

Do Students Respect Intellectual Property?

Yes

Last year I begrudgingly attended a conference session on copyright. Up to that point, I operated in my school under the assumption that materials acquired in schools were reproducible, distributable, and consumable under the auspices of “fair use.”

The session leader quickly brought me to the realization that I had been modeling the wrong behavior for my students. Both in word and conduct, I had unwittingly violated the legal rights of artists. What was worse, I had been allowing my students to do the same.

After the conference, I researched intellectual property right laws for schools in Germany. I gathered enough information to introduce intellectual property issues to my 9th grade technology students for their last movie-making project of the year. My motto for copyrighted material was, “get permission first!”



Jennifer Janesko

The students resisted.

No

Today’s students may understand copyright and the limits of fair use—as far as they have learned. However, we should not be surprised at any breach of conduct, for several reasons.

The misuse of intellectual property has often been compared to stealing physical objects. Most of us can tell at least one story of children from all layers and locations of society who have stolen a coveted candy bar or toy. Legal charges are usually not filed in these cases, because they are often viewed by all concerned as “lessons learned.” For most, that’s truly the case—once the rationale and consequences are explained, the action is often not repeated.

It’s possible that the child just didn’t know better. It’s possible that the child, at some level, did know better, but thought the negative consequences were avoidable. It’s also possible that the child was mimicking a role model. I believe that these are also reasons why today’s students may not appear to understand copyright limits.



Tammy Morris

I heard things like, “but, Ms. Janesko, why can’t I? No one will *ever* know...” Or, “but, Ms. Janesko, I *paid* for that music...”

I repeated my “ask for permission” mantra as they finished up their projects. At the close of the school year, I had six decent movies that complied with the intellectual property rights of contributing artists.

In the new school year, I held intellectual property rights trainings for teachers. My goal was to arm the teachers with this literacy so that they could help the students make legally responsible decisions about the use of media in their classroom projects.

As a matter of curriculum, I built copyright and copyright-alternatives training into the 9th grade technology classes. We discussed ownership issues, identified different types of licenses, and practiced reviewing terms-of-use agreements. For their

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projects, the students were only allowed to use copyrighted works if they had acquired *written* permission.

To my surprise, my students took these limits very seriously. They sought written permission from copyright holders for use of pictures, videos, and music. They grappled with using public domain, copyleft, and creative commons media. Some even discussed which licenses to use on their own products. And, as a whole, they asked tough questions that stretched my understanding of German intellectual property law. They were getting it.

Will they retain this knowledge? I was dubious until recently. I work with a school club that has 10th grade

students. They are developing a photo book about Dresden. One of the students recently suggested they include a famous poem by a Dresden author in this book. Upon hearing this, my heart sank. “What about intellectual property rights?”

Just as the thought crossed my mind, the student turned to me and said, “Don’t worry, Ms. Janesko. The poem is from the 1800s, and it is now in the public domain.”

She got it. It is moments like these that make teaching worthwhile.

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I was in my sixth year of classroom teaching (1994) before I had copyright laws laid out before me. Did I have to clean out my file cabinets! Since then, I’ve been keenly aware of copyright issues and paid close attention when the topic is addressed. Frankly, it’s been confusing. Copyright and fair use have been addressed at each of several technology conferences I’ve attended in the last few years. I attend the sessions and gather information; sometimes reinforcing what I know, sometimes conflicting. I share this information with other teachers and am met with responses that vary from shock to indifference. Some teachers teach these issues confidently. More often, many teachers display a respectful nod to copyright and fair use issues during a lesson or activity, giving their best, and then move on. If we, teachers and parents, do not clearly understand copyright and fair use issues, how do we properly teach our students?

Our young people, who already firmly believe “it will never happen to me,” are usually too far removed from the negative consequences. What, specifically, do they even know about the consequences?

When we hear of someone who has suffered consequences due to copyright violations, there is a frenzy of interest in the laws. It’s discussed in the teachers’ lounge and maybe in the classroom. When the media has brought the matter of a student who has infringed on copyright or fair use laws to the attention of the public, students have meaningful conversations. But how often has this happened in your hometown? Our young people, who already firmly believe “it will never happen to me,” are usually too far removed from the negative consequences. What, specifically, do they even know about the consequences?

Parents, teachers, and other students who have not been taught and do not take the time to learn the specifics of copyright and fair use limits are modeling—probably inadvertently—incorrect use of intellectual property. Our first learning in life takes place through modeling. Before schools existed, children learned through modeling. Inadvertently or intentionally, we teach our children through our actions more than we could ever teach any other way. From what models are our children learning?

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