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Welcome to the World of Digital Citizenship and Creative Content

BACKGROUND

Digitally delivered content is part of the fabric of students' lives today. There is enormous access to content, yet it typically comes with many different underlying usage rights that few understand. Very few students are exposed in a positive way to how they can properly manage and use digital or commercial content -- whether their own or others'; whether music, movies, art, software, or other creative material; and whether free, licensed, purchased, or subscribed.

Creative rights and the materials they protect are an important part of our culture. It's crucial that students understand the options for managing content and respect the wishes of others regarding creative content -- at a personal level that is meaningful to their everyday lives. Students interact online with music, movies, software, images, and other digital content every day. Are they aware that these works are protected and that some of their uses may not be consistent with the creator's wishes? Students themselves are often creators. Do they understand how creative rights are relevant to them? Where can they go to get information about appropriate online behaviors to help them make the right decisions for themselves and as citizens in a digital world?

Intellectual property encompasses many types of ideas, inventions, products, and services. And there are different types of laws, such as patents, trademarks, and copyright, that protect each of those forms of intellectual property. Even in its tangible forms, intellectual property can be difficult to understand and connect value to. The complexity and confusion increases when the intellectual property is creative content that can be digitally distributed over the Internet, creating a disconnect between the content creator and the end user.

The Digital Citizenship and Creative Content Curriculum program was developed to create awareness around the issue of creative content and to foster a better understanding of the rights connected with it. Ultimately, its goals are to instill in students an appreciation of the value that creative content has for the creator, and to establish a personal respect for creative rights in a way that changes their behaviors and perceptions about digitally delivered content.

CURRICULUM SUMMARY

This program, sponsored by Microsoft®, offers a comprehensive set of cross-curricular classroom activities designed for grades 8-10 (but easily adaptable for use in grades 6-12) and organized into thematic units. The units provide a variety of ways to engage students in this learning experience, and span the following subject areas: Civics, Computer Science, Debate, Economics, Fine Arts, Government, Journalism, Language Arts, Technology, and Video Production. The classroom activities were designed to be standalone yet complementary; it is not necessary to implement all of a unit's activities to achieve a meaningful learning experience.



Creative What?

UNIT OVERVIEW

This unit explores the general topic of creative content and the rights associated with it. Using the backdrop of a high school's Battle of the Bands, the unit will help students define intellectual property and creative content by relating it to a common scenario they might encounter. Students will begin to recognize and internalize the importance of respecting creative rights and will conduct their own research to help clear up misconceptions about the rights that apply to them and their peers.

GUIDING QUESTIONS

Over the course of this unit, students will explore the following guiding questions related to intellectual property:

- What is intellectual property and creative content?
- Why are creative rights important?
- Are all citizens protected equally by copyright law?



Creative What?

BASELINE AND POST-UNIT ASSESSMENTS

To begin a unit on intellectual property and creative content, you may wish to administer to students the baseline assessment on page 5. This assessment will help you gauge your students' prior knowledge and perceptions about creative content and the creative rights surrounding it. An answer key can be found on page 9.

Similarly, a post-unit assessment is included on page 7. This assessment is similar to the baseline assessment, but will help you measure changes in student knowledge and perception. An answer key can be found on page 9.

UNIT CASE STUDY SYNOPSIS

This unit's case study, entitled "Battle of the Bands," can be found on page 10. In this scenario, a high school student council is sponsoring a school-wide Battle of the Bands. A student not involved in the production decides to videotape and sell copies of the show to students and family members. When the performers learn about the tapes, they are understandably upset.

While the case study can be used in conjunction with any of the unit's activities, Activities 2, 3, and the Culminating Activity contain specific tips for its implementation.

ACTIVITY OVERVIEWS

Activity 1: The Mystery of the Purloined Script

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This activity is a role-play within a role-play in which students assume the identities of a student film crew and cast. The crew and cast discover that an almost-exact replica of their own original film has won top honors (and cash) in a film festival. The students conduct an investigation to determine whether any copyright violations were committed and what actions can be taken. This activity demonstrates not only the clear-cut issues, but also gray areas that must be addressed when working on real-world intellectual and creative projects.

Student learning objectives: Associate intellectual property with various legal rights and identify ways to avoid piracy and counterfeiting.

Activity 2: Who Knows What?

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Chances are, your students will have different ideas about the meaning of intellectual property as it relates to creative content. In this activity, students conduct market research to learn more about the topic. The research will consist of man-on-the-street interviews to determine general knowledge, attitudes, and misconceptions about copyrighted content. After compiling the information from their interviews, students write a paper and presentation about their findings and their recommendations.

Creative What?

Student learning objectives: Utilize research techniques to determine public awareness of, and misconceptions about, intellectual property; effectively present their evaluation of data; and identify and share complexities and consequences related to violating creative rights.

Activity 3: Mistaken Identity

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Students research copyright laws to see who “owns the rights” to the school Battle of the Bands as a whole, as well as the individual rights of performers, choreographers, arrangers, musicians, etc. They will also investigate laws and rights regarding reproduction, modification, distribution, public performance, and public display.

Student learning objectives: Understand the importance of copyright laws and fair use exceptions of media reproduction, modification, distribution, public performance, and public display; determine effective steps to take when they discover unauthorized use of intellectual property; and recognize the importance of developing safeguards that will help them avoid copyright law violations.

Activity 4: A Lasting Tribute

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Students collect and organize various memorabilia that could be used to prepare a video or multimedia montage to honor a well-liked, respected member of the school family. Students examine the packaging of the items and/or research any commercial products they would like to use and determine which are in the public domain and which are protected under copyright laws. If use rights are required, they will also find out how to obtain those rights. In their research, they might find a resource that has no copyright protection, but if used, could be interpreted as an invasion of privacy.

Student learning objectives: Differentiate between commercial media products that are in the public domain and those that are protected under copyright laws; recognize and follow the protocols for obtaining the rights to use copyrighted material; and determine how best to develop a multimedia presentation within the parameters of copyright laws, as well as available time and equipment.

Culminating Activity: Student Policy-Makers

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Using the case study scenario as a backdrop, students research potential problems in their own school district regarding creative rights. Students look into existing rules surrounding school performances, and then draft a recommended school-/districtwide policy for this issue. Students then forward their draft to decision makers and stakeholders. In a follow-up activity, students create a profile on the MyBytes Web site to define their own rules about creative content.

Student learning objectives: Use various information sources to determine how issues of intellectual property such as creative content are locally relevant; and answer personal questions, solve local problems, and impact local issues of copyright, fair use, and intellectual property.

Baseline Assessment

CREATIVE WHAT?

Name: _____ Date: _____

1. Intellectual property is:

- a) Your brain.
- b) Knowledge.
- c) A creative work.
- d) I do not know.

2. You make a copy of a software program for your best friend, who is starting up a dogwalking service and needs to keep track of her jobs. This copy is considered:

- a) Fair use.
- b) Acceptable use.
- c) Illegal distribution of copyrighted software.
- d) Illegal distribution only if you sold it to your friend.

3. Copyright laws were created to:

- a) Encourage authors, musicians, and other artists to create works for the public.
- b) Encourage consumers to build on the work of artists.
- c) Punish those who steal the ideas of others.
- d) Ensure that profits from the sale of intellectual property go to the right people.

4. Your class videotapes a Battle of the Bands event at your school and posts one band's performance of an original song to the Internet with the band's permission. A technology teacher at a different school uses a portion of the video to show how video can be compressed. Which of these parties may be due financial compensation?

- a) The band
- b) Your class
- c) Nobody is due compensation because it is probably fair use.
- d) I'm not sure.

5. If you want to use a celebrity's video clips and digital photographs on your fan club Web site, the safest approach is to:

- a) Download only the video clips.
- b) Provide a link to the celebrity's Web site.
- c) Ask the celebrity and photographer for permission.
- d) Make your Web site private.

Baseline Assessment

6. In developing a screenplay for your drama class, you may use parts of someone else's script if you:

- a) Give credit to the original playwright.
- b) Create a setting that is slightly different.
- c) Deviate from the original story line and creative expression.
- d) Any of the above may make the use acceptable.

7. True or False: It is always OK to copy and share music you find on the Internet.

8. Which creative work is NOT protected by copyright law?

- a) Your own personal drawings
- b) Music recordings
- c) Poems and books
- d) Government photographs

9. An example of intellectual property is:

- a) A novel.
- b) A painting.
- c) A piece of music.
- d) All of the above.

10. True or False: It is safe to copy a book, computer game, or CD if it does not have the copyright [©] symbol on its packaging.

Post-Unit Assessment

CREATIVE WHAT?

Name: _____ Date: _____

1. Intellectual property is:

- a) Anything you think about.
- b) Anything you know.
- c) Anything you create.
- d) I do not know.

2. Your best friend offers you a copy of the software program you need to complete a class project. Whose rights might this violate?

- a) Your friend's
- b) Your teacher's
- c) The software manufacturer's
- d) No one's rights. This falls within fair use.

3. Copyright laws:

- a) Protect the creative expression of authors, musicians, and other artists.
- b) Encourage consumers to build on the work of artists.
- c) Punish those who steal the ideas of others.
- d) Ensure that profits from the sale of intellectual property go to the right people.

4. Which type of intellectual property is eligible for copyright protection?

- a) A painting
- b) A song
- c) A novel
- d) All of the above

5. If you want to use someone else's digital photographs on your MySpace page, you should:

- a) Make your page private.
- b) Ask the photographer for permission.
- c) Provide a link to the photographer's MySpace page.
- d) You may not use someone else's digital photographs.

Post-Unit Assessment

6. In developing a screenplay for your drama class, you may use parts of someone else's script if you:

- a) Give credit to the original playwright.
- b) Create a setting that is slightly different.
- c) Deviate from the original story line and creative expression.
- d) Any of the above may make the use acceptable.

7. True or False: Copying and sharing videos you find on the Internet is a violation of the law.

8. Which of the following is an example of intellectual property?

- a) Books and magazines
- b) Online software games
- c) Your own story ideas
- d) All of the above

9. Would you consider videotaping a school performance if no one would find out?

- a) Yes
- b) No

10. True or False: It is safe to copy a computer game if it does not have the copyright [©] symbol on its packaging.

Answer Keys

BASELINE ASSESSMENT ANSWER KEY:

1. c
2. c
3. a
4. c
5. c
6. d
7. False
8. d
9. d
10. False

POST-UNIT ASSESSMENT ANSWER KEY:

1. c
2. c
3. a
4. d
5. b
6. d
7. True
8. d
9. The activities within this unit encourage a respect for creative rights. Thus, students should answer No after completing any of this unit's activities, especially those that tie in directly with the unit's case study.
10. False

Creative What?

CASE STUDY

BATTLE OF THE BANDS

My name's Grant Newman, and I'm a sophomore at Greenwood High School. For my 16th birthday I got a MiniDV camera and I've been taping all kinds of stuff: soccer games, parades, and some skateboarding stunts my friends do at the mini-mall parking lot.

Anyway, each spring the Student Council sponsors a Battle of the Bands. Tickets are \$10 per person, but that money helps pay for the school's new computer center.

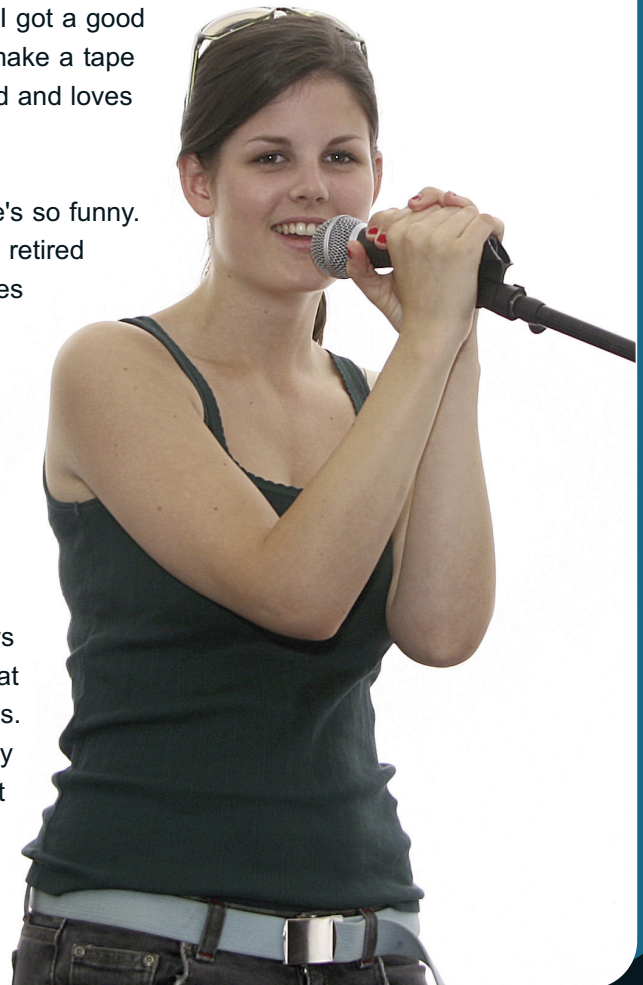
On the night of the show, the Gertrude R. Raymond Memorial Auditorium was filled to capacity; 712 people turned out to see the four bands compete.

I paid my ten bucks to this guy Ted, a Student Council rep, and asked if I could tape the show. He said he didn't see why not. So I got a good seat in the fifth row and set up my camera. I wanted to make a tape for my brother-he's away in college, but he plays in a band and loves live music.

So this guy, Larry Cornfeld, comes on stage. He thinks he's so funny. He introduced the judges-two teachers and McGreevy (a retired DJ who lives for this kind of thing). Larry did some old jokes then brought out the first act.

It was Jennifer Mellinger singing "an original love song," accompanied by her boyfriend Dave on acoustic guitar. I don't go for that kind of music, but I taped it anyway. The judges complimented Jennifer on her good posture and her nice smile, noting that she has a lot of heart.

Next up was Westside, a trio of hip-hop singers. These guys took the stage and performed a high-energy dance act that used trash can drums and a few questionable lyrics. Afterwards, the judges didn't know what to say. But they asked that the boys return the trash cans to the utility closet before the show was over.



Case Study: Battle of the Bands

The third act was some 9th-grade girls who lip-synched to "Fabulous" from "High School Musical 2." Some kids laughed-and not because it was funny. Some older kids actually booed. At one point during the routine, Linda Nelson tripped on her feather boa and landed facedown on the stage. The CD kept playing, but she wasn't lip-synching anymore; she was crying in front of everybody.

McGreevy stopped the show to make sure Linda was all right. She was OK, but the girls didn't finish the routine.

Finally it was time for the last act: Bedlam. The band was made up of some 11th graders who'd been held back a few times. They were older and they knew how to rock. They brought out a smoke machine, which almost made Shaun Campbell have an asthma attack, but it was worth it. They used a sound-effects CD that included the sound of a helicopter crash and a Godzilla-like dragon. The songs were the loudest anyone had ever heard. They played an Iron Maiden song and two Metallica covers.

At the end of their set Bedlam got two standing ovations. The judges didn't think twice; they knew who had won the Battle of the Bands.

Bedlam won \$100 and said they were going to use the money to record their first CD.

One week later, I was called to the Vice Principal's office. He said an anonymous phone call had been received alerting the school that I was selling videotapes of the show.

I told him, yes, I had sold a few tapes, but to students who went to our school and a couple of people's parents. He tried to look all mean, but I just said, "I didn't do anything wrong." The VP said he didn't know a lot about intellectual property law, but he was certain that this was going on my permanent record.

After that, rumors started flying about the "bootleg video" of the Battle of the Bands.

Student Council Treasurer Cheryl Maxwell said they organized the event as a fundraiser. She didn't want me making money off the video; the profits should go to the school's computer center.

Jennifer Mellinger said she wrote that love song for her boyfriend. She was worried it might get stolen by a pop singer.

The guys from Westside said that they should get the money from the videos. If they didn't get some cash, it would be another example of the Man exploiting African-American culture (which confused me, because those guys are Caucasian).

Case Study: Battle of the Bands

Linda Nelson didn't want people seeing a videotape of her tripping and crying. She was totally embarrassed and said she never gave me permission to tape the show.

The guys from Bedlam didn't know if they'd get in trouble because they played a Metallica song-would Metallica come after them?

I had given away a few tapes to my brother and some friends. I'd only sold eight tapes, making a grand total of 80 dollars. My parents want me to give the money back, but I already spent it on a pair of sunglasses. (And the Web site said they can't be returned because I've already worn them.)

I still don't think I've done anything wrong.

Creative What?

ACTIVITY 1

THE MYSTERY OF THE PURLOINED SCRIPT

Activity Overview:

This activity is a role-play within a role-play in which students assume the identities of a student film crew and cast. The crew and cast discover that an almost-exact replica of their own original film has won top honors (and cash) in a film festival. The students conduct an investigation to determine what intellectual property violations were committed and what actions can be taken. This activity demonstrates the clear-cut and gray areas that must be addressed when working on real-world intellectual and creative projects.

Learning Objectives:

By completing this activity, students should be able to:

- Associate intellectual property with various legal rights.
- Identify ways to avoid piracy and counterfeiting.

Related Subject Areas:

Technology, civics, language arts, fine arts, journalism

Background:

Before beginning this activity, use the template provided on page 17 to put together individual role-play notes based on the cast and crew members listed in Part One, Step 2. For each role, include any actions (e.g., phone calls, letters, e-mails, conversations, etc.) taken by the character that may or may not have contributed to the crime. Leave the investigative role blank until students have chosen their investigative roles.

You may also wish to familiarize yourself with the Frequently Asked Questions surrounding creative rights at <http://www.digitalcitizenshiped.com/faq.html>.

Time Required:

Three 60-minute class periods

Materials Needed:

- Internet access
- Individual role-play notes (see Background)
- Copies of the Additional Resources list (one for each student)
- Materials for presentations (e.g., PowerPoint, easel panels)

Activity 1: The Mystery of the Purloined Script

Activity Steps and Suggestions:

Part One

1. Introduce the lesson by having students watch interview two at MyBytes (<http://mybytes.com/interviews.html>). Explain to students that they will take part in a role-play activity. Provide the following background information:
 - Students will assume the roles of film students who have recently submitted a film for consideration in a student film festival.
 - They are told that their script was obtained and used to produce a film by someone else, and that it was submitted to another film festival where it won first prize and a large cash award.
 - The class will investigate the situation and determine whether any laws were broken and what remedial steps can be taken.
2. Assign roles from the cast and crew to students (or let them choose). More than one student may take on the same role. Even though they didn't make an actual film, assuming specific roles in the filmmaking process will help them take greater ownership of the investigative roles they will assume. The roles should include:
 - Writer
 - Director
 - Actors
 - Makeup and costumes
 - Set design
 - Cameraperson
 - Lighting and sound
 - Editor
 - Music
3. Tell students that several changes have been made to the original script. Write these changes on the overhead or whiteboard:
 - The film titles are the same, but the font and background are different.
 - The production credits are different (e.g., names of screenwriter, producer, director, editor, etc.).
 - The story line is identical.
 - The characters are the same, but they have different names.
 - The original dialogue is identical, but a few lines have been added.
4. Discuss the changes and then let the students brainstorm on their own for ideas on how to proceed. Ask students to form an action plan that includes:
 - a) The formation of an investigation team. Team members will be given the titles and assignments of the following. More than one student may take on the same role.
 - Chief inspector
 - Investigators
 - Internal affairs
 - Legal consultant
 - Public liaison
 - Investigative reporter

Activity 1: The Mystery of the Purloined Script

b) A list of questions that must be answered by the team's investigation. Write their suggestions on the overhead or whiteboard. The list of questions should include (but not be limited to) the following:

- How was the script or videotape leaked?
- Is anyone on their own team at fault?
- Who took the script?
- What laws/rules were broken, if any?
- What actions can be taken?
- What can be done to prevent a repeat offense in the future?

5. Distribute the following:

a) Individual role-play notes that include:

- Their characters' roles in the original film production.
- Actions (e.g., phone calls, letters, e-mails, conversations, etc.) by their film student characters that may or may not have contributed to the crime.
- Their assigned duties as part of the investigation team and areas of investigation.

b) Copies of the Additional Resources list to help students find intellectual property guidelines, rules, and laws that govern all aspects of filmmaking. Among those aspects, the list addresses copyright rules, Writers Guild services, ownership of concepts, required attribution, artistic domain, remediation, and legal recourses for plagiarism.

Part Two

1. Ask the students to use their initial list of questions and Internet research to help them conduct an investigation of the intellectual property theft of their film.
2. In their roles, allow students to research, compare notes, arrive at conclusions, organize their findings, and write a report of their findings. The report will be used to prepare a class presentation (PowerPoint or easel panels) for a grand jury indictment that will commence during the next class.

Part Three

1. Assemble the grand jury trial to hear the case and determine if an indictment is in order. The jury members and presiding officers will be composed of faculty and staff. The jury will listen to the students' presentations to determine whether an intellectual property theft has occurred. Further, the student(s) serving as investigative reporter(s) will report on the court proceedings and the outcome of the trial.
2. After the trial, instruct the students to use their research and the grand jury decisions to prepare a list of recommendations that would protect future intellectual property projects.

Activity 1: The Mystery of the Purloined Script

Suggested Assessment:

Have students choose one of the following questions to respond to:

1. You just finished creating a master copy of a DVD of the school talent show. You received verbal permission to tape it from the teacher who organized and advised the event. Is it OK to make copies of the DVD so that you can sell them to classmates? Why or why not?
2. A friend of yours is producing a documentary film that critiques professional football. For the soundtrack of the film, your friend uses music that is typically played before Monday Night Football games. Your friend has not sought permission to use this music as he believes he is covered under fair use because of rules associated with parodying and criticizing. Is he covered? Why or why not?

Extensions and Modifications:

- Students write and produce an original opening sequence for a film (3-5 minutes in length). Without their knowledge, the script and film will then be given to a second group who will produce another, slightly different, film from the same script. The activity resumes from Part One, Activity Step 2.
- To abridge the time commitment of this activity, focus solely on Step 5 of Part One and Steps 1-2 of Part Two. This will enable students to associate intellectual property with various legal rights, as well as identify ways to avoid piracy and counterfeiting. After completing Step 2, share and discuss the research as a class to determine whether an indictment is in order. Have students create a list of suitable consequences. Instruct students to justify why the consequences are appropriate by including supporting documentation from their research.

Additional Resources:

Intellectual property and copyright basics

<http://www.wipo.int/portal/index.html.en>

<http://www.copyright.gov/title17/92chap1.html>

<http://www.copyright.gov/circs/circ1.html#wnp>

<http://www.lib.utsystem.edu/copyright/>

A primer on U.S. Copyright Law for producers of digital media and online content

<http://www.streaming21.com/xpdf/CopyrightDigMed.pdf>

Creative rights in the filmmaking industry

http://www.wga.org/content/subpage_writersresources.aspx?id=81

Common copyright permission myths

http://www.copylaw.com/new_articles/copy_myths.html

Creative What?

Individual Role-Play Notes

Student Name:

Cast and Crew Role:

Actions Taken:

Investigative Role:

Individual Role-Play Notes

Student Name:

Cast and Crew Role:

Actions Taken:

Investigative Role:

Individual Role-Play Notes

Student Name:

Cast and Crew Role:

Actions Taken:

Investigative Role:

Individual Role-Play Notes

Student Name:

Cast and Crew Role:

Actions Taken:

Investigative Role:

Creative What?

ACTIVITY 2

WHO KNOWS WHAT?

Activity Overview:

Chances are, your students will have different ideas about what intellectual property is, and what creative rights may protect creative content. In this activity, students conduct research to learn more about the topic, and common opinions on the subject. The research will consist of man-on-the-street interviews to determine general knowledge, attitudes, and misconceptions about intellectual property such as creative content. After compiling the information from their interviews, students write a paper and presentation about their findings and their recommendations.

Learning Objectives:

By completing this activity, students should be able to:

- Utilize research techniques to determine prevalent public awareness of, and misconceptions about, intellectual property.
- Effectively present their evaluation of data.
- Identify and share the complexities and consequences related to violating creative rights.

Related Subject Areas:

Technology, journalism, language arts, video production

Background:

Refresh your knowledge about research techniques and policies, essential elements of a sound survey, effective interview techniques, and practical tips to avoid legal improprieties. (The Web sites listed under Additional Resources are good places to start. In addition, FAQ #1 at <http://www.digitalcitizenshiped.com/faq.html> will provide a quick background about intellectual property, the topic of the students' research.)

You may wish to invite a research or survey professional (it could be a student's parent or a marketing instructor) to speak to your class and help your students prepare an effective questionnaire and measurement tools.

Time Required:

Four 60-minute class periods, plus additional time outside of class for interviews

Materials Needed:

- Internet access
- Copies of the unit's case study (one per student)
- A school floor plan and/or a map of your city
- Audio/visual equipment for interviews
- Materials for presentations (e.g., PowerPoint, presentation boards)
- Guest speaker with expertise in research (optional)

Activity 2: Who Knows What?

Activity Steps and Suggestions:

Part One

1. Ask the class to read "Battle of the Bands" on MyBytes (<http://www.mybytes.com/stories.html>) or distribute copies of the case study. Connect the case study with this activity by asking students to name several different types of intellectual property. Their answers may include music, movies, TV shows, books, magazine articles, artworks, and software. Write these types on the overhead or whiteboard.
2. Have students select and watch three On The Street Interviews at MyBytes (<http://www.mybytes.com/interviews.html>) and then answer the following questions:
 - What is your understanding of creative rights?
 - i. What kinds of materials are protected by creative rights such as copyright law?
 - ii. What kinds of activities does copyright law prohibit?
 - What are your rules about copying music, games, videos, or software; or using images on a social networking site?
 - How would you feel if someone else took credit for something you created? What if they made money from it?

Briefly discuss with students why they think it might be important to know the answers to these questions.

3. Tell students that over the next three classes they will be conducting their own research about what the public knows (or doesn't know) about creative content and copyright.

Part Two (optional)

1. If you've arranged for a guest speaker, ask the speaker to provide some tips and samples on:
 - Defining the scope and objectives of a research survey about creative content and copyright
 - Preparing an effective questionnaire
 - Conducting man-on-the-street interviews
 - Interpreting and charting the results
2. The class will use the four points from the guest speaker (Define, Prepare, Conduct, and Interpret) to design and prepare a survey and conduct man-on-the-street interviews about awareness of creative content and copyright. The surveys should elicit demographic information (e.g., age, gender, occupation, level of education), as well as information that reveals the interviewee's knowledge of and interest in the creative content subject matter, using both closed- and open-ended questions. The surveys should also be organized into a chart that visually standardizes the information collected.

Activity 2: Who Knows What?

Part Three

1. Ask the class to define the objectives of their survey and the questions they will use. Ask a class member to type those questions into a form, and then make copies of the form to disseminate to all students.
2. Ask the class to decide whether the interviews will be recorded via still camera, audio, or videotape.
3. Determine a timeline for conducting interviews in school and in the community, assembling information, and preparing charts of the findings.
4. Advise students to get as wide a selection of opinions as possible. In addition to parents, relatives, and friends, they should interview students, staff, faculty, and even people they don't know on the street. The interviewees should include a good cross-sampling of occupations, ages, genders, etc. Remind students about the importance of keeping their objectives in focus when conducting the interviews and explaining to interviewees the purpose of the interview.

Part Four

1. Divide the class into teams of 3-4 students. Using a school floor plan and/or a city map, have the teams select places where they will conduct their surveys. The interview places could include hallways or rooms in school, street corners, shopping malls, etc.
2. Teams conduct the interviews, organize their data, and reach conclusions in the designated timeframes.
3. When their research is complete, teams will create charts and presentation boards that can be used in a class presentation. They may use quotes and photos of selected interviewees as supplements to their data, as long as they attribute the quotes and have received permission to use the interviewees' photos. The presentations should also include suggestions for improving student/public awareness of intellectual property.
4. Teams present their findings to the class and discuss any notable variances among their data.

Suggested Assessment:

Ask students to write a position paper explaining whether they think it is important to understand intellectual property such as creative content and the rights that surround it. Using the consensus from their interviews, they should then explain why they think the public understands or misunderstands the topic. If the public generally understands it, where does that awareness come from? If they misunderstand it, how might they better educate themselves on the topic?

Activity 2: Who Knows What?

Extensions and Modifications:

- If a speaker is unavailable, use the Additional Resources to research best practices in surveying and interviewing, and distribute information to students.
- Students can turn their studies into a multimedia event by posting their findings on the school Web site, soliciting articles in the school newspaper, participating in a roundtable discussion in a school assembly, or broadcasting the findings on the school's radio and TV outlets.
- To abridge the time commitment of this activity, focus solely on Part Three and Steps 1 and 2 of Part Four. Students will utilize research techniques to identify prevalent public awareness of and misconceptions about intellectual property such as creative content. They should compile their results and then complete the Suggested Assessment.

Additional Resources:

Research basics

<http://office.microsoft.com/en-us/word/HA011230921033.aspx>

http://www.managementhelp.org/mrktng/mk_rsrch/mk_rsrch.htm

<http://www.allbusiness.com/marketing/market-research/2716-1.html>

Basics of survey design

<http://www.surveysystem.com/sdesign.htm>

Interview guidelines

<http://www.managementhelp.org/evaluatn/intrview.htm>

Basics about intellectual property

<http://www.wipo.int/portal/index.html.en>

<http://www.copyright.gov/title17/92chap1.html>

Creative What?

ACTIVITY 3

MISTAKEN IDENTITY

Activity Overview:

Students research intellectual property laws to see who "owns the rights" to the school Battle of the Bands as a whole, as well as the individual rights of performers, choreographers, arrangers, musicians, etc. They will also investigate laws and rights regarding reproduction, modification, distribution, public performance, and public display.

Learning Objectives:

By completing this activity, students should be able to:

- Understand the importance of copyright laws and fair use exceptions of media reproduction, modification, distribution, public performance, and public display.
- Determine effective steps to take when they discover unauthorized use of intellectual property.
- Recognize the importance of developing safeguards that will help them avoid copyright law violations.

Related Subject Areas:

Technology, civics, economics, computer science, debate, journalism

Background:

Before beginning this activity, familiarize yourself with current copyright laws, and fair use in particular, including the "four factor" test. FAQ #s 4-7 at <http://www.digitalcitizenshiped.com/faq.html> will provide basic information. The U.S. Copyright Office Web site, <http://www.copyright.gov>, is another good place to start. Other helpful Web sites are listed under Additional Resources.

Activity Steps and Suggestions:**Part One**

1. Read aloud the Tournament Surprise short story, which is an extension of this unit's case study. If the students have not read the "Battle of the Bands" case study previously, you may wish to distribute copies of it or visit the MyBytes Web site (<http://www.mybytes.com/stories.html>) before reading the short story.

Time Required:

Three 60-minute class periods

Materials Needed:

- Copies of the unit's case study (optional)
- Tournament Surprise reproducible (page 25)
- Internet access

Activity 3: Mistaken Identity

2. Assign students to the following groups to conduct Internet research:

- a) Copyright law
- b) Release requirements
- c) Fair use
- d) Reproduction
- e) Modification
- f) Distribution
- g) Public performance
- h) Public display

As students conduct their research, remind them to think about their topic in the context of both the "Battle of the Bands" story and Johnny's situation.

Part Two

1. After research is complete, hold a class discussion on Johnny's options. To get the discussion started, ask students for opinions on the proper protocol for using intellectual property without permission from the following formats, or explain why it should be considered fair use under the "four factor" test:

- Soundtracks of music found in popular film
- Images of famous people found on the Internet
- Video clips found on YouTube
- A scene taken from a popular cartoon with dialogue parodying the characters
- A clearly labeled soft drink seen in the hands of someone in a video clip
- Johnny's performance, as broadcast on a news Web site
- Johnny's performance, as repurposed for the video game tournament

2. Have students determine three or four proactive steps Johnny can take.

Part Three

1. Tell students they will conduct a debate on the merits of his case. Share the guidelines for the debate:

- a) Divide the class into two teams: Pro and Con.
- b) If possible, ask the debate team teacher and/or members of the debate team to help:
 - Prepare a debate topic statement.
 - Coach your students on debate rules and protocol.
 - Prepare their arguments.
 - Judge the debate.

Journalism students may also participate by reporting on the event.

c) Hold the debate and proclaim the winner.

2. As follow-up, have the students prepare a list of steps Johnny could have taken to prevent the intellectual property theft.

Activity 3: Mistaken Identity

Suggested Assessment:

You want to shoot scenes for a film you are producing at the local art museum. Do you need permission from the museum curator if you do not intend to sell the film for profit? Why or why not?

Extensions and Modifications:

- Ask students to consider how the outcome might have been different if Johnny's performance had been used for profit, as part of a TV show or movie?
- Discuss the use of creative content – such as Johnny's performance – in the news media. How might a broadcast news organization be able to use video footage that others would not?
- To abridge the time commitment of this activity, focus solely on Parts One and Two. This will enable students to understand the importance of rights of reproduction, modification, distribution, public performance, and public display, as well as the fair use exception, and help them to determine effective steps to take when they discover unauthorized use of copyrighted works. After completing Part Two, have students compose a reflection that expresses three things they learned from participating in this project. Have students read their reflections aloud.

Additional Resources:

Copyright basics

<http://usinfo.state.gov/products/pubs/intelprp/protecting.htm>

<http://www.copyright.gov/title17/92chap1.html>

<http://www.copyright.gov/circs/circ1.html#wnp>

<http://www.lib.utsystem.edu/copyright/>

A primer on U.S. Copyright law for producers of digital media and online content

<http://www.streaming21.com/xpdf/CopyrightDigMed.pdf>

Common copyright permission myths

http://www.copylaw.com/new_articles/copy_myths.html

Creative What?

TOURNAMENT SURPRISE

Once upon a time, a young man named Johnny was invited to be a contestant in a video game tournament in a faraway city. He was nervous at first, but after reaching the semi-finals, he relaxed and started feeling good-like maybe he had a chance to go all the way! At home he played every game that had been in the tournament and mastered them all.

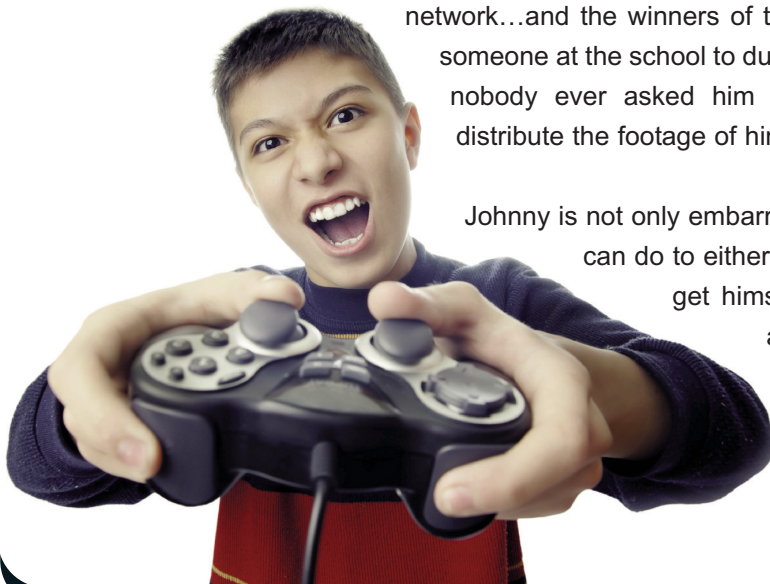
Then came the bad news—at the finals, all the contestants would be competing in a brand-new game that none of them had ever seen. Bummer! And then, it's double Bummer! While watching and listening to the final instructions for the competition, Johnny is blown away to see himself on the screen. Singing! The footage is from a Battle of the Bands he participated in more than a year ago with his singing group, Westside! Wow! He had forgotten his nose looked that big and red. And where'd all that grass come from? The footage had been modified so that he appeared to be standing in a field instead of an auditorium. The guy next to him says, "That dude looks like you, man. And that nose could stop traffic."

Johnny has no answer to that except to retreat. He rushes out the door and knocks over a table in the lobby...the stacks of video games that were on the table go sliding noisily across the floor. Now everyone is glaring at him. He hears, "That dude is in the game!" The sign that is now swinging perilously above his head tells Johnny that the game is going for fifty bucks a pop!

Didn't these people ever hear about royalties!?...Or makeup for a red nose?

He returns to the tournament but is so confused and unable to concentrate that he's eliminated in the first level of play. Nothing to do now but go back home and figure out how the footage got in the hands of the video game producer. As far as he remembers, the video was only shown on the school district's television network...and the winners of the Battle of the Bands may have asked for someone at the school to dub it for them. But one thing Johnny is sure of—nobody ever asked him for permission to record, use, modify, or distribute the footage of him—with or without his Rudolph nose.

Johnny is not only embarrassed, he's mad. He wants to know what he can do to either pull those video games out of circulation, or get himself a piece of the action. He wants to find answers to these questions: What laws were broken? Who broke the laws—the video game producer or the person who gave the footage to the producer? Can Johnny do anything about this issue?



Creative What?

ACTIVITY 4

A LASTING TRIBUTE

Activity Overview:

Students collect and organize various memorabilia that could be used to prepare a video or multimedia montage to honor a well-liked, respected member of the school family. Students examine the packaging of the items and/or research any commercial products they would like to use and determine which are in the public domain and which are protected under copyright laws. If use rights are required, they will also find out how to obtain those rights. In their research, they might find a resource that has no copyright protection, but if used, could be interpreted as an invasion of privacy.

Learning Objectives:

By completing this activity, students should be able to:

- Differentiate between commercial media products that are in the public domain and those that are protected under copyright laws.
- Recognize and follow the protocols for obtaining the rights to use copyrighted material.
- Determine how best to develop a multimedia presentation within the parameters of copyright laws, as well as available time and equipment.

Related Subject Areas:

Civics, language arts, fine arts, journalism, video production

Background:

Prior to presenting this project to your class, you may want to familiarize yourself with current copyright laws and general usage requirements for any media that may be incorporated in the project (e.g., film and television industry, music, published materials, employment and personal privacy guidelines, Freedom of Information acts, etc.) The U.S. Copyright Office Web site, <http://www.copyright.gov>, is a good place to start.

You may also wish to review FAQ #s 6, 9, and 10 (<http://www.digitalcitizenshiped.com/faq.html>), which provide basic information about copyrighted and public domain media.

This activity centers around a project honoring an individual from the school community. Think about possible honorees who may be retiring, moving, getting promoted, etc.

Time Required:

Two 60-minute class periods, and additional time outside of class

Materials Needed:

- Internet access
- Audio/visual and computer equipment for recording interviews and assembling the video presentation

Activity 4: A Lasting Tribute

Activity Steps and Suggestions:

Part One

1. Begin the lesson by asking students to read through some of the Viewpoints at MyBytes (<http://www.mybytes.com/viewpoints.html>).
2. Explain to the students they will be completing a video project to be used at a special event (e.g., retirement party, promotion, fundraiser, lifetime achievement ceremony) honoring a member of the school community (e.g., mayor, sports figure, faculty, staff, board member, donor, politician).
3. Tell students that they will be researching and gathering memorabilia from the honoree's life. This may include:
 - Family photos, scrapbooks, and home movies
 - Academic yearbooks and campus souvenirs
 - Videotapes or DVDs of favorite films and stars
 - Albums, CDs, or videos of favorite music and performers
 - Photos, notes, or archival records from previous employers when the honoree was much younger
 - Papers or articles the honoree wrote
 - Movie clips, television footage, or Web sites on which he or she appeared
4. Ask the students to think about how to assemble these different forms of media for their tribute and identify which types would be the most ideal (regardless of their ease of access or copyright status). Have students discuss why some would be more valuable to the presentation than others. For example, if a copyrighted piece is considered more valuable, why? (This might lead to a discussion of all the work and creativity behind it.) Have students discuss how the artists with Viewpoints on the MyBytes Web site might feel about these issues.
5. Define the term public domain and ask the students to explain how this concept could help them complete their project. Have students briefly compare and contrast the idea of public domain material versus material that is protected under copyright. It is critical to check for student understanding. Students may have misperceptions that anything they can access on the Internet is “public domain.” Make certain that students are clear on what constitutes public domain.
6. Provide students with ideas as to where they might find public domain resources (e.g., government Web sites, media with expired copyrights [often published before 1923], etc.). Encourage students to think about which media (from the list in Step 3) may be available in the public domain. This will ensure that students are aware that they will have easy access to some topics and information for their project.

Activity 4: A Lasting Tribute

7. Divide the class into groups and assign the groups specific areas of interest to pursue (grouped by media and resource categories or by time periods in the honoree's life).
8. Supervise the student groups as they devise a plan of action and set of deadlines and objectives, and as they begin to conduct their research. The research should include:
 - a) Setting up appointments for interviews with the honoree's family and acquaintances.
 - b) Gathering materials and information via interviews and research.
 - c) Studying media copyright information on CD and video packaging and in books and magazines they would like to use.
 - d) Studying copyright and royalty procedures regarding noncommercial use of the materials. They may wish to consider:
 - Finding out if using prerecorded and published music has different rules than recording their own arrangement of the same piece.
 - Whether doing a parody of a piece that was in a film or TV show is permissible.
 - Whether writing new words and dubbing them into a piece of film is allowed.
 - e) Recording (audio or video) and transcribing all interviews. Ask students to get permission to use an interview in the finished project. This permission can be obtained by having the subject sign a waiver form or by giving the permission on tape.
 - f) Keeping a log of all contacts and a systematic file of all correspondence.

Part Two

1. Once the groups have collected their media and memorabilia, they can create a treatment (or outline) of the presentation and then assemble their video.
2. Once you have approved the use of all the video's media and memorabilia, the completed video can be presented at the special event for the honoree.

Suggested Assessment:

Ask students to reflect on their experiences collecting media and memorabilia for the honoree. Have them write a paper that details:

- Which types of memorabilia were the most difficult to obtain
- Which types of memorabilia presented the biggest challenge for obtaining permission to use
- How they avoided violating copyright laws

Activity 4: A Lasting Tribute

Extensions and Modifications:

- Suggest that the class look into the process of copyrighting their completed video presentation.
- Have students compose a letter requesting permission to use a piece of copyrighted material.
- Have students create a rubric to assess the tributes, keeping in mind such points as: engagement, relevance of information to topic, and appropriate use of media (e.g., permissions for copyrighted materials).
- To abridge the time commitment of this activity, focus solely on Part One. This will enable students to differentiate between media in the public domain and media that is protected by copyright laws, and determine how best to develop a multimedia presentation within the parameters of copyright laws. After completing Part One, ask each group to share its action plan with the class. Have students compare and contrast the action plans and then vote on which action plan they feel was the most thorough. Remind students to explain why they chose to vote the way they did.

Additional Resources:

Copyright and downloading basics

<http://www.copyright.gov/circs/circ1.html>

<http://arts.guardian.co.uk/netmusic/page/0,,1127237,00.html>

http://www.webopedia.com/DidYouKnow/Internet/2004/music_downloading.asp

<http://www.streaming21.com/xpdf/CopyrightDigMed.pdf>

Making your own documentary

http://documentaryfilms.suite101.com/article.cfm/make_your_own_documentary_film

A permission request template for teachers

<http://landmark-project.com/permission1.php>

Resources for public domain media

<http://www.usa.gov/Topics/Graphics.shtml>

http://en.wikipedia.org/wiki/Public_domain_image_resources

<http://www.teachersdomain.org/>

<http://www.pdcomedy.com/>

<http://www.loc.gov/rr/mopic/pubdomain.html>

Creative What?

CULMINATING ACTIVITY

STUDENT POLICY-MAKERS

Activity Overview:

Using the case study scenario as a backdrop, students research potential problems in their own school district regarding creative rights. Students look into existing rules surrounding school performances, and then draft a school-/districtwide policy for this issue. Students then forward their draft to decision makers and stakeholders. In a follow-up activity, students create a profile on the MyBytes Web site to define their own rules about creative content.

Time Required:

Two 60-minute class periods, plus additional time outside of class

Materials Needed:

- Internet access
- Copies of the unit's case study (one for each student)

Learning Objectives:

By completing this activity, students should be able to:

- Use various information sources to determine how issues of intellectual property such as creative content are locally relevant.
- Answer personal questions, solve local problems, and impact local issues of copyright, fair use, and intellectual property.

Related Subject Areas:

Civics, language arts, fine arts

Activity Steps and Suggestions:**Part One**

1. Have students review "Battle of the Bands" at MyBytes (<http://www.mybytes.com/stories.html>) or distribute copies of the case study. Explain to the students that they will be researching their own school's (or district's) policies regarding the taping of school performances and offering solutions for any problems that could arise from these policies.

Culminating Activity: Student Policy-Makers

2. Ask students to draw upon their experiences with other activities in the unit to brainstorm potential problems that cause or result from issues surrounding intellectual property. They should draw from a wide variety of categories in order to prioritize and write the problems down.

Categories might include:

- Business and commerce
- Social relationships
- Education
- Technology
- Recreation
- Ethics and religion
- Arts and aesthetics
- Economics
- Law and justice
- Communication
- Miscellaneous

3. Ask students to select and write a detailed description of the most important problem to be solved.
4. Have students research their school or district's policy regarding the videotaping of school performances. This could involve an interview with the principal or another school or district administrator. What is the policy? How did the school decide on this policy? Is the policy enforceable? Who is responsible for enforcing the policy? If there is no written policy, why not?

Part Two

1. Once they've completed their research, students should report their findings. As a class, discuss how they feel about this policy in light of what they have learned about creative rights and the potential problems they identified earlier in the activity. Is their school's/district's policy fair? Whose rights does it protect?
2. Brainstorm and write down solutions to address the problems identified. The solutions should include who, what, when, where, why, and how.
3. Ask students to develop criteria to judge the solutions they wrote in the above (e.g., Does the solution address who, what, when, where, why, and how? Is the solution realistic?). Tell them to determine which five solutions are the best according to the criteria they wrote. Ask students to tally the results and determine the "best" solution, based on the highest score.

Culminating Activity: Student Policy-Makers

4. Instruct students to write a clear and thorough description of their best solution. Then, ask the students to break the class into committees to address different aspects of the problem. For example, one committee will be in charge of depicting and disseminating the problem and solution on the Web. Another might be in charge of consulting experts. Another committee might create displays to educate their peers about the solution.
5. Students will present their solutions to the school administrators and other stakeholders for review and feedback.

Extensions and Modifications:

- As a follow-up, students can create a profile at the MyBytes Web site to define their own rules surrounding the use of intellectual property.
- Encourage students to extend this lesson at home by asking parents or guardians their opinions about the school's/district's policy. Do they think the policy is fair? Does it protect the rights of students? If not, what solutions might they suggest for changing it?
- To abridge the time commitment of this activity, focus on Part One and Steps 1-2 in Part Two. Students will use various information sources to determine how issues of creative content are locally relevant, and brainstorm solutions to address any problems identified.