



Essential Question: How can I make responsible choices when I use other people's creative work?

Learning Overview and Objectives

Overview: Students explore the legal and ethical dimensions of respecting creative work. First, they learn a basic foundation of legal principles and vocabulary related to copyright. They understand how such factors as the rules of copyright law, the values and intent of the original creator, and the audience and purpose should affect their decisions about using the creative work of others. Using the **Mad Men Student Handout**, students then apply these principles to a simulation activity in which they act as advertising executives who have to choose a photo for an ad campaign.

objectives

Students will:

- Identify the legal and ethical considerations involved in using the creative work of others
- Understand an individual's rights and responsibilities as a creator and consumer of content
- Practice critical thinking and ethical decision making about the use of creative works

Digital Ethics Focus:

Self

Family and Friends

Community

Materials and Preparation

Materials

- **Respecting Creative Work Student Intro Video**
- **Mad Men Student Handout**
- **Mad Men Student Handout – Teacher Version**

Preparation

- Copy the **Mad Men Student Handout**, one for every four to five students
- Preview the **Respecting Creative Work Student Introduction Video**, and prepare to show it to the class
- Review and print out the **Mad Men Student Handout – Teacher Version**

Parent Resources

- Send parents the **Plagiarism and Piracy Parent Tip Sheet – High School**

Differentiated Instruction

Have Motivated Students explore the Creative Commons' "License Chooser" feature at: <http://creativecommons.org/choose>.

Key Vocabulary

- **Fair Use:** The ability to use a small amount of someone's creative work without permission, but only in certain ways
- **Commercial Purposes:** A use in connection with a business, usually for profit



Copyrights and Wrongs

- **Copyright:** A law that protects you're a creator's ownership of and control over the work he or she creates, requiring other people to get you're the creator's permission before they copy, share, or perform that work
- **Creative Commons:** A kind of copyright that makes it easy for people to copy, share, and build on someone's creative work – as long as they give the creator credit for it
- **Public Domain:** Creative work that's not protected by copyright and is therefore free for you to use however one wants

teaching plans

Introduce (5 minutes)

ASK *What do you think we mean when we talk about someone's creative work?* (Students should understand that the term includes all types of work that someone creates, including writing of all kinds, artwork, and photos, videos, and music).

ASK *Have you ever used creative work you found online – for example, a photo or a poem – for personal use?* (Students should name various ways they use the creative work of others – for example, using a photo in a school report, posting it on their Facebook page, or even forwarding it on their cell phone.)

ASK *When you use creative work you find online, what considerations do you make about who made it, if any?* (Encourage students to talk about what they consider, if anything, before using material they find online. Ask them to think about how creators would want their work to be used. What would be okay? What would not be okay?)

Teach 1: Respect Creative Work (15 minutes)

SHOW the **Respecting Creative Work Student Introduction Video**.

ASK *What are the ways you can be respectful of people's creative work?* (Go over the five key tips from the video, as follows.)

- Check who owns it
- Get permission to use it
- Give credit to the creator
- Buy it (if necessary)
- Use it responsibly

ASK *How do you think you would you feel if someone used your creative work? Would it make a difference whether they did the following:*

- Asked your permission to use it?
- Gave you credit as the creator?
- Changed the picture or added a caption without asking you?

(Students should think about how these issues affect the creator of the work.)

ASK *What do you think it means to use someone else's creative work responsibly? Does it matter how and where you use it?* (Encourage students to think about context, and how it might affect or alter the creator's original intent.)

EXPLAIN to students that in addition to these key rules, some additional information may help them decide when and how it is all right – and not all right – to use someone else's creative work.



(Note to teachers: The idea of “fair use” is explored in depth in the curriculum’s **Rights, Remix, Respect** lesson for grades 9–10. Alternatively, you may provide a quick orientation here.) **DEFINE** the Key Vocabulary terms **fair use** and **commercial purposes**. Make sure students understand that fair use allows them to use only a small part of someone else’s creative work as part of something new. The work cannot be used for commercial purposes, and it can only be used in certain ways, which include:

- schoolwork and education
- news reporting
- criticism or social commentary
- comedy or parody

ASK *What are some ways you might use creative work that would constitute fair use? Which ways wouldn’t be covered under fair use?* (Students should understand that using a small amount of someone else’s work in a school report or the school paper would be fair use, while posting it on their blog or on a social networking site would not be fair use.)

DEFINE the Key Vocabulary terms **copyright**, **Creative Commons**, and **public domain**. Explain that when students want to use someone’s creative work in a way that isn’t covered by fair use, they need to investigate its copyright status. Then offer the following scenario to help explain the definitions:

Imagine you took a photo of your dog and posted it online. Because you are the creator, you own the copyright to this image. This means you have control over how other people use your photo. Copyright law is pretty strict, meaning that people will have to get your permission before they can copy, print, or use your work for any reason.

*However, if you use a **Creative Commons** license, you give people more freedom to copy and share your photo. Some Creative Commons licenses even say it is all right to make money off of the photo, while others say it cannot be used for commercial purposes. People choose Creative Commons licenses because they offer more opportunities for other people to use and share their work* (Optional: Show students examples of Creative Commons licenses at <http://creativecommons.org/licenses>).

Finally, imagine that you want the photo to be freely used by all, without people having to request permission. You would then release the photo into the public domain, which allows others to use your photo however they want to because it is no longer protected by copyright. Copyrights don’t last forever, so works often count as “public domain” after a certain time period. Works from the U.S. government are also in the public domain.

ASK *If you created a picture, poem, or video and posted it online, what do you think you would do? Would you make people get your permission every time they used the work, use a Creative Commons license, or would you put it in the public domain? Explain your choice.* (Responses will vary, but they should reflect an understanding of the choice. Some students might want their work seen by as many people as possible, while others might want to limit use and get some compensation.)

Teach 2: Choose Your Photo (20 minutes)

DIVIDE students into groups of four to five.

DISTRIBUTE the **Mad Men Student Handout**, one per group.

TELL students they will be “mad men” in this activity. (The term “mad men” is shorthand for “Madison Avenue ad men,” who were advertising executives who worked on Madison Avenue in New York City during the 1950s and 1960s. It is also the name of a popular television show that began running in 2007.) They will have to decide on a photo to use for an advertising campaign.



Have a volunteer **READ** aloud the directions and letter on the student handout.

EXPLAIN to students that advertising is a commercial purpose, so fair use does not apply. In order for advertising executives to use a photograph, they need to do one of the following things:

- They can use a photograph for which they already own the copyright.
- They can get permission from the copyright holder to use that photo for commercial purposes (and pay any fee the copyright holder might charge).
- They can use a photo that is in the public domain.

In addition to considering the copyright status of the photo, students also need to consider the original intent of the creator and the effectiveness of the photo for their ad campaign.

INSTRUCT students to be sure that they first analyze and answer the questions about each photo before they make a decision. They will need to defend their choices. Allow students approximately 10 minutes to review their options and reach consensus.

INVITE students to present their findings to the class. Students should describe why they chose their photos.

LEAD a discussion about the issues that come up when students want to use someone’s creative work, using the **Mad Men Student Handout – Teacher Version**. If there are photos that none of the groups chose, go through them and encourage students to explain why they decided against using those photos, based on their responses to the questions. (Note: There is no “correct answer” for this activity. Your goal is to guide students to think – first and foremost – about whether their choices reflect responsible use of an image, and second, whether it serves the purpose of the company and their ad campaign well.)

Wrap Up and Assess (5 minutes)

Use the following questions to assess students’ understanding of the learning objectives. Review the photos that students choose to further assess their understanding of the lesson.

ASK *What do you need to do if you want to use someone else’s creative work?* (Students should be able to name the following checklist points from Teach 1):

- Check who owns it
- Get permission to use it, if necessary
- Give credit to the creator
- Buy it (if necessary)
- Use it responsibly

ASK *What is copyright, and what does it require people to do?* (Students should understand the concept that a person owns the creative work that he or she has made, whether it is writing, visual art, photography, music, or in some other form. They should recognize that someone else cannot legally use copyrighted work without the permission of the person who created it.)

ASK *When you use creative work that you find online, do you think it is fair use?* (Students should understand that using something in a report for school is fair use, but posting it on their blog or Facebook page is not fair use.)

ASK *Can you use creative work that is posted under a Creative Commons license? What about work that is in the public domain?* (Students should know that a Creative Commons license allows them to use work without specific permission – provided they give credit to the creator – though it may place limits on use for commercial purposes. Works in the public domain can be used without permission.)



ASK Do you think it is important to give credit and get permission, if needed, when you use someone else's creative work? Why or why not? (Students should understand that there are ethical as well as legal considerations involved in using the work of others. They should realize that most people want to receive credit for their creative work. Some might want their work seen by as many people as possible, while others might want to limit use and get some compensation. But respecting creative work means that the choice should be theirs.)



Extension Activity

Invite students to develop a tag line for an ad campaign using the picture they have chosen. Provide students with examples of tag lines, such as “I’m lovin’ it” for McDonalds or “Just Do It” for Nike. Make sure they understand that a tag line is a slogan or memorable phrase used in advertising that sums up the tone of a brand, product, or campaign. Have students make a sample billboard or magazine ad featuring the photo and tag line. Have groups present their ad campaigns to the class, and invite the class to vote for the best campaign.

 Students can create their poster or ad using Microsoft Publisher, Photoshop, PowerPoint, or a free program available in Open Office.



Homework

Introduce students to the Library of Congress's Prints & Photographs Online Catalog (www.loc.gov/pictures), which is an excellent source for images that are in the public domain, and to Flickr (www.flickr.com), where they can find many photos that can be used under a Creative Commons license. Encourage students to work with a parent or other family member to choose a subject that interests them both – perhaps something related to family history, such as Ellis Island or the early history of their city or town. Have them search for images on their subject on the Library of Congress site and/or on Flickr. They can also do the entire project with their family member, and use a public library if they do not have Internet access at home. Instruct them to choose at least four images, print them out, and create a photo display. Each image should have a caption that includes its title, date, and any available information on its source.

 Have students use Photoshop, Frobee Slideshow Maker (www.frobee.com/slideshow-maker), PhotoSnack (www.photosnack.com), or Animoto (www.animoto.com) to create a slide show or video on the computer.

Alignment with Standards – National Educational Technology Standards for Students® 2007

(Source: International Society for Technology in Education, 2007)

1. Creativity and Innovation

- c. use models and simulations to explore complex systems and issues
- d. identify trends and forecast possibilities

2. Communication and Collaboration

- a. interact, collaborate, and publish with peers, experts, or others employing a variety of digital environments and media
- d. contribute to project teams to produce original works or solve problems

**3. Research and Information Literacy**

- a. plan strategies to guide inquiry
- b. locate, organize, analyze, evaluate, synthesize, and ethically use information from a variety of sources and media
- d. use multiple processes and diverse perspectives to explore alternative solutions

4. Critical Thinking, Problem Solving, and Decision Making

- a. identify and define authentic problems and significant questions for investigation
- c. collect and analyze data to identify solutions and/or make informed decisions

5. Digital Citizenship

- a. advocate and practice safe, legal, and responsible use of information and technology
- b. exhibit a positive attitude toward using technology that supports collaboration, learning, and productivity
- c. demonstrate personal responsibility for lifelong learning
- d. use multiple processes and diverse perspectives to explore alternative solutions

Common Sense Media is an independent, nonprofit resource that helps families and educators teach kids how to be safe and smart in today's 24/7 media world. Go to www.commonsensemedia.org for thousands of reviews and expert advice.