Please attach/submit additional documents as needed to fully complete each section of the form.

I. COURSE INFORMATION

Department: Mansfield Library

Course Title: Who Owns Culture? An Introduction To Copyright

Course Number: LSCI 210Y

Type of Request: New One-time Only Renew* Change Remove

Rationale:
The use, reuse, and creation of information have been key to the development of the culture, technology, and infrastructures of Western society since its beginnings. In the age of the Internet, where access to information is much more easily transmitted, the ability to analyze and evaluate the legal complexities of using and creating information and cultural materials becomes increasingly important for students both inside and outside of the classroom.

For fall 2015 and fall 2016 semesters, I successfully submitted this new course to fulfill an Intermediate writing requirement. Upon reflection after the end of the fall semester, it became clear that the course would be better suited for General Education under the Democracy and Citizenship category. While the course will still have writing projects, they will not be the focus of its assignments and assessment. I plan to use group work, multimedia projects, and class presentations as assignments. Tests, quizzes, and rubrics will be used to assess progress in the class.

If course has not changed since the last review and is taught by the same tenure-track faculty member, you may skip sections III-V.

JUSTIFICATION FOR COURSE LEVEL

Normally, general education courses will not carry pre-requisites, will carry at least 3 credits, and will be numbered at the 100-200 level. If the course has more than one pre-requisite, carries fewer than three credits, or is upper division (numbered at the 300 level or above), provide rationale for exception(s).

ADDITIONAL INFORMATION (FOR OCHE DATABASE):

In which MUS Core Category, does this course fit? Social Science/History

Does the course include content regarding cultural heritage of American Indians? No

II. ENDORSEMENT / APPROVALS

* Instructor: Tammy Ravas
  Phone / Email: X-4402 / tammy.ravas@umontana.edu

Program Chair:

Dean:

*Signature* Date 9/27/2016

*Signature* Date 9/27/2016

*Signature* Date 9/17/16

*Form must be completed by the instructor who will be teaching the course. If the instructor of the course changes before the next review, the new instructor must be provided with a copy of the form prior to teaching the course.

III. DESCRIPTION AND PURPOSE

General Education courses must be introductory and foundational within the offering department or within the General Education Group. They must emphasize breadth, context, and connectedness; and relate course content to students’ future lives: See Preamble
This class will explore potential answers to the question of “Who owns culture?” through the lens of creativity, scholarship, preservation, and their resultant legal and ethical conflicts. Students will study contemporary and historical accounts of how Western society has perceived and practiced “ownership” of culture and information. Examples of such accounts can be found in a wide array of areas such as, but not limited to: media, business, the arts, music, literature, academic research, and journalism. The current system for such “ownership” is called copyright law. This class will introduce students to the basics of copyright law in the United States with an emphasis on the fact that copyright issues are often much more complex and nuanced than initially perceived.

IV. CRITERIA

BRIEFLY EXPLAIN HOW THIS COURSE MEETS THE DESCRIPTION FOR THE GROUP.

These courses ground students in the ideas, institutions, and practices of democratic societies and their historical antecedents. Knowledge gained through courses in the Y perspective prepares students to understand the rights and responsibilities of engaged citizenship and to assess the characteristics, contributions, and contradictions of democratic systems.

The focus of this course is an introduction to copyright law as it applies to undergraduate students’ professional practices, creative efforts, and scholarly pursuits. In today’s world, use of information, multimedia, and audiovisual materials are ubiquitous and integral to professional and scholarly communication in any field. Because of this, students need to be aware of their rights and responsibilities with respect to using or creating copyrighted materials.

The majority of the learning goals from the course have been extrapolated from the Association of College and Research Libraries’ Information Literacy Framework (2015, p. 6).

(http://www.ala.org/acrl/sites/ala.org.acrl/files/content/issues/infokit/Framework_ILHE.pdf)

V. STUDENT LEARNING GOALS

BRIEFLY EXPLAIN HOW THIS COURSE WILL MEET THE APPLICABLE LEARNING GOALS.

1. Demonstrate informed and reasoned understanding of democratic ideas, institutions and practices, from historical and/or contemporary perspectives.

   A. Students will demonstrate a layperson’s informed and reasoned understanding of how copyright affects their uses of others’ works as well as creation of their own works.

   B. Students will demonstrate a layperson’s informed and reasoned understanding of the historical background of copyright and how it has influenced the “ownership” of culture and information today.

2. Analyze and evaluate the significance and complexities of engaged citizenship.

   Students will analyze and evaluate the significance and complexities of copyright as it applies to being an engaged citizen through the following:

   a. Discussion of how authors—or creators—of information and cultural materials were recognized and remunerated throughout Western history.

   b. Description and identification of basic rights and responsibilities behind the creation and use of copyrighted works.

   c. Application and synthesis of “a.” and “b.” to discussions of contemporary and historical copyright issues.

3. Articulate the causes and consequences of key historical and/or contemporary struggles within democratic systems or their antecedents, including but not limited to those pertaining to issues of diversity, equity, and justice.

   Students will articulate the causes and consequences of copyright as it applies to historical and contemporary struggles within the United States through the following:

   a. Discussion of the value of information and cultural materials to society.

   b. Explanation of how and why systems of privilege affect the production of and access to information.
VI. ASSESSMENT

A. HOW ARE THE LEARNING GOALS FOR THE GENERAL EDUCATION GROUP MEASURED?

Describe how you will determine that students have met each of the General Education Learning Goals. This should include specific examples of assignments, rubrics or test questions that directly measure the General Education learning goals. (See Example)

Please attach or provide a web link to relevant assessment materials.

1. Demonstrate informed and reasoned understanding of democratic ideas, institutions and practices, from historical and/or contemporary perspectives.

   A. Students will demonstrate a layperson’s informed and reasoned understanding of how copyright affects their uses of others’ works as well as creation of their own works.

   B. Students will demonstrate a layperson’s informed and reasoned understanding of the historical background of copyright and how it has influenced the “ownership” of culture and information today.

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   Students will articulate the causes and consequences of copyright as it applies to historical and contemporary struggles within the United States through the following:

   a. Discussion of the value of information and cultural materials to society.

   b. Explanation of how and why systems of privilege affect the production of and access to Information.

All three learning goals will be assessed by grading class discussions, brief writing assignments, and class presentations, according to the following rubrics:

A. Brief writing assignments will be assessed by rubric. The rubric that I will use is borrowed from Longwood University:


Here is an example of an essay assignment for this class:

Essay: Compare and contrast three specific aspects of “copyright” from antiquity through the 17th Century and copyright in the United States today. You will use your readings as well as class notes as source materials. Your essay will have five paragraphs and will be no more than three pages double-spaced including your reference list. The first paragraph will be an introduction to your topic. The second will describe one aspect of copyright that is the same between the two time periods. The third paragraph will describe one aspect of copyright that differs that differs between time periods. The fourth paragraph will describe the role of authors between time periods. The fifth paragraph will be a conclusion. You will cite your sources and create a reference list using APA style manual. You can go to the Mansfield Library reference desk and ask for the print manual or go to https://owl.english.purdue.edu/owl/resource/560/01/ for an online guide on how to properly cite sources in APA.

B. Class discussion of readings and lecture will be assessed by rubric. The rubric that I will use is borrowed from Carnegie Mellon University: https://www.cmu.edu/teaching/resources/Teaching/CourseDesign/Assessment-Grading/Rubrics/ClassParticipationRubric.doc.
Here is an example of a class discussion assignment:

Prepare the following questions for our in-class discussion on Tuesday, September 6:

1. How were individual authors (creators) treated from Antiquity until the 18th Century? Compare how they were paid or given credit for their work versus how authors are paid now. Be sure to state two examples.
2. How was piracy or other forms of what we'd call “copyright infringement” handled during this time frame? Be sure to state at least three examples.
3. State at least two examples of anything else that you found interesting about last week's reading.

C. Class presentations will be assessed by rubric. The rubric that I will use is borrowed from Carnegie Mellon University: [https://www.cmu.edu/teaching/resources/Teaching/CourseDesign/Assessment-Grading/Rubrics/OralCommunicationRubric.doc](https://www.cmu.edu/teaching/resources/Teaching/CourseDesign/Assessment-Grading/Rubrics/OralCommunicationRubric.doc). Here is an example of a class presentation assignment:

Your final project will consist of a class presentation on a copyright topic that interests you. You will be researching and presenting on your topic in groups of two (2) or three (3). Groups will be assigned randomly. The topic may be anything that is relevant to the course. Early in the semester each group will decide on a topic for their final presentation in consultation with the instructor.

Presentations will last fifteen minutes for each group with five minutes for question and answers. They will require the following parts.

1. Introduction of topic.
2. Review of consulted sources
3. Explanation of main issues
4. Discussion
5. Conclusion

Groups may choose to use any presentation software (e.g. Powerpoint, Prezi) that will work in our classroom.

Presentations will be given during the last two weeks of class.

Additionally, quizzes and exams will be assessed by student selection of correct answers in multiple-choice style questions, by filling in blanks with the correct answer, or by giving a correct response to a short-answer question. Here are some sample questions:

I. In the early 1990s, the hip-hop group, 2 Live Crew created a controversial version of Roy Orbison's 1964 hit song, "Oh, Pretty Woman." Roy Orbison's record label, Acuff-Rose, sued 2 Live Crew for copyright infringement. 2 Live Crew stated that their version of the song was a parody and claimed fair use as their defense. What was the outcome?

   a. Acuff-Rose won the case and 2 Live Crew had to pay them $100,000 in statutory damages.
   b. The two parties settled out of court with undisclosed terms.
   c. 2 Live Crew won the case based on their fair use defense by unanimous decision of the United States Supreme Court.

II. You attempt to get permission to show an out-of-print film at the community movie theatre. You have tried contacting the potential rights holder only to receive no reply. Please state your next action and justify it using what you've learned about orphan works in this week's course materials.

III. An English Literature student copies and pastes a very long quote from Tolkien's *Silmarillion* in their paper and forgot to properly cite the source. What have they done wrong?

   a. They may have a case for fair use for using the long quote without permission of the copyright holder, but they are likely guilty of plagiarism because they did not cite the source.
b. They may have infringed the copyright of the Tolkien estate by copying and using the long quote. However, the paper was about *Silmarillion*; therefore it is not plagiarism.

c. They plagiarized the Tolkien quote and committed copyright infringement.

A General Education Assessment Report will be due on a four-year rotating cycle. You will be notified in advance of the due date. This will serve to fulfill the University's accreditation requirements to assess general education and will provide an opportunity to connect with your colleagues across campus and share teaching strategies. Items VI.B-D will be helpful in compiling the report.

B. ACHIEVEMENT TARGETS

[This section is optional. Achievement targets can be reported if they have been established.]

Describe the desirable level of performance for your students, and the percentage of students you expected to achieve this:

1.

2.

3.

C. ASSESSMENT FINDINGS

[This section is optional. Assessment findings can be reported if they are available.]

What were the results/findings, and what is your interpretation/analysis of the data? (Please be detailed, using specific numbers/percentages when possible. Qualitative discussion of themes provided in student feedback can also be reported. Do NOT use course grades or overall scores on a test/essay. The most useful data indicates where students' performance was stronger and where it was weaker. Feel free to attach charts/tables if desired.)

ASSESSMENT FEEDBACK

Given your students' performance the last time the course was offered, how will you modify the course to enhance learning? You can also address how the course could be improved, and what changes in the course content or pedagogy you plan to make, based upon on the findings. Please include a timeframe for the changes.

A General Education Assessment Report will be due on a four-year rotating cycle. You will be notified in advance of the due date. This will serve to fulfill the University's accreditation requirements to assess general education and will provide an opportunity to connect with your colleagues across campus and share teaching strategies.

VII. SYLLABUS AND SUBMISSION

Please submit syllabus in a separate file with the completed and signed form to the Faculty Senate Office, UH 221. The learning goals for the American and European Group must be included on the syllabus. An electronic copy of the original signed form is acceptable.
Who Owns Culture? An Introduction to Copyright

**LSCI 210: 3 credits**
*Tuesdays and Thursdays from 11:00 am to 12:20 pm*
*Mansfield Library: Student Learning Center*
**Instructor: Tammy Ravas, Associate Professor, Mansfield Library**
**Office: Mansfield Library 323 (East Faculty Office Area)**
**Office hours: Fridays 11 am to 1 pm; also available by appointment.**

**Class summary:**

This class will explore the question of “Who owns culture?” through the lens of legal realities and creative conflicts. Students will study contemporary and historical accounts of how Western society has perceived and practiced “ownership” of culture—from music to art and general literature. Currently, this system of legal “ownership” is called copyright law. This class will introduce students to the basics of copyright law in the United States using real-world examples of students’ own works of authorship along with uses of others’ works of authorship.

**Attendance:**

Class attendance is mandatory! You must provide me with a valid excuse if you miss class. Examples of valid excuses would include a health emergency or a family emergency. You are allowed two excused absences. If you miss more than two classes— even with a valid excuse— then your final grade will be reduced by one letter. For instance, if you had earned a “B” in the class then your final grade would be reduced to a “C.” If you miss one class without a valid excuse then your final grade will be reduced by half of a letter grade for each absence. For instance, if you had earned a “B” in the class then your final grade would be reduced to a “B-.”

**Class communication:**

Class communication and announcements will take place through the Moodle page for this course. Please use your University of Montana e-mail account! Otherwise, you will miss distribution of class assignments and announcements.

**Assignments:**

Your assignments will consist of readings, in-class discussion of readings and other class content, essays, take-home quizzes, and a final class presentation. Writing assignments and in-class discussions will be graded via rubrics that can be seen in the appendices of this syllabus.

Unless otherwise specified, all assignments, readings, other content, and take-home quizzes will be given on Tuesdays and due on subsequent Tuesdays when class begins at 11:00 am.

**Grading for class assignments:**

Assignments are graded on a 0-100 percent/point scale and will be weighted accordingly:

1. In-class discussion of course content is worth 20 percent of your grade.
2. Final class presentation is worth 20 percent of your grade (20 percent each).
3. Essay assignments are worth 20 percent of your grade.
4. Midterm exam is worth 20 percent of your grade.
5. The final exam is worth 20 percent of your grade.

Here is how the percent scale translates into letter grades:

- 94-100 = A
- 89-93 = A-
- 84-88 = B
- 80-83 = B-
- 74-79 = C
- 70-73 = C-
- 64-69 = D
- 60-63 = D-
- 59 and below = F

Standards of Academic Conduct:

Please refer to The Student Conduct Code Section V “Standards of Academic Conduct” for information on unacceptable practices such as plagiarism, cheating on exams, etc. PLAGIARISM and CHEATING are NOT TOLERATED whatsoever in this class. If I discover that you have plagiarized your written assignments in whole or in part (for example, cutting and pasting someone else’s words into your own paper without proper citation) you will receive zero points on that assignment. The same thing will happen on exams that are not “open book.”

Accommodations for disabilities:

Please let me know as soon as possible if you require accommodation for a disability. I will work with you as appropriate to accommodate you.

Week 1 (August 29-September 2):

Unit 1: “To each cow its calf; to each book its copy.”

Objectives:

1. Discuss general history of copyright in Western society.
2. Define general concept of copyright.
3. Differentiate copyright from trademark, patents, as well as academic honesty.

Activities:

August 30:
- Take pre-test of your knowledge of copyright on first day of class.
- Introductions, overview of class expectations, and assignments
- Lecture: What is copyright?

September 1:
- Brief review of copyright definition.
- Lecture: Early history of copyright from antiquity to the 16th Century.
Week 2 (September 5-9) Labor day is on September 5th.

Unit 1 continued:

Objectives:
1. Discuss early history of American copyright.
2. Identify kinds of works protected by copyright.
3. State the exclusive rights given to copyright holders in the U.S.

Activities:

September 6:
- In-class discussion of readings and course content from last week.
- Lecture: "Early history of American copyright"
- Introduction of essay assignment due next week.

September 8:
- Lecture: "What is copyright today?"
- Introduction of annotated bibliography assignment (Due Tuesday, November 1st).

Week 3 (September 12-16):

Unit 2: "I found a publisher!"

Objectives:
1. Discuss the process by which an author registers for copyright.
2. Explain how copyright is a bundle of rights given to an author and how those rights may be transferred to others.
3. Choose three potential annotated bibliography/final paper topics.

Activities:

September 13:
- Lecture: "Myths and Facts of Getting Copyright Protection"
- Class exercise: registering a work with the U.S. Copyright Office

September 15:
- Lecture: "If I'm creating works for my employer then who owns the work?" (30 minutes)
- Class exercise: "Who owns the copyright-- the employee or the employer?" (30 minutes)
- Class exercise: beginning research for potential annotated bibliography topics (20 minutes)

Week 4 (September 19-23):

Unit 3: "Copyright should last 'forever minus one day.' (Mary Bono)"

Objectives:
1. Explain what cannot be copyrighted.
2. Define the concept of public domain and explain basic determination of when copyrighted material falls into the public domain.
3. Identify sources of public domain materials that can be used in the United States.
Activities:

September 20:
Lecture: “What cannot be copyrighted”
Class exercise: How to generally determine whether a work is still covered by copyright law

September 22:
Lecture: “How do I find Public Domain works?”
Class exercise: Notice, registration, renewals? Oh my!

Week 5: (September 26-30):

Unit 3 continued:

Objectives:

1. Explain why there are no sound recordings in the public domain in the United States.
2. Define concept of Creative Commons Licenses and types of licenses.
3. Discuss advantages and disadvantages to using and creating Creative Commons Licensed material for different purposes.

Activities:

September 27:
In-class discussion: Public domain materials and their derivative works
Lecture: The unusual state of copyright with sound recordings in the United States

September 29:
Lecture: The Creative Commons
Class exercise: Pros and cons of CC licenses

Week 6: (October 3-7):

Unit 4: Theft, borrowing, or influence?

Objectives:

1. Define copyright infringement.
2. Explain penalties for infringing copyright.
3. Describe one or two court cases where a defendant was found guilty of infringement.

Activities:

October 4:
Lecture: Copyright infringement and penalties
Video: Portions of Copyright Criminals

October 6:
Lecture: Robin Thicke v. Marvin Gaye Estate and Capitol Records v. Thomas-Rasset
Week 7: (October 10-14):

Unit 5: Where’s The Fair Use?!

Objectives:

2. Discuss how fair use allows authors and creators to use copyrighted works within their own works without the need for permission from rights holders.

Activities:

October 11:
Lecture: “What is Fair Use?”
Video: “Where’s the Fair Use?” by Nostalgia Critic (YouTube).
Shepard Fairey and the “Hope” poster.

October 13:
Lecture: “Fair Use and freedom of speech and expression.”
Class exercise: Four factors of Fair Use, transformative use, using works in good faith.

Week 8: (October 17-21):

Unit 5 Continued:

Objectives:

1. Identify and use tools that will help you make fair use determinations.
2. Discuss cases where artists or authors have used fair use as a defense and whether or not they were successful.
3. Build upon skills learned in Week 7.

Activities:

October 18:
Class discussion on Shepard Fairey case.
Lecture: “Getting comfortable with fair use”

October 20:
Lecture: “More fair use tools”
Class exercise: Using Codes of Best Practices in Fair Use

Week 9: (October 24-28):

Unit 6: You didn’t buy it, you are renting it!

Objectives:

1. Define the Doctrine of First Sale and apply it to everyday things you do as a consumer and student.
2. Discuss difficulties with Doctrine of First Sale within an online world.
3. Explain the role of contracts and licenses within copyright and how that affects your use of such materials as a consumer and a student.
Activities:

October 25:

October 27:
Lecture and discussion: “‘Used’ eBooks and Purchased Online Content: The Future”

Week 10: (October 31- November 4):

Unit 7: Can I show this film?

Objectives:

1. Define the exceptions given to classroom instructors in Section 110 (1) and (2) on using media materials.
2. Show how Section 110(1) and (2) may help you as a potential classroom instructor.
3. Summarize a few of the other exceptions given in Section 110.

Activities:

November 1:
Lecture: “Why do I need permission to show this film? I’m not charging admission.”

November 3:
Lecture: “Can I stream this for my online class?”

Week 11: (November 7-11) Election Day is on November 8 and there is no class that day. VOTE!

Unit 8: Cracking Encryption and Its Related Consequences

Objectives:

1. Explain circumvention of copyright protection systems provision in the Digital Millennium Copyright Act (DMCA) on DVDs, CDs, and computer software.
2. Explain how the DMCA may affect your ability to use such items as a consumer, student, or a potential classroom instructor.

Activities:

November 10:
Lecture: “Background of Digital Millennium Copyright Act”

Week 12: (November 14-18):

Unit 8: Continued

Objectives: Continued from previous week

Activities:

November 15:
Lecture: “Chilling Effects of the DMCA”
November 17:
Lecture: “You Can Only Crack Encryption In These Instances.”

Week 13: (November 21-25) (Thanksgiving break November 23-25; no classes on Thursday)
Unit 9: How Do I Get Permission To Use a Copyrighted Work?

Objectives:

1. Explain when permission would be needed from a rights holder to use their copyrighted materials.
2. Define the process of obtaining permission from a copyright holder to use a copyrighted item.
3. Identify a few organizations that can help you obtain permission from rights holders to use copyrighted materials.
4. Define Orphan Works

Activities:

November 22:
Lecture: “Overview of Permissions Process.”

Week 14: (November 28-December 2):
Unit 9: Continued

Objectives: Continued from last week

Activities:

November 29:
Lecture: “What happens when you can’t find the copyright holder?”

December 1:
Lecture: “Can the Orphan Works Problem Be Solved?”

Week 15: (December 5-9):
Unit 10: Helpful Sources For Continuing Education

Objectives:

1. Identify several continuing education opportunities for learning more about copyright law.
2. Identify authoritative resources on copyright law to assist you with further questions.
3. Summarize concepts covered in class
4. Review for final exam.

Activities:

December 6:
Lecture: “Further Resources and Courses on Copyright for Non-Lawyers”

December 8:
Review for final exam