K. Rowling is now one of the most famous authors in the world, who can financially take care of her family beyond her wildest dreams. But imagine how crushed she would have been, if someone had taken her book after she wrote it in the coffee shop, and had printed it themselves without paying her any money, or had arranged for a movie to be made from the book, or arranged for computer games and music to be created based on the book, and had not given J.K. Rowling a penny!

The reason that did not happen is a law called "**copyright law**." It's a powerful law that protects **creativity**. It can change lives like it changed J.K. Rowling's life, and the lives of everyone who loves her books. It's Copyright Power!

(For more information on J.K. Rowling and her books, you can go to the web site of her publisher, Scholastic Books: http://www.scholastic.com/harrypotter/author/).

3.1.1.1.1   "How did Copyright Law help J.K. Rowling"
Creativity is Hard Work!

Everyone is creative, everyone has dreams and ideas, the ability to tell a story or hum a tune or draw a picture. What makes some people different is that they decide that they want to go a step further: they do the hard work of writing down the story, or writing down the music for a song, or recording the song, or buying paint and making the painting. They want to share their creative gift and vision with the world, and they want to be paid for doing a good job, just like everyone else. Earning money from creativity means you can keep going, create more, and share with the world.

Imagine if J.K. Rowling had only told the Harry Potter stories to her daughter, and never gone to the tremendous effort of writing them down, sitting in that coffee shop filling page after page, getting writer's cramp and trying to wash the ink off her fingers.

Copyright law helps hard working creative people earn money, whether it amounts to a few dollars, or even millions of dollars, whether one person likes their work, or many millions.

Copyright Power!

Copyright law gave J.K. Rowling copyright power! It says that she alone has **the right to decide** who can make copies of her book, which can turn her book into a movie, or a computer game, or a song. This is a great power for an author, and J.K. had the power to decide who could do those things, and how much money they would have to pay her.

Now she needed a **publisher**, a company that would turn her story into a book, print copies, advertise the book, sell the book and then send her some of the money. Publishers come in lots of different forms. They are called a publisher when they create books and magazines, or a **record company** when they create CDs and music videos, or a movie or **television production company** when they make movies and television shows, or a **software company** when they make software and games. But all of them are really "publishers:" they take creative work by people like J.K. Rowling and find a way to sell it. But a publisher can't do anything until the author agrees to let them. When a publisher sends money to an author, it's called a "**royalty**" payment. Copyright power means that books can be sold, and royalties earned for the author, even when the author is sleeping or on vacation. That's copyright power!

Authors need their royalties!

Unfortunately, there are lots of ways to cheat J.K. and her daughter out of the **royalties** she worked so hard to receive. If there is a song based on her book, people could rip a copy of the song into an MP3 file and send the file to everyone else on the Internet for free. Or if there is a Harry Potter software game, she is being cheated every time someone puts the software files on the web and sends them to others. Or if someone puts copies of her books on line for free, she is cheated every time someone downloads those files. It's not just the publisher who is losing money: J.K. and people like her are also losing their royalty income. Making or downloading copies that you did not pay for means you **infringe** the rights of authors like J.K. **Copyright infringement** is just a fancy word for cheating by getting something for free that should be paid for.

Copyright infringer!

Most **copyright infringers** are not truly thieves. They don't even fully realize or understand that what they are doing is wrong. They especially don't understand who they are hurting, that it is real people like J.K. Rowling that are hurt when copies are

made without the permission of the copyright owner. The problem is it's incredibly easy to infringe copyright on the internet: One easy click is all it takes to download or send a copy of a song or movie file or software game that wasn't paid for. But it cheats authors and musicians, people like J.K. Rowling. It also hurts people who work for publishers and may lose their jobs if people stop buying books and CDs and software. Remember that publishers pay lots of royalties to lots of authors who need the money. Even the super successful people like J.K. deserve their success, and deserve their royalties.

A "Whole Lotta Rights!"

We live in a high-tech multi media world. A copyright owner, someone like J.K. Rowling or her publisher, may have rights that you would be surprised to learn existed:

The right to **make and distribute copies:** For example, printing copies of books and making copies of CDs, DVDs, and videos.

The right to **let someone else use her story**: J.K. Rowling had the right to decide what other uses could be made of her Harry Potter story, for example making a movie, or a computer game. J.K. would let other people derive their rights from her copyright, so these are called "derivative rights."

The right of **public performance** of music, dramas, and dance: Most people do not know that the copyright owner of a song has the right to be paid whenever their music is performed in public, for example in a concert hall, or even on radio, television, and the Internet. And if Harry Potter ever becomes a Broadway show, J.K. has a right to be paid for those public performances on stage. That's copyright power!

The right to **display**: If J.K. lets someone create Harry Potter artwork, including posters; she has the right to control how those images are used. She could be paid a royalty if the image is used on a book cover, or on the Internet.

The right to **perform sound recordings on the Internet**: This is a new right of the Internet era. Record companies and musicians can receive a royalty if someone plays their CD on the Internet. If the CD is the Harry Potter soundtrack, perhaps J.K. will get a share of this royalty too!

Snippets, bits, portions, samples, and odds & ends: "Fair Use"

Sometimes there are situations where it may be OK to use just a snippet of someone's work without asking first. For example a newspaper review might quote some passages from a Harry Potter book, or a teacher might use one page only out of the entire book as a writing sample, or a church might perform some copyrighted music during a religious

service, or a school might perform a school band concert for the community, with a small admission charge used only for educational fund raising activities. Or a TV news program might show a brief excerpt from a Harry Potter movie as part of news reporting. These examples and others are fair to authors like J.K. Rowling, because they do not cheat authors out of royalties. They are called **"fair use."**

Fair use has limits though. Generally, fair uses will respect an author's rights and will not replace a genuine sale. If you are making a copy without permission, and the result would be one less copy of the book or CD being sold, it's not fair to J.K.!

APPENDIX F

Sixth Grade Copyright Quiz

1. What is copyright?
    A. Publishing books, art, or music for money
    B. The right of author/artist of a work to control its use

2. The purpose of copyright is to…
    A. Protect people that buy books, art, music, etc.
    B. Protect people that create books, art, music, etc.

3. True or False- If you do not see the copyright symbol, it is not protected by copyright.

4. Creators of work…
    A. Can sell their work
    B. Collect royalties
    C. Control how, when, and where it can be used
    D. All of the above

5. True or False- Books are the only creative works that are copyrighted.

6. True or False- Pictures on computers are free for everyone to use because images cannot be copyrighted.

7. True or False- When doing research, only do a bibliographic citation for books that were used for taking notes.

8. Plagiarism is…
    A. Illegal
    B. Hard to avoid
    C. Using something created by another person without acknowledgment
    D. All of the above

9. True or False- When doing research, you can avoid plagiarizing by rephrasing instead of copying sentences and by citing your sources.

10. True or False- Students do not need to be aware or responsible for following some basic copyright laws- you are not adults yet.

APPENDIX G

Sixth Grade Quiz Raw Data

Question	Class A N= 21		Class B N=22	
	# Of students with incorrect answers	% Of students with incorrect answers	# Of students with incorrect answers	% Of students with incorrect answers
1	3	14.28	0	0.00
2	2	9.52	1	4.55
3	9	42.86	8	36.36
4	5	23.80	0	0.00
5	0	0.00	0	0.00
6	4	19.08	2	9.09
7	1	4.76	4	18.18
8	7	33.33	7	31.81
9	0	0.00	0	0.00
10	2	9.52	0	0.00
	60%	1	60%	0
	70%	4	70%	2
	80%	6	80%	6
	90%	5	90%	4
	100%	5	100%	10
Avg. score		87%		90%

Question	Class C N=19		Class D N=23	
	# Of students with incorrect answers	% Of students with incorrect answers	# Of students with incorrect answers	% Of students with incorrect answers
1	3	15.79	3	13.04
2	0	0.00	0	0.00
3	8	42.11	6	26.09
4	2	10.53	3	13.04
5	1	5.26	5	21.74
6	2	10.53	4	17.39
7	5	26.32	7	50.43
8	4	21.05	2	8.70
9	0	0.00	1	4.35
10	2	10.53	0	0.00
	60%	1	60%	1
	70%	3	70%	4
	80%	2	80%	3
	90%	9	90%	6
	100%	4	100%	9
Avg. score		86%		88%

Question	Total N=85	
	# Of students with incorrect answers	% Of students with incorrect answers
1	9	10.59
2	3	3.53
3	31	36.47
4	10	11.76
5	6	7.06
6	12	14.12
7	17	20.00
8	20	23.53
9	1	1.18
10	4	4.71
	60%	3
	70%	13
	80%	17
	90%	24
	100%	28
Avg. score		87%

APPENDIX H

Summary of Sixth Grade Quiz Results

Ques. #	Class A N= 21		Class B N=22		Class C N=19		Class D N=23	
	# With incorrect answers	%	# With incorrect answers	%	# With incorrect answers	%	# With incorrect answers	%
1	3	14.28	0	0.00	3	15.79	3	13.04
2	2	9.52	1	4.55	0	0.00	0	0.00
3	9	42.86	8	36.36	8	42.11	6	26.09
4	5	23.80	0	0.00	2	10.53	3	13.04
5	0	0.00	0	0.00	1	5.26	5	21.74
6	4	19.08	2	9.09	2	10.53	4	17.39
7	1	4.76	4	18.18	5	26.32	7	50.43
8	7	33.33	7	31.81	4	21.05	2	8.70
9	0	0.00	0	0.00	0	0.00	1	4.35
10	2	9.52	0	0.00	2	10.53	0	0.00

Question	Total N=85	
	# Of students with incorrect answers	% Of students with incorrect answers
1	9	10.59
2	3	3.53
3	31	36.47
4	10	11.76
5	6	7.06
6	12	14.12
7	17	20.00
8	20	23.53
9	1	1.18
10	4	4.71

Score	Class A N= 21	Class B N=22	Class C N=19	Class D N=23	Total N=85
	# Of Students	# Of Students	# Of Students	# Of Students	# Of Students
60%	1	0	1	1	3
70%	4	2	3	4	13
80%	6	6	2	3	17
90%	5	4	9	6	24
100%	5	10	4	9	28
Avg. score	87%	90%	86%	88%	87%

APPENDIX I

Farmdale Elementary Lesson Plan Sample

Copyright Awareness Week
visit: www.csusa.org

Lesson Plan for Upper Elementary and Middle School:
"The Symbol of Copyright"

<u>Goals of Lesson</u>: 1. To identify the copyright symbol written on a creative work
        2. To understand what the copyright symbol means and to describe the importance of using the copyright symbol

<u>Teacher notes</u>: The teacher should lead students in a brief discussion of copyright protection, and may benefit from discussing the information included in the **"Copyright Overview for Discussion"** and the **"Copyright Basics"** located in Curriculum materials on the Copyright Awareness Week website.

<u>Materials:</u> Publications of copyrighted works. This might include books, textbooks, sheet music, recordings, movie boxes, magazines or other published material.
Chalk board or white board.

<u>**Directions:**</u>

<u>**STEP 1:**</u> **Teacher leads** the students in a discussion of creativity and copyright protection.
    Discuss what the term "copyright" means: Whenever you write a poem or story or even a paper for your class, or make a drawing, photo, or other artwork, or write a song or a play, you automatically own the copyright to it as long as you have written or drawn your idea on paper, taken a photograph or in the case of music, made some kind of recording, if you do not know how to express your idea with musical notation.

<u>**STEP 2:**</u> **Place** an example of the copyright symbol on the chalkboard or white board.
    Example: © 2004 John Doe

The Teacher explains to the students that this is the symbol that identifies that a particular creation or work is protected by copyright and it identifies the owner of the work and the year it was created. It is important for a composer or other creator to let others know that the work belongs to him or her by using the copyright symbol.

STEP 3: Discuss with students why it is important for a composer/songwriter or other creator to let others know that the work belongs to him or her by using the copyright symbol, also called the copyright notice. The copyright notice tells others where they should go to gain permission should they want to also use the song. Explain that the composer/songwriter, for example, receives money from a music publisher in return for permission to distribute/license a song to others either by having the song released on records, using the song in a video, using the song in a television commercial or even when the song is played on the radio (there are many other places to license songs, you may want to brainstorm with the students to come up with more places); the composer/songwriter or other creator may also be his or her own publisher and distributor for the work. This is how a creator is paid for his or her work.

STEP 4: Ask students to open up one of their books, textbooks, sheet music, recordings, movie boxes, magazines (any copyrighted work) and find the name of the writer, composer, or other creator of a particular song or other artistic work that you display or distribute (see Materials). Help them find the copyright notice for the work. Explain that in books including works by more than one creator, often the names of the copyright holders (with their copyright notices) are grouped together in the front or back of the book; in some books, the copyright holder will be listed on the page with each individual song, visual representation, or other creative work.

STEP 5: Instruct the students to choose another copyrighted work of their own choice from their classroom books, music, etc., and find the copyright symbol. The students may then share with each other, the variety of copyrighted material used, and where the copyright symbols were located.

STEP 6: Classroom Extension: Using a song or other creative work for which a publishing company is listed as the copyright holder, discuss with students why the publisher, rather than the creator of the work, is the designated copyright holder. Explain that the creator may have **assigned** the copyright to the publisher and now the publisher is the copyright holder. Have students notice that the composer or other creator's name is listed with the work, even if the creator does not hold the copyright. Also, explain that usually the creator will receive royalties from the publication of the work, even though the creator has assigned the copyright to the publisher; the amount of royalties is dependent on the agreement that has been made between the creator and publisher.

STEP 7: (Optional) The Library

Take a trip to the school library, where there is a multitude of opportunity for students to find books of interest, and to be able to locate various copyrighted works. Use this trip to create an activity, asking each of the students to locate and collect three examples of copyrighted works, and to be able to locate and display the copyright symbols to all three choices.

<u>**HOMEWORK EXTENSION**</u>:

Ask students to have their parents help them find copyright notices on books, textbooks, sheet music, recordings, movie boxes, magazines or other published works that they have in their home. Tell them to determine whether the publisher or the creator holds the copyright for the work as a whole (for example, a complete book or songbook) and whether individual copyright notices are listed for materials within the work (for example, individual songs in a songbook, individual poems in a poetry collection, or individual paintings in an art book, or articles in magazines, or the copyrighted songs that are used in a movie). You could even devise a contest to see who can collect the most copyright notices.

<div align="center">

Respect Copyright Protection!
Celebrate Creativity!!!!

</div>

APPENDIX J

Sampling of Websites and Organizations to Locate Copyright Lesson Plans

Copyright Society of the U.S.A
    http://www.csusa.org/caw/caw_2006_teachers_elementary.htm

Media Education Lab/Temple University
    http://mediaeducationlab.com/teaching-about-copyright-and-fair-use

Discovery Education/Kathy Schrock's Guide for Educators
    http://school.discoveryeducation.com/schrockguide/referenc.html#copyright

Read-Write-Think
    http://www.readwritethink.org/classroom-resources/lesson-plans/exploring-
    plagiarism-copyright-paraphrasing-1062.html

Electronic Frontier Foundation – Teaching Copyright
    http://www.teachingcopyright.org/

Center for Social Media
    http://www.centerforsocialmedia.org/fair-use/related-materials/codes/code-best-
    practices-fair-use-media-literacy-education

Digital Citizenship/Mike Ribble
    www.digitalcitizenship.net

Library Instruction.com/Dr. Michael Lorenzen
    http://www.libraryinstruction.com/lessons.html

Cyberbee Learning
    http://www.cyberbee.com/copyrt.html

Music Rules
    http://www.music-rules.com/

Copyright and Fair Use Podcasts
    http://www.lifeofalawstudent.com/category/podcasters/prof-kenneth-crews/

APPENDIX K

Draft Copyright KUDs

Knows & Dos

<u>Kindergarten</u>
Creator/Owner   *Might be confusing – push to First grade*
Author
Illustrator
♦ Someone else creates pictures, words, books, and information we find.

<u>First Grade</u> *Okay*
Creator/Owner
Author
Illustrator
Copyright
Citation
♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created.
♦ Copyright is the legal right of the creator of a work to control its use.
♦ Copyright happens as soon as something is created.
♦ Credit should be given to a creator/owner of work.

<u>Second Grade</u> *Okay*
Creator/Owner
Author
Illustrator
Copyright
♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created.
♦ Copyright is the legal right of the creator of a work to control its use.
♦ Copyright happens as soon as something is created.
♦ Credit should be given to a creator/owner of work.

<u>Third Grade</u> *Okay*
Creator/Owner
Author

Illustrator
Copyright
Plagiarism
- ♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created.
- ♦ Copyright is the legal right of the creator of a work to control its use.
- ♦ Copyright happens as soon as something is created.
- ♦ Plagiarism is using something created by another individual without acknowledgment.

Fourth Grade
Creator/Owner
Author
Illustrator
Copyright
Plagiarism
Fair Use *Move up to fifth grade to Introduce*
Public Domain
File Download
Intellectual Property
- ♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created.
- ♦ Copyright is the legal right of the creator of a work to control its use.
- ♦ Copyright happens as soon as something is created.
- ♦ Plagiarism is using something created by another individual without acknowledgment.
- ♦ The "fair use" doctrine allows limited copying of copyrighted works for educational and research purposes. *Move up to fifth Grade to Introduce*
- ♦ Characteristics of a good and poor "digital citizen".
- ♦ The definition of ethical.

Fifth Grade
Creator/Owner
Author
Illustrator
Copyright
Plagiarism
Fair use
Public Domain *Need Clear definitions*
File Download *Need Clear definitions*
Intellectual Property *Move up to sixth Grade*
File Sharing

License
Transformative
♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created.
♦ Copyright is the legal right of the creator of a work to control its use.
♦ Copyright happens as soon as something is created. ***Move up to sixth Grade***
♦ Plagiarism is using something created by another individual without acknowledgment.
♦ The "fair use" doctrine allows limited copying of copyrighted works for educational and research purposes.
♦ Characteristics of a good and poor "digital citizen".
♦ The definition of ethical.

<u>Sixth Grade</u>
Creator/Owner
Author
Illustrator
Copyright
Plagiarism
Fair use
Public Domain
File Download
Intellectual Property
File Sharing
License ***Might be too hard of concept for elementary students***
Transformative ***Might be too hard of concept for elementary students***
Piracy
Infringement ***Might be too hard of concept for elementary students***

♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created.
♦ Copyright is the legal right of the creator of a work to control its use.
♦ Copyright happens as soon as something is created.
♦ The Creator/Owner has the right to decide what happens to the work.
♦ Plagiarism is using something created by another individual without acknowledgment.
♦ The "fair use" doctrine allows limited copying of copyrighted works for educational and research purposes.
♦ Characteristics of a good and poor "digital citizen".
♦ The definition of ethical.

Do

Kindergarten

♦ Identify the author as the creator and owner of a work (print and digital).
♦ Identify the illustrator as the creator and owner of a work (print and digital).

First Grade

♦ Recognize and identify the copyright symbol.
♦ Distinguish the difference between other people's work and their own.
♦ Credit information sources by citing author and title.

Second Grade

♦ Recognize that creators have rights to their work and what can be done with them.
♦ Identify works that are copyrighted, but do not have a copyright symbol.
♦ Credit sources by citing author title, and copyright date.
♦ Recognize that there are many forms of works that are copyrighted, including digital works.

Third Grade

♦ Recognize that creators have rights to their work and what can be done with them.
♦ Identify works that are copyrighted, but do not have a copyright symbol.
♦ Create a bibliographic citation in proper format for different types of resources.
♦ Recognize that there are many forms of works that are copyrighted, including digital works.
♦ Identify plagiarism, paraphrasing and direct quotations.

Fourth Grade

♦ Define and demonstrate respect for the concept of intellectual property.
♦ Give appropriate credit for works used.
♦ Practice fair use guidelines.
♦ Identify works in the public domain.
♦ Recognize copyright and fair use when downloading files.

Fifth Grade

♦ Give appropriate credit for works used.
♦ Practice fair use guidelines.

- ♦ Identify works in the public domain.
- ♦ Recognize copyright and fair use when downloading files.
- ♦ Respect license agreements/copyright and refrain from copying software and other media illegally.
- ♦ Begin to recognize transformative use in school projects.

Sixth Grade

- ♦ Define and demonstrate respect for the concept of intellectual property.
- ♦ Give appropriate credit for works used.
- ♦ Practice fair use guidelines.
- ♦ Identify works in the public domain.
- ♦ Recognize copyright and fair use when downloading files.
- ♦ Respect license agreements/copyright and refrain from copying software and other media illegally.
- ♦ Recognize the differences between piracy, fair use, public domain and infringement.

* Librarian and Technology Specialist comments in italics

Draft of Digital Citizenship Unit from Hempfield Elementary Technology Curriculum Committee

Unit Title:
Approximate Dates when Taught During School Year (Start/End)
Approximate Number of Periods/Classes:
Unit Summary:

Stage 1: Desired Results	
NETS-S Standards: 5. Digital Citizenship	

Understandings	Essential Questions
Students will understand that… Technology use in a global society involves human, cultural, and societal issues that require us to practice legal and ethical behaviors.	• What does it mean to be a good digital citizen? • How does technology connect me to the world and increase my global understanding and cultural awareness? • How do I use technology in an appropriate, ethical, and legal manner?
Know/Vocabulary	Do Skills
Students will know… • characteristics of a good and poor "digital citizen". • the definition of ethical. • the rules of using technology legally and consequences for misuse. • know how to credit others' work. • etiquette of digital communication and collaboration • how to safely use the internet??	Students will be able to… • demonstrate and practice safe, legal, and responsible use of technology. • demonstrate personal responsibility for lifelong learning. • exhibit characteristics of a good digital citizen. • apply ethics to their use of technology. • credit works appropriately. • participate in global activities. • demonstrate knowledge of cultural differences.

Stage One – Copyright Curriculum

Course Title: Digital Citizenship

Unit Title: *Copyright – Grade K*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:

Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results
Essential Questions (Include PA Standards, Anchors & Eligible Content)

Overarching Essential Questions:
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

Lesson Essential Questions
• Why is it important to know who created something?

Big Idea(s):

Know	Understand	Do
Creator/Owner Author Illustrator ♦ Someone else creates pictures, words, books, and information we find.	♦ **We acknowledge the creator/authors/illustrator of a work because we respect their efforts and want to encourage them to create more.**	♦ Identify the author as the creator and owner of a work (print and digital). ♦ Identify the illustrator as the creator and owner of a work (print and digital).

Unit Title: *Copyright – Grade 1*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:
Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results
Essential Questions (Include PA Standards, Anchors & Eligible Content)

Overarching Essential Questions:
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

Lesson Essential Questions
♦ Why do we use citations?
♦ Who decides what happens to something that is created?

Know	Understand	Do
Creator/Owner Author Illustrator Copyright Citation ♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created. ♦ Copyright is the legal right of the creator of a work to control its use. ♦ Copyright happens as soon as something is created. ♦ Credit should be given to a creator/owner of work.	♦ **It is the responsibility of the student to cite sources.** ♦ **Copyright not only protects the creator/owner of a work, but also encourages more people to be creative.**	♦ Recognize and identify the copyright symbol. ♦ Distinguish the difference between other people's work and their own. ♦ Credit information sources by citing author and title.

Unit Title: *Copyright – Grade 2*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:
Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results

Essential Questions (Include PA Standards, Anchors & Eligible Content)

Overarching Essential Questions:
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

Lesson Essential Questions
♦ Why do we use citations?
♦ Who decides what happens to something that is created?

Know	Understand	Do
Creator/Owner Author Illustrator Copyright ♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created. ♦ Copyright is the legal right of the creator of a work to control its use. ♦ Copyright happens as soon as something is created. ♦ Credit should be given to a creator/owner of work.	♦ **It is the responsibility of the student to cite sources.** ♦ **Copyright not only protects the creator/owner of a work, but also encourages more people to be creative.** ♦ **Copyright applies to many formats of works.**	♦ Recognize that creators have rights to their work and what can be done with them. ♦ Identify works that are copyrighted, but do not have a copyright symbol. ♦ Credit sources by citing author title, and copyright date. ♦ Recognize that there are many forms of works that are copyrighted, including digital works.

Unit Title: *Copyright – Grade 3*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:

Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results
Essential Questions (Include PA Standards, Anchors & Eligible Content)

<u>Overarching Essential Questions:</u>
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

<u>Lesson Essential Questions</u>
♦ Why do we use citations?
♦ Who decides what happens to something that is created?
♦ Why can't I copy something that was created by another person?

<u>Big Idea(s):</u>

Know	Understand	Do
Creator/Owner Author Illustrator Copyright Plagiarism ♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created. ♦ Copyright is the legal right of the creator of a work to control its use. ♦ Copyright happens as	♦ **It is the responsibility of the student to cite sources.** ♦ **Copyright not only protects the creator/owner of a work, but also encourages more people to be creative.** ♦ **Copyright applies to many formats of works.** ♦ **Paraphrasing requires using your own words, not just changing the words**	♦ Recognize that creators have rights to their work and what can be done with them. ♦ Identify works that are copyrighted, but do not have a copyright symbol. ♦ Create a bibliographic citation in proper format for different types of resources. ♦ Recognize that there are many forms of works that are copyrighted, including digital works. ♦ Identify plagiarism, paraphrasing and direct quotations.

soon as something is created. ♦ Plagiarism is using something created by another individual without acknowledgment.	**and must be practiced.**	

Unit Title: *Copyright – Grade 4*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:

Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results

Essential Questions (Include PA Standards, Anchors & Eligible Content)

Overarching Essential Questions:
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

Lesson Essential Questions
♦ How do you determine fair use?
♦ What is a good digital citizen?
♦ What is the difference between property and intellectual property?

Big Idea(s):

Know	Understand	Do
Creator/Owner Author Illustrator Copyright Plagiarism Fair Use Public Domain File Download Intellectual Property ♦ The copyright symbol shows formally that a work is copyrighted and provides information about when the work was created. ♦ Copyright is the legal	♦ **Fair use is a decision to be made by the user, not the creator.** ♦ **A good digital citizen practices ethical behaviors regardless of whether their actions are monitored.** ♦ **Even though you can't touch some forms of intellectual property, it has value to the creator and others.**	♦ Define and demonstrate respect for the concept of intellectual property. ♦ Give appropriate credit for works used. ♦ Practice fair use guidelines. ♦ Identify works in the public domain. ♦ Recognize copyright and fair use when downloading files.

right of the creator of a work to control its use. ♦ Copyright happens as soon as something is created. ♦ Plagiarism is using something created by another individual without acknowledgment. ♦ The "Fair Use" doctrine allows limited copying of copyrighted works for educational and research purposes. ♦ Characteristics of a good and poor "digital citizen". ♦ The definition of ethical.		

Unit Title: *Copyright – Grade 5*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:

Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results

Essential Questions (Include PA Standards, Anchors & Eligible Content)

Overarching Essential Questions:
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

Lesson Essential Questions
♦ How do you determine fair use?
♦ Why do you have to follow copyright law in school projects?
♦ How do you decide what is transformative use?

Big Idea(s):

Know	Understand	Do
Creator/Owner Author Illustrator Copyright Plagiarism Fair Use Public Domain File Download Intellectual Property File Sharing License Transformative ♦ The copyright symbol shows formally that a work is copyrighted and provides information about	♦ **Transformative use is a judgment made by the user.** ♦ **Educators and students have more rights under fair use, but there are limits to those rights.** ♦ **Creators have the right to earn money on their creations.**	♦ Define and demonstrate respect for the concept of intellectual property. ♦ Give appropriate credit for works used. ♦ Practice fair use guidelines. ♦ Identify works in the public domain. ♦ Recognize copyright and fair use when downloading files. ♦ Respect license agreements/copyright and refrain from copying software and other media illegally. ♦ Begin to recognize transformative use in school projects.

when the work was created. ♦ Copyright is the legal right of the creator of a work to control its use. ♦ Copyright happens as soon as something is created. ♦ Plagiarism is using something created by another individual without acknowledgment. ♦ The "Fair Use" doctrine allows limited copying of copyrighted works for educational and research purposes. ♦ Characteristics of a good and poor "digital citizen". ♦ The definition of ethical.		

Unit Title: *Copyright – Grade 6*
Names of Teachers who Developed Unit: Cathi Fuhrman
Dates Developed: 01/2011
Approximate Dates when Taught During School Year:
Approximate Number of Periods:
Summary:

Print Materials Needed:
Resources:
Internet Resource Links:

Stage 1: Desired Results

Essential Questions (Include PA Standards, Anchors & Eligible Content)

<u>Overarching Essential Questions:</u>
♦ What does it mean to be a good digital citizen?
♦ How do I use technology in an appropriate, ethical, and legal manner?

<u>Lesson Essential Questions</u>
♦ How do you determine fair use?
♦ Why do you have to follow copyright law in school projects?

<u>Big Idea(s):</u>

Know	Understand	Do
Creator/Owner Author Illustrator Copyright Plagiarism Fair Use Public Domain File Download Intellectual Property File Sharing License Transformative Piracy Infringement ♦ The copyright symbol shows formally that a work is copyrighted and provides	♦ **Determining fair use requires educators and students to examine the four factors of fair use and balance their rights with the rights of the creators.**	♦ Define and demonstrate respect for the concept of intellectual property. ♦ Give appropriate credit for works used. ♦ Practice fair use guidelines. ♦ Identify works in the public domain. ♦ Recognize copyright and fair use when downloading files. ♦ Respect license agreements/copyright and refrain from copying software and other media illegally. ♦ Recognize the differences between piracy, fair use, public domain and infringement.

information about when the work was created. ♦ Copyright is the legal right of the creator of a work to control its use. ♦ Copyright happens as soon as something is created. ♦ The Creator/Owner has the right to decide what happens to the work. ♦ Plagiarism is using something created by another individual without acknowledgment. ♦ The "Fair Use" doctrine allows limited copying of copyrighted works for educational and research purposes. ♦ Characteristics of a good and poor "digital citizen". ♦ The definition of ethical.		

APPENDIX N

Curriculum Development Steps

1. Distribute lesson resources to tech specialists and librarians.

2. Assign two librarians to a group to develop Stage 2 and 3 by grade level.

a. Grade K, 1, 2

b. Grade 3, 4

c. Grade 5, 6

3. After draft of Stage 2 and 3 are completed, distribute work among all librarians for comments and changes.

4. Second draft of Stage 2 and 3, distribute to Elementary Technology Committee for comments and changes.

5. Provide ½ day professional development to library department, K-12, dealing with the curriculum and lesson plans developed so that all librarians are comfortable teaching all grade levels.

6. Create a brief presentation to be shown to elementary principals and then once approved, shown to each building's faculty.

7. Create a poster of student guidelines to be placed in libraries, classrooms and computer labs throughout the school district.

8. After first year of using new lesson plans, meet with elementary librarians to assess the success and make changes.

APPENDIX O

Professional Development Ideas

1. Library Department Supervisors creates a 90 minute Teacher Workshop focused on copyright, fair use and the K-6 Curriculum. This workshop should be offered during the school district's Best Practices Institute week every June, at the beginning of the school year and twice per year in an after school workshop.

2. Every librarian in the school district will show their faculty how to get to the existing fair use and Image wiki at the beginning of the year during a faculty meeting.

3. The Hempfield School District library department will evaluate and review the fair use and Image wiki to make it easier for students and teachers to learn about copyright.

4. The Hempfield School District library department will make the final curriculum available to classroom teachers so that they can support instruction during regular classes.

APPENDIX P

Implementation Ideas for Student Projects

1. Classroom posters to be posted in all classrooms, computer labs and library with 4-5

   concepts for students about copyright. Suggested guidelines:

   a. Respect other's work

   b. Always give attribution

   c. Fair use is a decision determined by the user, not the creator.

   d. Take advantage of Subscription Databases, Public Domain and Creative

      Commons when possible.

2. Develop attribution guidelines for students and teachers to use.

REFERENCES

Adamsick, C. (2008). "Warez" the copyright violation? Digital copyright infringement: Legal loopholes and decentralization. *Tech Trends: For Leaders in Education & Training, 52*(6), 10-12. Retrieved from http://find.galegroup.com/

Alexander, B. (2008). Web 2.0 and emergent multiliteracies. *Theory Into Practice, 47*(2), 150-160. Retrieved from http://search.ebscohost.com

American Association of School Librarians. (2007). *Standards for the 21st century learner*. Chicago: American Library Association.

Aufderheide, P., & Jaszi, P. (2008). Recut, reframe, recycle: Quoting copyrighted material in user-generated video. Washington, D.C.: Center for Social Media.

Barack, L. (2007). Concern over copyright: unfamiliarity with fair use hampers media literacy. (Tech Knowledge). *School Library Journal, 53*(11), 22. Retrieved from http://find.galegroup.com/

Barack, L. (2008). Gadzooks! Fair use takes comic form. [Feature]. *School Library Journal, 54*(9), 19. Retrieved from http://vnweb.hwwilsonweb.com

Bartrom, L. (2009). Fair use guidelines. [Feature]. *TechTrends, 53*(5), 14-15. doi: 10.1007/s11528-009-0317-3

Berg, B. L. (2007). *Qualitative research methods for the social sciences* (sixth ed.). Boston: Pearson.

Butler, R. (2005). Using parodies for teaching purposes. [Feature]. *Knowledge Quest, 33*(3), 56-57. Retrieved from http://vnweb.hwwilsonweb.com

Butler, R. (2008). Join the copyright compliance team.(Social RESPONSIBILITY).

Knowledge Quest, 36(3), 66-68. Retrieved from http://find.galegroup.com

Butler, R. (2008). The changing Web and copyright.(social

RESPONSIBILTY)(Definition). *Knowledge Quest, 37*(1), 76-78. Retrieved from

http://find.galegroup.com

Butler, R. P., & Parker, P. (2009). Proactive copyright: Workplace compliance. [Feature].

TechTrends, 53(3), 9-10. Retrieved from http://vnweb.hwwilsonweb.com

Chou, C., Chan, P.-S., & Wu, H.-C. (2007). Using a two-tier test to assess students'

understanding and alternative conceptions of cyber copyright laws. *British

Journal of Educational Technology, 28*(6), 1072-1084. doi: 10.1111/j.1467-

8535.2006.00695.x

Copyright 101 for educators. (Top Stories). (2008). *School Library Journal, 54*(12), 14.

Retrieved from http://find.galegroup.com/

Copyright law of the United States of American and Related Laws Contained in Title 17

of the *United States Code*, § 504 (c)(2) (2003).

Cowley, S. (2008). Know your rights! [Feature]. *Child Education, 85*(3), 18-20.

Retrieved from http://vnweb.hwwilsonweb.com

Crews, K. D. (2006). *Copyright law for librarians and educators: Creative strategies and

practical solutions*. Chicago: American Library Association.

Davidson, H. (1999). The educators' lean and mean no fat guide to fair use. [Feature].

Technology & Learning, 20(2), 58-60+. Retrieved from

http://vnweb.hwwilsonweb.com

Do students respect intellectual property? (POLL RESULTS)(Brief article). (2008).

Learning & Leading with Technology, 36(1), 6. Retrieved from

http://find.galegroup.com

DuBoff, L. D., & King, C. O. (2009). Introduction to copyright. [Feature]. *TechTrends,*
53(5), 8-9. Retrieved from http://vnweb.hwwilsonweb.com

Dush, L. (2009). Beyond the wake-up call: Learning what students know about copyright.
In S. Westbrook (Ed.), *Composition & copyright: Perspectives on teaching, text-*
making, and fair use (pp. 114-132). Albany: SUNY.

Eisenberg, M., Johnson, D., & Berkowitz, B. (2010). Information, communications, and
technology (ICT) skills curriculum based on the Big6 skills approach to
information problem-solving. [Feature]. *Library Media Connection, 28*(6), 24-27.
Retrieved from http://vnweb.hwwilsonweb.com

Garland, V. E. (2010). Emerging technology trends and ethical practices for the school
principal. *Journal of Educational Technology Systems, 38*(1), 39-50. doi:
10.2190/ET.38.1.e

Greenhow, C. (2008). Fair use education for the twenty-first century: A compliance study
of students' use of an interactive tool to guide decision making. *Innovate, 4*(2).
Retrieved from http://www.innovateonline.info/index.php?view=article&id=443

Harris, C. (2009). Excuse me. Do you speak digital?: Harvard's John Palfrey explores
what it's like to be a digital native. *School Library Journal, 55*(9), 30-33.
Retrieved from http://search.ebscohost.com

Harris, C. (2009). Copyright issues got you singin' the blues? Options for hassle-free
content, tailored for schools. (THE NEXT BIG Thing). *School Library Journal,*

55(10), 14(11). Retrieved from http://find.galegroup.com

Hempfield School District (2003). 814 Copyright material. In *Hempfield School District School Board Policy*. Landisville, PA: Hempfield School District.

Hobbs, R. (2008). Copyright confusion is shortchanging our students. [Feature]. *Education Week, 27*(27), 26, 29-36, blank21. Retrieved from http://vnweb.hwwilsonweb.com

Hobbs, R. (2009). The power of fair use for media literacy education. *Afterimage, 37*(2), 15(14). Retrieved from http://find.galegroup.com

Hobbs, R. (2010). *Copyright clarity: How fair use supports digital learning*. Thousand Oaks, CA: Corwin.

Hobbs, R., Donnelly, K., & Braman, S. (2008). *Teaching about copyright and fair use for media literacy education*. Philadelphia: Temple University Media Education Lab.

Hobbs, R., Jaszi, P., & , & Auferheide, P. (2007). The cost of copyright confusion for media literacy. Washington, D.C.: Center for Social Media.

How to develop an institutional copyright policy. (2009). [Feature]. *Distance Education Report, 13*(14), 1-2, 6-7. Retrieved from http://vnweb.hwwilsonweb.com

Huffman, S. (2010). The missing link: The lack of citations and copyright notices in multimedia presentations. (Report). *TechTrends: For Leaders in Education & Training, 54*(3), 38-44. Retrieved from http://find.galegroup.com

International Society for Technology in Educations. (2007). National educational technology standards for students. Retrieved June 18, 2009, from http://www.iste.org/Libraries/PDFs/NETS_for_Student_2007_EN.sflb.ashx

Janesko, J., & Morris, T. (2008). Do students respect intellectual property?

    (POINT/COUNTERPOINT). *Learning & Leading with Technology, 35*(7), 8-9.

    Retrieved from http://find.galegroup.com

Johnson, D. (2008). Who's afraid of the big bad [C]? *School Library Journal, 54*(10), 44-

    48. Retrieved from http://search.ebscohost.com

Johnson, K., & Groneman, N. (2003). Legal and illegal use of the Internet: implications

    for educators. *Journal of Education for Business, 78*(3), 147-52. doi:

    10.1080/08832320309599712

Kozumplik, C. (2010). Copyright compliance: Conducting a fair use training session.

    Community & Junior College Libraries, 16(1), 21-36. doi:

    10.1080/02763910903472432

Lakhan, S., & Khurana, M. (2008). Intellectual property, copyright, and fair use in

    education. [Feature]. *Academic Leadership, 6*. Retrieved from

    http://vnweb.hwwilsonweb.com

Lehman, K. (2009). Teaching information ethics to high school students. (Mini Theme:

    Teaching Ethics to Students). *Library Media Connection, 27*(6), 28-30. Retrieved

    from http://find.galegroup.com

Librarians, A. A. o. S. (2007). Standards for the 21st century learner. Chicago: American

    Association of School Librarians.

Media, C. f. S. (2008). Code of best practices in fair use for media literacy education. In

    A. U. School of Communication (Ed.). Washington, D.C.: Center for Social

    Media.

Miller, K. M. (2008). Copyright in a social world: the application of copyright law to social networking is important for libraries. *Multimedia & Internet@Schools, 15*(3), 14-16. Retrieved from http://find.galegroup.com

Nagy, J., & Bigum, C. (2007). Bounded and unbound knowledge: teaching and learning in a Web 2 world. *Turkish Online Journal of Distance Education, 8*(3), 76-86.

Palfrey, J., Gasser, U., Simun, M., & Barnes, R. F. (2009). Youth, Creativity, and Copyright in the Digital Age. *International Journal of Learning and Media, 1*(2), 79-97. doi: 10.1162/ijlm.2009.0022

Pettapiece, B. (2008). Teach with conviction. (LETTERS)(Letter to the editor). *Learning & Leading with Technology, 36*(2), 6. Retrieved from http://find.galegroup.com

Reed, B. (1988). *Copyright: Staying within the law*. Washington, DC: PBS.

Ribble, M. (2009). Passport to digital citizenship: Journey toward appropriate technology use at school and at home. [Feature]. *Learning and Leading with Technology, 36*(4), 14-17. Retrieved from http://vnweb.hwwilsonweb.com

Ribble, M., & Bailey, G. D. (2004). Digital citizenship: Focus questions for implementation. [Feature]. *Learning and Leading with Technology, 32*(2), 12-15. Retrieved from http://vnweb.hwwilsonweb.com

Ribble, M., & Bailey, G. D. (2005). Developing ethical direction. (Citizenship). *Learning & Leading with Technology, 32*(7), 36-38. Retrieved from http://find.galegroup.com

Ribble, M., Bailey, G. D., & Ross, T. W. (2004). Digital citizenship: addressing appropriate technology behavior. *Learning & Leading with Technology, 32*(1), 6-

10. Retrieved from http://find.galegroup.com

Rife, M. C. (2007). The fair use doctrine: History, application, and implications for (new media) writing teachers. *Computers and Composition, 24*(2), 154-178. doi: 10.1016/j.compcom.2007.02.002

Rife, M. C. (2010). Copyright law as meditational means: Report on a mixed methods study of U.S. professional writers. *Technical communication, 57*(1), 44-67.

Salpeter, J. (2008). The new rules of copyright. (FEATURE STORY)(Interview). *Technology & Learning, 29*(3), 33. Retrieved from http://find.galegroup.com

Shuler, J. A. (2003). Distance education, copyrights rights, and the new TEACH act. [Feature]. *The Journal of Academic Librarianship, 29*(1), 49-51. doi: 10.1016/S0099-1333(02)00386-5

Simpson, C. (1997). How much, how many and when? Copyright and multimedia. *Technology Connection, 4*(1), 10-12. Retrieved from http://vnweb.hwwilsonweb.com

Simpson, C. (2005). *Copyright for schools* (4th ed.). Worthington, OH: Linworth.

Starkman, N. (2008). Do the (copy)right thing: educators' lack of attention to intellectual property law places their schools in legal jeopardy--and sends a terrible message to students. (digital content). *T H E Journal (Technological Horizons in Education), 35*(3), 22-24. Retrieved from http://find.galegroup.com

Taylor, K. R. (2007). Can you legally play that tune? [Feature]. *Principal Leadership, 8*(1), 59-60, 62-3. doi: Retrieved from http://vnweb.hwwilsonweb.com

Teens less likely to download illegally when they know the laws, Microsoft survey finds.

(2008). Retrieved December 2, 2008, from

http://www.microsoft.com/presspass/press/2008/feb08/02-

13MSIPSurveyResultsPR.mspx?rss_fdn=Press520Releases

University of Texas (1996). Fair use guidelines for educational multimedia. Retrieved

October 22, 2008, 2008, from

http://www.utsystem.edu/ogc/intellectualproperty/ccmcguid.htm

University of Texas (2005). Fair use of copyrighted materials. Retrieved December 4,

2008, from http://www.utsystem.edu/ogc/intellectualproperty/copypol2.htm

U.S. Copyright Office. (2009). *Fair use*. Retrieved October 22, 2009, from

http://www.copyright.gov/fls/fl102.html

Wagner, G. (2007). Sharing visual arts images for educational use: Finding a new angle

of repose. *Educause, 42*(6), 85-104. doi: 10.3998/3336451.0011.302

Westbrook, S. (2006). Visual rhetoric in a culture of fear: Impediments to multimedia

production. *College English, 68*(5), 457-80. doi: 10.2307/25472166

Wiggins, G., & McTighe, J. (2005). *Understanding by design* (Expanded 2nd ed.).

Alexandria, VA: ASCD.