**Rights, Remixes, and Respect**

**Essential Question:** *What should you consider when you use other people’s creative work?*

**Lesson Overview:** Students reflect on the differences between taking inspiration from the creative work of others and appropriating that work without permission. They review their knowledge of copyright and fair use, and examine a case study involving the appropriation of music by a popular band. Teacher then guides students to discuss the ethical and legal issues involved in using other people’s creative work in practices such as remixes and sampling.

**Students must complete the Digital Citizenship Google Form located on the main page of the FHS website as documentation of lesson completion. A direct link is here** [**https://goo.gl/mDtR3d**](https://goo.gl/mDtR3d)

**Learning Objectives:** *Students will be able to ...*

• define the key concepts of inspiration, appropriation, copyright, and fair use and examine how they relate to creative work.

• understand the legal and ethical debates that surround using other people’s creative work.

• consider the perspectives of the original creator, potential audiences, and the broader community when using others’ material.

**Materials and Preparation**

Preview the video “Everything is a Remix: Part 1: The Song Remains the Same” <https://vimeo.com/14912890>

by Kirby Ferguson (2010). You may choose to show only the central section of the video, from 2:26 through 6:30.

**Standards Alignment –**

**Common Core:** grades 11-12: RL.1, RL.2, RL.7, RL.8, RL.10, RI.1, RI.2, RI.4, RI.10, W.2a-f, W.4, W.5, W.10, SL.1a-d, SL.2, SL.3, SL.5, L.4a, L.6

ISTE: 1c, 1d, 2a, 2d, 3a, 3b, 3d, 4a, 4c, 5a-d

**Key Vocabulary –**

**inspiration:** something that influences, propels, or inspires you to create something new

**appropriation:** to use someone else’s creative work to make something new, often without their permission

**copyright:** a law that protects ownership of and control over the work someone creates, requiring other people to get the creator’s permission before they copy, share, or perform that work

**fair use:** the ability to use a small amount of copyrighted work without permission, but only in certain ways

**sample:** to use a small piece of an existing creative work, usually music, in creating a new work

**remix:** to use an existing creative work and add to it, rearrange it, or mix it with other material to create something new

**LESSON PLAN**

**Warm-up**

*(5 minutes)*

**DEFINE** the Key Vocabulary terms **inspiration** and **appropriation**, and encourage students to think about the difference between the two processes as it applies to their own creations.

**ASK: *When you create things, do you ever get your inspiration from other people’s creative work? What are some examples?***

Sample responses:

• Writing a song with the “sound” of a musician you like, but with a different melody and different lyrics

• Writing a poem that’s in a style that resembles another poem you’ve read, but is about something different

• Designing a website that uses some of the colors and “look” of another site you like, but has different content

• Writing a paper based on a news story you’ve seen on TV or read about online, but in your own words and with additional sources

• Drawing a picture that’s inspired by something you’ve read or a song you’ve heard

***When you create things, do you ever appropriate, or use someone else’s creative work, to make something new? What are some examples?***

Sample responses:

• Using a song as a soundtrack to a video you have made

• Posting someone else’s writing on your blog

• Adding pictures created by someone else to your Facebook profile

• Showing a clip from a movie in a video review of that movie

• Copying a paragraph from a news story and using it in a report for school

**EXPLAIN** to students that whenever they use the creative work of others, as opposed to just being inspired by it,

they need to consider a lot of legal and ethical questions.

**teach 1**

**Copyright and Fair Use**

*(5 minutes)*

**DEFINE** the Key Vocabulary terms **copyright** and **fair use**.

**REMIND** students that the creative work of others is protected by copyright. To use copyrighted work legally and ethically, they must observe the following rules:

*Copyright Rules*

• Check who owns it

• Get permission to use it

• Give credit to the creator

• Buy it (if necessary)

• Use it responsibly

**EXPLAIN** that sometimes it is legal to use other people’s creative work under the principle of fair use, but only if you give them credit and use it in certain ways.

*Fair Use Rules*

• Use a small amount (not the whole thing)

• Rework and use the material in a different way from the original work

• Add new meaning to the material and make something new out of it

• Don’t use the material for profit, and use it only for certain purposes, which include:

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

**DISCUSS** with students the fact that fair use is not a clear-cut issue; it is judged on a case-by-case basis. Users claiming fair use must be able to defend themselves if someone accuses them of stealing work. (Of the sample responses listed, the last two constitute fair use; in the other cases, students should follow the rules for using copyrighted work.) Note that even if you claim fair use, you still might be sued.

**teach 2**

**Music Industry Debate**

*(15 minutes)*

**DEFINE** the Key Vocabulary terms **sample** and r**emix**, and invite students to name some examples they have listened to, seen, or even created themselves. Tell them to watch for examples in the video they are about to see.

**SHOW** the video Everything is a Remix: Part 1 <https://vimeo.com/14912890>

**EXPLAIN** to students that there is a debate in the music industry today about sampling and remixing. Some people think it is fair use, while others believe it violates copyright law. People in the music industry have various perspectives on this issue.

**ASK:**

***What did you learn about the different perspectives people in the music industry have on copyright and fair use?***

Guide students to consider whether rap or pop music more readily lends itself to sampling than rock or country, for example.

***How do these issues affect society? Why is it important to have legal and ethical rules for using other people’s creative work? What might happen if there were no rules?***

Guide students to see that musicians might gain exposure if others remix their work. On the other hand, they might feel like remixing dilutes their music, or that others are unfairly making money off of their work.

***What do musicians gain and lose by having their work sampled or remixed? How does it affect their fans?***

Guide students to think about how original thought should be valued in and of itself, and also about how copyright helps artists get money for their work. Rules and laws about piracy reinforce these ideas and practices.

DISCUSS the varying opinions with students.

**Students must complete the Digital Citizenship Google Form located on the main page of the FHS website as documentation of lesson completion. A direct link is here** [**https://goo.gl/mDtR3d**](https://goo.gl/mDtR3d)

DIGITAL LIFE 101 / ASSESSMENT / DIGITAL LITERACY AND CITIZENSHIP IN A CONNECTED CULTURE / REV DATE 2017

www.commonsense.org | CREATIVE COMMONS: ATTRIBUTION-NONCOMMERCIAL-SHAREALIKE