

# Copyright in the Classroom: Raising Awareness Through Engagement

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To ensure the legal use of research materials and to discourage cheating, instructors usually spend class time or a page of the class syllabus addressing what constitutes plagiarism and/or academic dishonesty. A partner to plagiarism is copyright, but the latter tends to occupy the fringe, and not the core, of library instruction curriculum. In addition to writing the normal research papers, however, many courses require that students create online portfolios, maintain class blogs, or produce movie mashups for a grade. All of this student work—the portfolio, the blog, the movie—is hosted in online forums.<sup>1</sup> In other words, student work is leaving the confines of the classroom and seeping into a public arena of published content.

Because digital publishing platforms, such as YouTube, Wordpress, or even Facebook, are so affordable and readily available, the likelihood of students encountering copyright issues in their academic or performing careers has increased exponentially. For this reason, I incorporate a class session and short assignment on copyright into my graduate music research classes at the University of Houston's Moores School of Music. This essay includes an outline of a lesson plan on copyright, as well as a description of an in-class activity and homework assignment. The class session and activities are designed to raise student awareness of, but not expertise in, copyright law and licensing.

To communicate this goal of “awareness, not expertise” to students, I begin by asking for any lawyers in the class to identify themselves. This helps to establish that copyright is a law and so it stands to reason that copyright experts tend to be lawyers. The class then brainstorms as many copyright terms or principles as they can think of in less than three minutes, and I write

1. See Dànielle Nicole DeVoss, “English Studies and Intellectual Property: Copyright, Creativity, and the Commons,” *Pedagogy* 10, no. 1 (Winter 2010): 201–15 for a sample list of copyright scenarios students face both inside and outside of the classroom. DeVoss's students read about intellectual property, including the public domain and Creative Commons licensing, and “compose a set of principles in response to both copyright and copyleft perspectives.”

them on the whiteboard. As the class progresses, the whiteboard is updated with definitions, affirmations, and a small amount of myth-busting.

The class then watches Lawrence Lessig's TED talk, "Laws that Choke Creativity."<sup>2</sup> Lessig provides an excellent overview of copyright and licensing in the digital age. He starts his talk by discussing "user-generated content" and how the creation and consumption of content has changed throughout the twentieth century and into the twenty-first. I ask students for their questions or thoughts about the video's content, and this provides a segue into examining several resources they can use to answer copyright questions. Our first stop is <http://www.copyright.gov> and the actual copyright statutes, focusing on exclusive rights in copyrighted works, fair use, and the first sale doctrine. If there are any music education majors in the class, then I also present the Technology, Education and Copyright Harmonization Act or TEACH act. The Music Library Association's Web site has a comprehensive listing of copyright resources including reports and studies, a glossary, and a list of important decisions accompanied by brief summaries of the ruling.<sup>3</sup> If nothing else, most students will recognize *A&M Records v. Napster*; however, in my course they actually read the ruling summary and understand the arguments and decision. Once students are equipped with some basic vocabulary and a short list of copyright resources, it is time for them to put that knowledge to work. The class is split into two groups, and each is given a digital object (usually a score from IMSLP) and tasked with determining terms of use. Students present their findings to the class, and also explain their research process and list any resources used. If students use any copyright terminology (e.g., "fair use," "public domain"), they must define the term.

The in-class exercise furnishes students with the opportunity to apply their knowledge of copyright tools, terms, and concepts. Moving from lecture to hands-on practice also displaces student reliance on the instructor as their primary source of information. Instead, the activity forces them to formulate alternative routes of information gathering (e.g., copyright resources, peers) and personal interpretations of the law. The group structure necessitates student debate of individual interpretations, which must be synthesized into a consensus opinion that can be communicated to the class.

Lastly, I refer back to the Lessig talk and Creative Commons licensing in order to help students disentangle licensing from copyright, and to show how licensing is used in the dissemination of digital-born content. "Laws that Choke Creativity" serves as an object lesson. While the TED Web site offers

2. Lawrence Lessig, "Laws that Choke Creativity," (video of lecture, TED Talks, March 2007, posted November 2007) accessed June 1, 2013, [http://www.ted.com/talks/larry\\_lessig\\_says\\_the\\_law\\_is\\_strangling\\_creativity.html](http://www.ted.com/talks/larry_lessig_says_the_law_is_strangling_creativity.html).

3. Music Library Association, "Copyright for Music Librarians," accessed June 1, 2013, <http://copyright.musiclibraryassoc.org/>.

the option of ordering a DVD copy of Lessig's talk, the "share and embed" options are the native publishing tools for the video.<sup>4</sup> The video itself was made to be shared freely, but to always track back to its creators (TED, Lessig, etc.). Examining the various levels of Creative Commons licensing only affirms and expands upon student understanding of the terms and concepts previously discussed in the class.

The graded assignment is an inflation of the in-class task, but I select objects with more complex terms of use: use with permissions, use with attribution, and even items where a clear determination cannot be secured. In addition to assigning an object, I also provide a context for use—for example, "You want to use this image/video in a blog entry you're writing for a professional organization's website." Students are again required to provide a reference list of consulted resources.

While it is important to give students the research and writing tools to succeed in their graduate studies, the broader-reaching goal is to equip them for a successful career beyond university. In order to succeed, this generation will be required to publish online, whether that publication be a professional Web site, a video, a blog, or even a scholarly article or book. Students should know their rights as both content creators and content users, especially since copyright law protects both. I do not expect students to have the answer to every copyright question when they leave my classroom, but I am encouraged if they know to ask the question in the first place.

4. To prove this point, I search for Lessig's TED talk in WorldCat, which indicates that the only available copy (as of June 1, 2013) is for the online video.