



COPYRIGHT CRIMINALS

BY **BENJAMIN FRANZEN** AND **KEMBREW MCLEOD**



EDUCATOR GUIDE

Can you own a sound? As hip-hop rose from the streets of New York to become a multibillion-dollar industry, artists such as Public Enemy and De La Soul began reusing parts of previously recorded music for their songs. But when record company lawyers got involved everything changed. Years before people started downloading and remixing music, hip-hop sampling sparked a debate about copyright, creativity and technological change that still rages today.

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Guide Credits	25

*Recommended national standards are incorporated at the end of each lesson

COMMUNITY CLASSROOM is an educational resource providing new documentary film content and accompanying curricular materials, lesson plans, and homework assignments to high school and community college instructors and youth-serving community-based organizations. Film content includes approximately 15 to 20 minutes excerpted from independently produced documentary films from ITVS International's Global Perspectives Project and the Emmy Award-winning PBS series *Independent Lens*. Content is grouped into subject specific segments that correspond to lesson plans and educational activities. All COMMUNITY CLASSROOM materials are designed with key education standards in mind, and are available, along with the film content, on DVD and online.

COMMUNITY CLASSROOM is a product of the Independent Television Service, with support from the Corporation for Public Broadcasting, and with guidance from PBS Teachers, KOED Education Network, American Association of Community Colleges, National Council for the Social Studies, National Council of Teachers of English, National Association for Media Literacy Education and National State Teachers of the Year.



HOW TO USE THIS GUIDE & FILM

Educators can use this guide to support viewing of *Copyright Criminals* while engaging students in discussions about music sampling, the creative process, and copyright law. To support media literacy, teachers can also encourage young men and women to reflect on how the music industry plays a role in shaping media production practices. The film and the educator guide can also inspire conversations about the historical use of “borrowed” material in various forms of media, including the visual arts, literature and student produced work. Each generation expresses itself in a new musical genre, and hip-hop is the voice of today’s youth. With these resources, students can better listen, understand and respond.

GRADE LEVEL

9–12, College

SUBJECT AREAS

Social Studies, Language Arts, Civics, Ethics, Law, Economics, Business, Ethnic Studies, U.S. History, Media Studies, Film and Music Production, Cultural Studies, Art/Music, Current Events, Government, Sociology

ACTIVITIES

The activities in this Educator Guide are presented in the following order:

Activity 1: Hip-Hop and the Birth of Sampling This lesson examines the development of sampling, the roots of hip-hop, and how the practice arose out of the socio-economic conditions of the DJ culture in the Bronx in the late 1970s through the 1990s.

Activity 2: Can You Own A Sound? This lesson introduces the conflict between copyright law and the practice of sampling as hip-hop grew into both a cultural and economic force, and the music business evoked copyright laws to protect the recordings they own.

Activity 3: Hip-Hop Sampling: Theft or Tribute? This lesson introduces musical legacies that have been created with sampling and evaluates whether or not these artists have the recognition they deserve.

Activity 4: Sampling in Other Forms of Media and Industry This lesson delves deeper into the historical practice of “borrowing” that has occurred across various forms of media, and explores how changes in technology and the law have influenced the emergence of a “remix culture.”

The activities target students at the high school level, but can be scaffolded to accommodate college settings as well as informal classrooms such as after-school programs, clubs and youth training programs through community-based organizations. All content aligns with national standards for social studies and English language arts. Each of the activities is designed to last two traditional class periods (90-120 minutes total); together, the four activities and modules constitute a unit that can last one to two weeks. All activities aim to incorporate educational content and themes that can be integrated into your existing content curriculum.

A Reminder to Teachers and Educators

Please remember that the activities are guidelines only. The content of this film will require heavy preparation and scaffolding. We hope that you will make the necessary adjustments to meet the needs of your academic and social environment, keeping in mind your own and your students’ familiarity with the issues, the needs of your school and community, your students’ grade level and social awareness, and the class size and duration.

ITVS COMMUNITY CLASSROOM FILM MODULES

With this Educator Guide, you can build a unit around the entire film or you can focus on one or more of the CLASSROOM film modules. Each module contains several clips and runs approximately five to six minutes. These short modules can easily be incorporated into your classroom curricula. The CLASSROOM film modules include the following chapters and suggested activity alignments:

1. Hip-Hop and the Birth of Sampling (5:28) This module explains what sampling is, and how it came to be widely used in the early days of hip-hop music. It also explores the socio-economic conditions that gave rise to hip-hop as a form of cultural expression, and introduces the seminal work of the rap group Public Enemy. (Focus: Activity 1, Activity 4)

2. Can You Own a Sound? (5:18) This module examines the basic foundations of copyright law and how the music industry began to respond legally to sampling as hip-hop grew in popularity in the 1990s. (Focus: Activity 2, Activity 4)

3. Hip-Hop Sampling: Theft or Tribute? (5:45) This module introduces students to the musical legacies of Clyde Stubblefield and George Clinton, two of the most heavily sampled musicians in hip-hop music. (Focus: Activity 3)

4. Sampling in Other Forms of Media and Industry (4:43) This module explores how other art forms such as the blues and Walt Disney movies have “borrowed” from the work of other artists, and introduces some of the artists at the front of the “remix” culture that has emerged in the 21st century. (Focus: Activity 4)

Get the Classroom Film Modules:

CLASSROOM film modules are available on streaming video format at www.pbs.org/independentlens/classroom. A free DVD with the CLASSROOM film modules and Educator Guide is available to classroom and community educators by contacting ITVS COMMUNITY at outreach@itvs.org. DVD quantities are limited.



Get the Full Film on DVD

In the event that you do not have the CLASSROOM Film Modules, the activities can still be applied to the film in its entirety. As the teacher or educator, make the necessary adjustments to fit the needs of your learning community. DVD copies of *Copyright Criminals* can be purchased from: <http://www.indiepixfilms.com/film/4074?ref=copyright-criminals>

A Reminder to Teachers and Educators

The full film contains some adult language.

RESOURCES**ITVS COMMUNITY CLASSROOM MATERIALS**

- Educator Guide
 - Teacher Handouts and Assessment Tools
 - Community and Viewer Discussion Guide
- All resources are available at:
www.pbs.org/independentlens/classroom

WEBSITES

- PBS Companion Website <http://www.pbs.org/independentlens/copyright-criminals/>
- Best practices in Fair Use, The Center for Social Media:
http://www.centerforsocialmedia.org/resources/fair_use/
- Media Literacy MAP Frameworks, KQED Education Network:
http://www.kqed.org/topics/education/medialiteracy_mapframe_work.jsp
- A list of additional online resources about the history of hip-hop and copyright law:
<http://www.pbs.org/independentlens/copyright-criminals/more.html>

A Reminder to Teachers and Educators

As always, be sure to check these URLs to see if they are still live, if the content is appropriate for your students and classroom, and if they can be accessed at your school. In the event that your school or workplace blocks any of these URLs, access the Web at home and make the necessary print copies for your classroom.

BOOKS

- Banjoko, Adisa, *Lyrical Swords: Hip-hop and Politics in the Mix*, YinSumi Press (2004).
- Chang, Jeff, *Can't Stop Won't Stop: A History of the Hip-hop Generation*, St. Martin's Press (2005).
- Chang, Jeff, *Total Chaos: The Art and Aesthetics of Hip-hop*, Basic Civitas Books (2007).
- Cross, Brian, *It's Not About a Salary: Rap, Race and Resistance in Los Angeles*, Verso Books (1993).
- Kitwana, Bakari, *The Hip-hop Generation: Young Blacks and the Crisis in African American Culture*, Basic Civitas Books (2003).
- Spady, James G., H. Samy Alim and Samir Meghelli, *Tha Global Capha: Hip-hop Culture and Consciousness*, Black History Museum Press (2006).
- McCleod, Kembrew, *Freedom of Expression: Resistance and Repression in the Age of Intellectual Property*, University of Minnesota Press (2007).



ABOUT THE FILM

Is it acceptable to take the work of others and make that part of your own creation? Can you copyright a sound? *Copyright Criminals* examines these questions and others raised by hip-hop artists' use of sampled music. Through interviews with producers and DJs, musicologists and legal experts, the film lays out the issues involved in sampling and describes how lawsuits have changed the way hip-hop music is produced.

Hip-hop began as street entertainment and musical expression among African Americans and Latinos in poverty-stricken areas of the Bronx in the 1970s. It became not just a genre of music but a cultural movement, encompassing dancing, graffiti art and slang. At street parties, hip-hop DJs found ways to emphasize and extend the drum breaks in popular music, and then began incorporating those breaks in their own musical creations. One example is Clyde Stubblefield's "Funky Drummer," recorded with James Brown, which has been the most sampled of those breaks. Throughout the film, numerous clips of hip-hop music illustrate the use of sampling.

Sampling became the hallmark of hip-hop music, with some recordings using dozens of samples. As long as hip-hop was perceived as an urban underground phenomenon, sampling went unchallenged. But, as the popularity of the music grew during the 1980s and early 1990s and hip-hop began making money, others in the music industry took notice. Traditional artists, whose music was being sampled, felt they should be paid for the use of their music and their record labels filed lawsuits for infringement of copyright.

Two cases in particular, both brought in the early 1990s, had sobering effects on the practice of sampling: the Biz Markie case, in which

singer-songwriter Gilbert O'Sullivan sued for the use of a phrase from his popular song, "Alone Again, Naturally," and the \$1.7 million lawsuit against De La Soul for unauthorized sampling of the Turtles' music.

Legal actions against hip-hop producers have made them more cautious and has given rise to a new industry of sample licensing, since permissions must be obtained for every piece of sampled music on a new recording. Some musicians have found ways to skirt the law by altering their samples electronically, and some samplers are going underground.

Legal victories have settled the claims of some record labels, while others have ended in defeat; however, questions about sampling remain. Is it art? Is it improvisation on an existing theme or outright theft of artistry? Does it really use technology in an original and creative way?

Sampling lawsuits have also brought to light the need for copyright law to adjust to new technologies for recording and distribution of creative works. What the film makes clear is that the development of new digital recording technology has democratized the process of creating music. Anyone can produce a mashup and send it out on the Internet. Popular music today is part of a vibrant remix culture that threatens the traditional structure of the music business. As record producer Tom Silverman says at the end of the film, "Society moves forward.... It evolves through taking old things and changing them." Musicians and recording artists, using digital technologies, are following their own rule book. Clearly, copyright law needs to catch up in order to protect artists' rights while allowing musical creativity to grow and flourish.



Activity 1

Hip Hop and the Birth of Sampling
(90-120 min + assignments)

“There was always a culture of borrow and take, because there was a culture [that was] founded upon a lack of resources.”

-Bobby Garcia (Rocksteady Crew)



Activity 1

Hip Hop and the Birth of Sampling (90-120 min + assignments)

Subject areas: Social Studies, Sociology, Economics, History, Cultural Studies, Media Studies

Lesson Purpose:

The development of sampling, it could be argued, is a classic “making something out of nothing” scenario. Hip-hop was birthed in the innovation of manipulating music on vinyl records with turntables; making music with samplers is a logical next step. This lesson examines the roots of hip-hop and how sampling arose out of necessity – because of the conditions and the creativity of the practitioners.

Objectives:

Students will:

- Understand the roots and the socioeconomic context of hip-hop culture.
- Examine the use of sampling in hip-hop: its origins as well as its use over time.
- Compare and contrast heavily sampled seminal hip-hop music and artists with more contemporary forms.

Skills: Stating and supporting opinions in class discussions and in writing; analytical reading and viewing; note taking; interpreting information and drawing conclusions; critical thinking; identifying cause and effect; identifying relationships and patterns; creating various forms of media; oral presentation

Materials:

- Computers with an Internet access and/or with DVD capability
- LCD projector or DVD player
- **COPYRIGHT CRIMINALS Discussion Guide**
- **COPYRIGHT CRIMINALS Film Module 1 “Hip Hop and the Birth of Sampling”**
- Whiteboard/markers, or chalkboard/chalk
- **Teacher Handout A:** Assignment Rubric
- **Student Handout A:** Module 1 Note Taking Guide
- **Student Handout B:** Quotes

Procedures:

PREVIEWING ACTIVITY:

1. Introduction:

Have students copy this quote from the film and then write quick responses to it:

The idea of not having any instruments, but having a turntable and saying, well, fine, this is my instrument. You know? And you see it now with people with overturned buckets and pots and pans. And we saw it then.

–Saul Williams

- I think hip-hop started because...
- Other objects/tools that could be used as musical instruments are...
- An example of when people used or borrowed something to create something new is...

Call on students to share their responses and discuss opinions.



2. Sampling Glossary: Post and review the terms from the *Independent Lens* website (<http://www.pbs.org/independentlens/copyright-criminals/glossary.html>). Have students share what they know and what they've heard about sampling, hardware, software, music-making, and hip-hop. Construct a grade-level-appropriate working classroom definition of what "sample" is. (For example, a piece of an existing document or recording that is then used in a new work of art.) The film module for this lesson opens with a definition of "sample," so you can compare this with the class's definition.

3. The Birth of Hip-Hop: Have students read the "Making a Name" excerpted from Jeff Chang's *Can't Stop Won't Stop: A History of the Hip-Hop Generation* (<http://cantstopwontstop.com/reader/excerpt/>).

For visual and audio context, it would be useful to show the "Masculinity" video module from the *Independent Lens* film *Hip-Hop: Beyond Beats and Rhymes*. The last portion of this module focuses on the social and economic conditions of the Bronx during the early days of hip-hop. You can find it at <http://www.pbs.org/independentlens/classroom/hiphop.html>.

It may also be useful to show the 1983 Sundance Grand Prize documentary film *Style Wars* (<http://www.stylewars.com>), which has some great footage of New York City during that era, as well as hip-hop MCs, DJs, and breakdancers. In addition, search and play video clips online such as: New York City – The South Bronx in the 1970s and 1980s (<http://www.youtube.com/watch?v=Atl-En92Xso>) and (<http://www.youtube.com/watch?v=kqawnkoCi1Y>), and 1970s Gangs and Graffiti (<http://www.youtube.com/watch?v=Nz8tOK8NGg&NR=1>). As extended background reading and context, it would be informative for the teacher and students to read more of Jeff Chang's book, especially the first two chapters "Babylon is Burning: 1968-1977" (the chapter the previous excerpt is from) and "Planet Rock: 1975-1986."

- What were Kool Herc's influences?
- How did Kool Herc make do with what he had and innovate to create something better?
- How could a rec-room party have such an influence on people and the birth of a culture?
- What do you notice about the physical environment of New York City in the 1970s and 1980s? What do you notice about the cultural environment?
- Why do you think the cultural phenomenon of hip-hop started specifically in New York City during this time?

4. Timeline of Hip-Hop: Have students read the "About Hip-Hop Timeline" from the *Independent Lens* website (<http://www.pbs.org/independentlens/hiphop/timeline.htm>) in pairs. Assign a different decade to each pair. Direct pairs to note dates, events, and people that stand out to them and explain why. They can also add any events and people they feel had an impact on hip-hop during the decade, but that aren't on the timeline. Then, have the students get into a larger group (perhaps four total) to compare notes with other pairs who are studying the same decade. Have each of the four larger groups report back to the class. You can also refer to the "About Hip-Hop" glossary on the *Independent Lens* website to clarify any terms (<http://www.pbs.org/independentlens/hiphop/glossary.htm>). Ask the students the following questions:

- What were the key events/people that drove that decade in hip-hop?
- How commercially viable was hip-hop in that decade? How can hip-hop be positioned in relation to (or within) mainstream culture in that decade?
- What were the primary changes and innovations in hip-hop during that period?
- In what ways has hip-hop changed since that period (sound/visual style/fashion/etc.)? Why?
- What do you predict the this new decade, the second decade of the 21st century, will hold for hip-hop? Do you agree or disagree that, as rapper Nas titled his 2006 album, *Hip-Hop is Dead*?

5. Provide Background Information on COPYRIGHT CRIMINALS: Briefly introduce the film *Copyright Criminals*. Note that the film module will cover the roots of hip-hop as well as the "golden age" of sampling. Have students read **COPYRIGHT CRIMINALS Discussion Guide** pages 2-3, which are particularly about the roots of hip-hop.



VIEWING THE FILM:

6. Viewing the Film Module: Instruct students to take notes on **Student Handout A: Module 1 Note Taking Guide** as they view the **COPYRIGHT CRIMINALS Film Module**, and have them record the perspectives of various subjects from the film.

REFLECTING ON THE FILM:

7. Review and Discuss: Debrief the module and notes by discussing them together as a class. Have students review the **Student Handout B: Quotes** before the discussion. Use the following guide questions:

- What were the original reasons for using turntables and samplers to make music?
- Do you think the turntable itself is a musical instrument? Why or why not?
- How did the music-making process of groups such as Public Enemy use samples? What was their purpose and how did they view their use of sampling to create music? Do you agree or disagree?
- How was Public Enemy revolutionary both in their sound and in their message? What does it mean that they were “reanimating” the voices of iconic black leaders by sampling their speeches?
- Can you think of any recent hip-hop songs that use samples? How do you think the artists were able to use those samples in the current context of hip-hop as a worldwide economically viable industry?

8. A Deeper Look at the History of Sampling: Have students read/listen to “Steinski Gives A Sampling History Lesson” an interview with sampling pioneer Steinski and retrospective of 30 decades of sampling from National Public Radio (<http://www.npr.org/templates/story/story.php?storyId=93844583>). Have students listen to “Steinski’s Sampler of Sampling” for some examples of other sampled music as well his own “Lesson” mixes. (Note: Teachers can also use websites such as Grooveshark (<http://listen.grooveshark.com/>), Last FM (<http://www.last.fm>), Pandora Radio (<http://www.pandora.com>), Myspace Music (<http://music.myspace.com>), and YouTube (<http://www.youtube.com>) to search for and stream music online for classroom use, especially if you want students to listen to full versions of songs from the film).

- What is Steinski’s view on sampling? What was his intention with creating the “collage” pieces?
- How did the featured artists use sampling in their music?
- Sampling started as a necessity because, to quote Bobbito Garcia from the film, “There was always a culture of borrow and take, because there was a culture [that was] founded upon a lack of resources.” Is that the case now?

9. Assignment - Compare and Contrast Research Project: In small groups, have students research two hip-hop artists: one from the “golden era” of sampling (De La Soul, Public Enemy, Beastie Boys, Boogie Down Productions, etc.) and one more contemporary hip-hop artist of their choice. Have them compile information and write their analysis and include songs, videos, etc. They should look specifically at the social context that informed the music of the “golden era,” versus that of the contemporary artist and the current times: social, political, and economic conditions and events (e.g. recession, first African American president). They should also analyze differences in the culture and music industry that they occupy: how much ownership they have of their music, where the money for producing their music comes from, how the artists or their label promote the music, etc. They can also look at the differences in the production techniques, sound, imagery, lyrics, and so on. Have them collect images, video, audio, interviews, news articles, written accounts, etc., and organize them into time periods, drawing connections between the personal and the historical, and showing developments over time. They should then publish their findings on a web page, blog, podcast, PowerPoint, or other form of audio/visual and/or web-based presentation. A web-based timeline tool such as Capzles (<http://www.capzles.com>) is a good place to create these.

Assessment

Use **Teacher Handout A: Assignment Rubric** to assess groups’ research projects. Students should receive the rubric in advance to guide their research.



Extension activities for students:

1. Using the process the Bomb Squad worked with, create a “sample script,” such as the one used by Public Enemy in the film. Form a group, and have each member brainstorm sounds and samples they might bring in to make into an audio collage. Map out the track on graph or chart paper.
2. Research a favorite song or music piece. Try to identify the tracks that have been sampled to create the piece. Websites such as Who Sampled? (<http://whosampled.com>) and The-Breaks (<http://the-breaks.com>) can be good resources.
3. Give small groups an assortment of everyday items found in the classroom and the household: scissors, rulers, jars, etc. and have them create music with them. Have them brainstorm other items they could use. You can reference and show examples, such as the Broadway stage show *STOMP*.

Recommended National Standards**THE CONSORTIUM OF NATIONAL ARTS EDUCATION ASSOCIATIONS****Music: Grades 9-12**

Standard 6: Listening to, analyzing, and describing music

Standard 9: Understanding music in relation to history and culture

NATIONAL COUNCIL OF TEACHERS OF ENGLISH**Grades K-12**

Standard 1: Students read a wide range of print and non-print texts to build an understanding of texts, of themselves, and of the cultures of the United States and the world; to acquire new information; to respond to the needs and demands of society and the workplace; and for personal fulfillment. Among these texts are fiction and nonfiction, classic and contemporary works.

Standard 7: Students conduct research on issues and interests by generating ideas and questions, and by posing problems. They gather, evaluate, and synthesize data from a variety of sources (e.g., print and non-print texts, artifacts, people) to communicate their discoveries in ways that suit their purpose and audience.

Standard 8: Students use a variety of technological and information resources (e.g., libraries, databases, computer networks, video) to gather and synthesize information and to create and communicate knowledge.

NATIONAL COUNCIL FOR THE SOCIAL STUDIES**I. Culture**

I.a. Analyze and explain the ways groups, societies, and cultures address human needs and concerns;

INTERNATIONAL SOCIETY FOR TECHNOLOGY IN EDUCATION

Standard 1. Creativity and innovation

- Students demonstrate creative thinking, construct knowledge, and develop innovative products and processes using technology.

Standard 3. Research and information fluency

- Students apply digital tools to gather, evaluate, and use information.

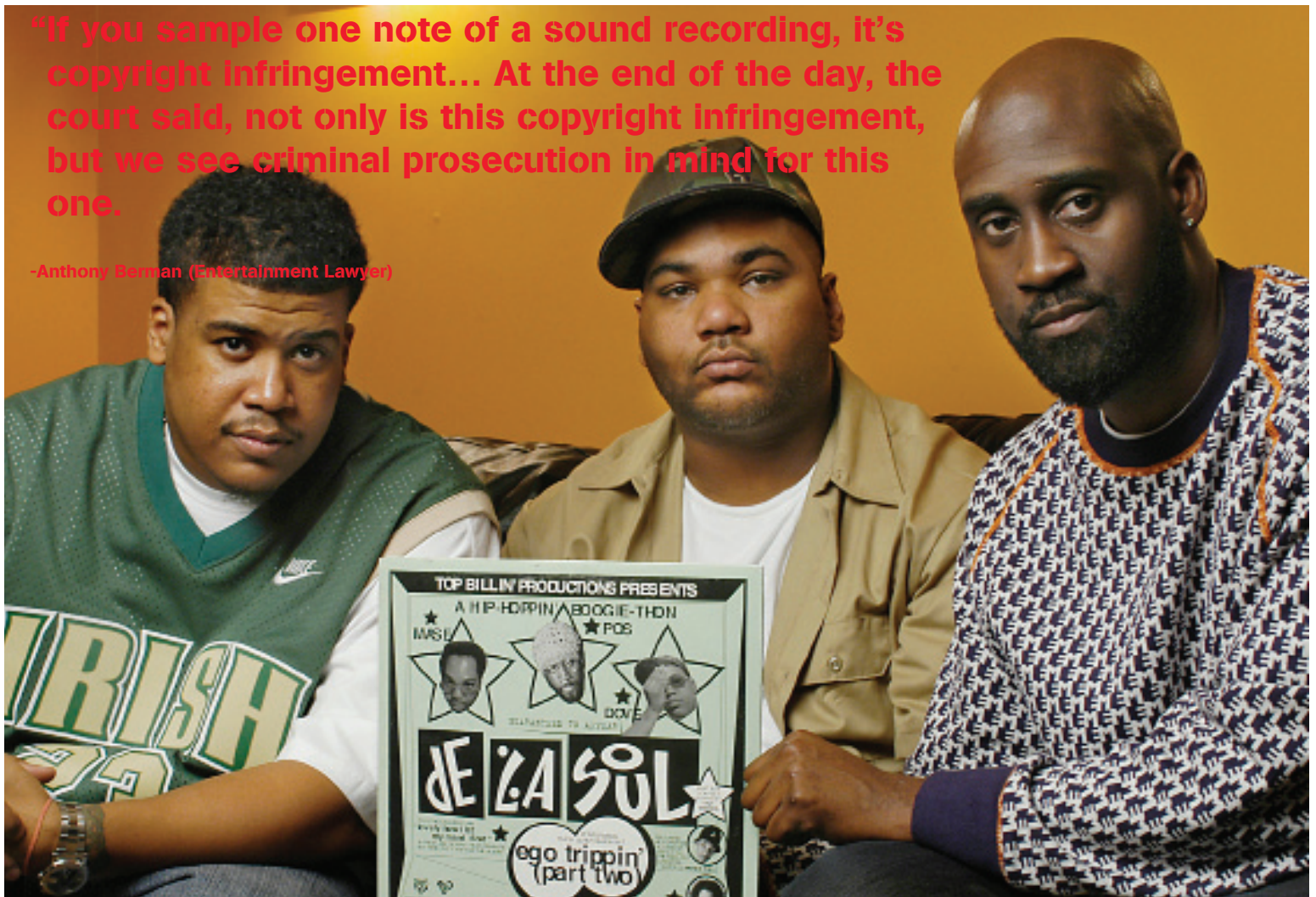


Activity 2

Can You Own a Sound?
(90-120 min + assignments)

“If you sample one note of a sound recording, it’s copyright infringement... At the end of the day, the court said, not only is this copyright infringement, but we see criminal prosecution in mind for this one.

-Anthony Derman (Entertainment Lawyer)



Activity 2

Can You Own a Sound? (90-120 min + assignments)

Subject areas: Social Studies, Civics, Government, Sociology, Language Arts, Economics, Ethics, Law, Business, Media Studies

Lesson Purpose:

Copyright law developed over time to protect intellectual property of artists and creators. As sampling in hip-hop grew into both a cultural and economic force, the music business evoked copyright laws to protect the recordings they own. This lesson looks at the ways that artists borrow and appropriate in the creative process across mediums. Students will take a look at the issue from both sides and debate whether or not “copying” should be allowed.

Objectives:

Students will:

- Learn about copyright law and the exception of fair use.
- Investigate artistic appropriation in visual art, film, and literature, as well as in music.
- Prepare and present a debate with their classmates.

Skills: Stating and supporting opinions in class discussions and in writing; analytical reading and viewing; note taking; interpreting information and drawing conclusions; critical thinking; identifying cause and effect; identifying relationships and patterns; creating various forms of media

Materials:

- Computers with Internet. LCD projector or DVD player
- **COPYRIGHT CRIMINALS Discussion Guide**
- **COPYRIGHT CRIMINALS Film Module 2 “Can You Own a Sound?”**
- Whiteboard/markers, or chalkboard/chalk
- **Student Handout A:** Module 2 Note Taking Guide
- **Student Handout B:** Quotes
- **Student Handout C:** Debate Roles & Format
- **Student Handout D:** Debate Notes
- **Student Handout E:** Debate Peer Evaluation Rubric

Note to Teachers: For your own background information and preparation, there are good reference primers for copyright law and fair use on the Teaching Copyright website (<http://teachingcopyright.org>) and in the article “Copyright for Educators” on the KOCE (PBS) website (<http://www.koce.org/classroom/copyright.htm>). You may want to give additional “intro” lessons using these materials if your class needs more background and context.

Procedures:

PREVIEWING ACTIVITY:

1. Introducing Copyright Law & Music:

Ask the class if it is anyone’s birthday. If not, ask who will be having a birthday soon. Invite the class to sing “Happy Birthday to You.” After singing, read the articles “How Long Do Copyrights Last?” and “The Copyright



Term Extension Act of 1998” from the Sampling Law website (<http://superswell.com/samplelaw/main.html>) to the class. Have students respond to the following:

- I was/was not surprised to hear that “Happy Birthday to You” is copyrighted because...
- The composers of the song should/should not receive royalties because...
- Anyone should/should not be able to sing and use this song for free because...

2. Borrowing vs. Stealing:

Have students read “Something Borrowed” by Malcolm Gladwell from The New Yorker website (http://www.newyorker.com/archive/2004/11/22/041122fa_fact). (Note: “The ecstasy of influence: A plagiarism” by Jonathan Lethem (<http://www.harpers.org/archive/2007/02/0081387>) can be used as an additional reading with similar arguments using different examples).

Discuss the following with the class:

- Gladwell gives many examples of artistic appropriation, from literature to journalism to music. Do you agree that many artists borrow as a fundamental part of the artistic/creative process? Should artists have the freedom to do so?
- Gladwell makes a distinction between borrowing that is derivative versus borrowing that is transformative. Is one wrong and the other right? How can we tell the difference and who ultimately determines that?
- What other examples of artistic appropriation can you think of?

3. The Fair Use Exception:

Instruct students to read about fair use as related to borrowing from copyrighted works on the Sampling Law website (<http://www.superswell.com/samplelaw/fairuse.html>). Discuss and clarify what fair use means and what is deemed fair use. Introduce the case of the Associated Press vs. Shepard Fairey, the artist who created the iconic Obama “Hope” poster which became ubiquitous during the 2008 Presidential campaign. The AP filed a lawsuit against Fairey claiming copyright infringement because he used an AP-owned photograph as a reference. Have students read and refer to this op-ed piece from *The Huffington Post* (http://www.huffingtonpost.com/jonathan-melber/the-ap-hase-no-case-again_b_165068.html), which includes references and visual examples from other cases such as Blanch vs. Koons. Fairey also speaks about the case on his own website (<http://obeygiant.com/headlines/the-ap-obama-referencing#reference1>). Take a quick thumbs-up/thumbs-down poll to find out if the class thinks that Fairey did indeed infringe upon the AP’s rights to the image he used.

Discuss the following with the students:

- If you would find Fairey guilty of copyright infringement, explain why.
- If you would judge Fairey’s poster as falling under the fair use exception, explain why.
- Should Fairey have given credit to the photograph he referenced when he first distributed his poster? Why or why not?
- Should the AP pursue the lawsuit even if the photographer himself does not see Fairey’s use as illegal? Explain.
- Should the AP and/or the photographer be compensated for the use of the photograph as a reference? Why or why not?
- Is there any difference between a visual artist using a photograph for reference and a musical artist using a sample of a sound recording?

4. Provide Background Information on COPYRIGHT CRIMINALS:

Briefly introduce the film *Copyright Criminals*. Note how the film module will cover how artists have referenced and appropriate other works in music, visual art, and film. Have students read and discuss **COPYRIGHT CRIMINALS Discussion Guide** page 2, which features the filmmakers talking about how they encountered and dealt with copyright issues in creating the film itself. There is a related interview with the filmmakers on the *Independent Lens* website (<http://www.pbs.org/independentlens/copyright-criminals/makingof.html>). Have them also read “Copyright Overview” and “What is Fair Use?” on page 4 of the **Discussion Guide**.



VIEWING THE FILM:

5. Viewing the Film Module: Instruct students to take notes on **Student Handout A: Module 2 Note Taking Guide** as they view the **COPYRIGHT CRIMINALS Film Module**, recording the views of the different speakers in the module. After watching, give students time to note whether the speaker is for or against sampling and other forms of artistic appropriation.

REFLECTING ON THE FILM:

6. Review and Discuss: Debrief the module and notes by discussing them together as a class. Have students review the **Student Handout B: Quotes** before the discussion. Use the following guide questions:

- Should sampling someone else’s music – even one note – without permission be an offense suitable for criminal prosecution? Why or why not?
- Who do you agree with the most in the film module? Who do you most disagree with? Explain.
- How did the early cases of sample lawsuits in the 1990s change the way hip-hop producers approached sampling in subsequent decades?
- How is race involved in the sample clearance/copyright industry?
- What is a fair rate to charge for sampling someone’s music with permission?
- Should sampling be treated differently from covering a song in terms of copyright law and clearance? Why or why not? If so, how?
- What, if any, are the exceptions for when “copying” is acceptable?

7. Debate Preparation: Review copyright law and fair use with the class and explain that the students will debate whether artists should have the ability to “borrow” freely in the process of creation. Organize students into groups of four to six, with groups being either “PRO” artistic and creative freedom or “CON.” The “PRO” side can also refer to the *Independent Lens* interview with legal scholar Larry Lessig (<http://www.pbs.org/independentlens/copyright-criminals/fair-use.html>), and both sides can benefit from the *Independent Lens* “Learn More” page (<http://www.pbs.org/independentlens/copyright-criminals/more.html#copy>). Distribute and review **Student Handout C: Debate Roles & Format** and have groups decide each member’s role(s). Then, direct groups to prepare their arguments and statements using **Student Handout D: Debate Notes**. They should research and prepare examples to support their side: from the film or readings, or from further research.

8. Assignment - Debate: Arrange the classroom into a debate-audience format with two sides facing each other in front of the rest of the class. Review the expectations with the criteria outlined on **Student Handout E: Debate Peer Evaluation Rubric**. Moderate the debate by following the debate format. Debrief by discussing the persuasiveness of the arguments and whether or not there can be a compromise or a way for the system to allow and encourage creativity, while at the same time protecting the rights of the creators.

Assessment

Direct students in the audience to assess their classmates in the debate groups using **Student Handout E: Debate Peer Evaluation Rubric**. You can also use the same rubric to do a teacher evaluation of the debate groups.

Extension activities for students:

1. Host a round-table discussion with individuals who are local resources on the subject of copyright: artists, musicians, lawyers, musicologists. Prepare questions and record responses from these “experts.”
2. Using visual art, music, literature, or other areas of artistic expression, create a piece that draws from and appropriates an existing work. Have the artist explain their intentions, how it differs from the referenced work, how and why they used the previous work, and how their experience was in creating the work.



3. Research the current state of copyright law. What groups or organizations want stronger copyright and intellectual property laws and why? How are they going about their cause? On the other side, what groups or organizations want greater artistic freedom within the law? How are they fighting to get it?
4. Research and prepare a presentation of artists who have referenced or appropriated other art in their works. Have the class evaluate whether or not the works are transformative or derivative. The class could develop criteria to make such a determination.
5. Research the creativity, legality and value of the DJ “mixtape.” Good starter articles include this piece on the RIAA raid of the Atlanta studio of DJ Drama in 2007 (<http://www.reuters.com/article/idUSN2135284520070123>), and this piece on “artist mixtapes” as a means to break into the industry (<http://www.reuters.com/article/idUSTRE60T0K820100130>). A good resource for a wide range of DJ mixes is Mixcrate (<http://mixcrate.com>).

Recommended National Standards

MID-CONTINENT RESEARCH FOR EDUCATION AND LEARNING STANDARDS

Career Education

Business Education

- Standard 6. Understands how the legal system affects business
 Standard 34. Understands the role of ethics in the business world

Civics

- Standard 3. Understands the sources, purposes, and functions of law, and the importance of the rule of law for the protection of individual rights and the common good

NATIONAL COUNCIL FOR THE SOCIAL STUDIES

V. Individuals, groups, & institutions

- V.a. Apply concepts such as role, status, and social class in describing the connections and interactions of individuals, groups, and institutions in society;

VII. Production, distribution, & consumption

- VII.b. Analyze the role that supply and demand, prices, incentives, and profits play in determining what is produced and distributed in a competitive market system;

VIII. Science, technology, & society

- VIII.a. Identify and describe both current and historical examples of the interaction and interdependence of science, technology, and society in a variety of cultural settings;

X. Civic ideals & practices

- X.d. Practice forms of civic discussion and participation consistent with the ideals of citizens in a democratic republic;

INTERNATIONAL SOCIETY FOR TECHNOLOGY IN EDUCATION

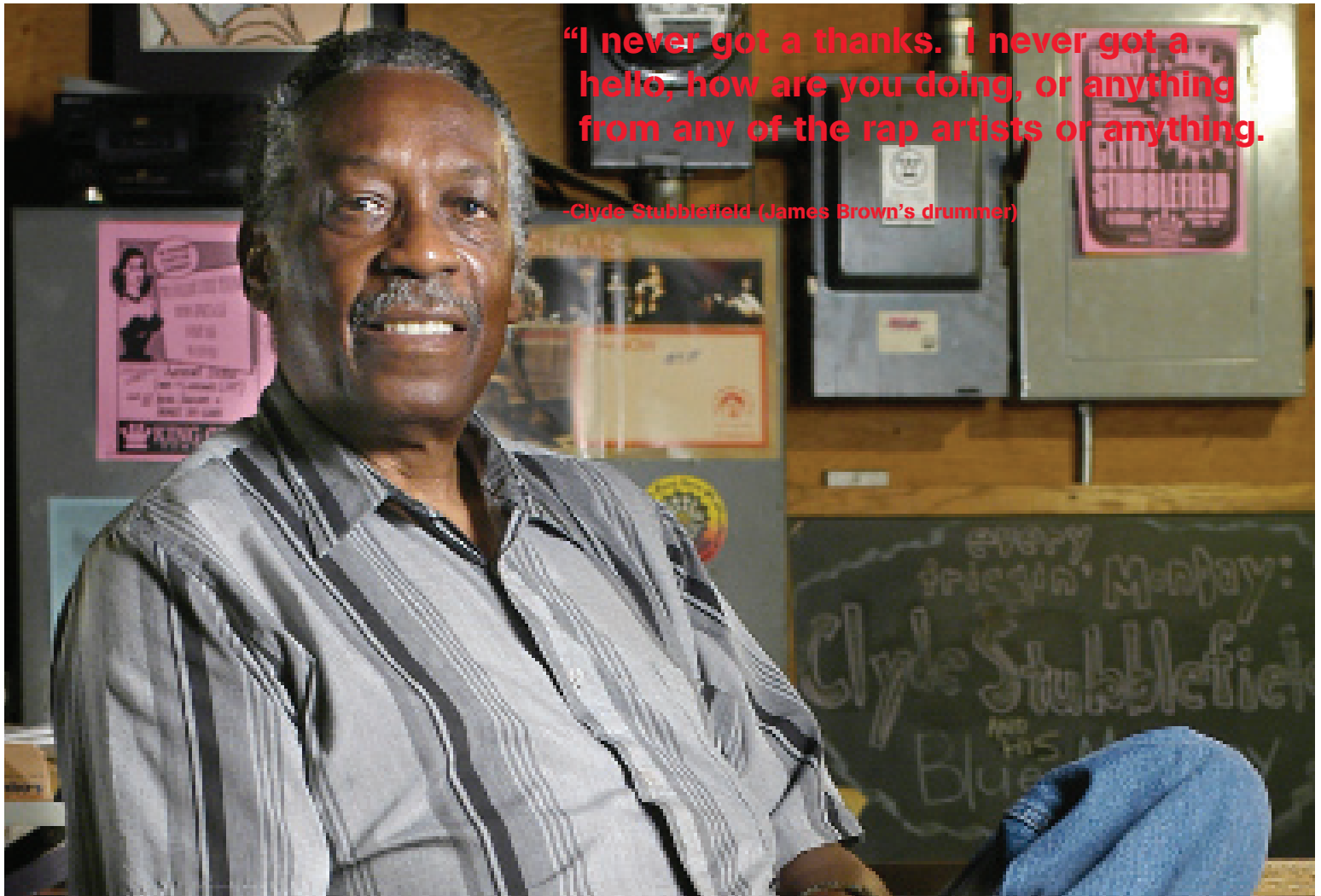
Standard 5: Digital citizenship

- Students understand human, cultural, and societal issues related to technology and practice legal and ethical behavior



Activity 3

Hip Hop Sampling: Theft or Tribute?
(90-120 min + assignments)



Activity 3

Hip Hop Sampling: Theft or Tribute? (90-120 min + assignments)

Subject areas: Social Studies, Civics, Government, Sociology, Language Arts, Economics, Ethics, Art/Music, Business, Media Studies

Lesson Purpose:

The course of sampled music has created a cycle in which sampled artists can gain an audience in a new generation of listeners. This lesson takes into account the attention that artists can and have received by being sampled. Students will look into musical legacies that have been created with sampling and create their own versions of oft-sampled records.

Objectives:

Students will:

- Identify samples in popular songs.
- Investigate the far-reaching effects of certain artists and records that have been sampled again and again.
- Reflect on how some artists' careers have been revived from being sampled.
- Create their own musical composition using a sampled break.

Skills: Stating and supporting opinions in class discussions and in writing; analytical reading and viewing; note taking; interpreting information and drawing conclusions; critical thinking; identifying cause and effect; identifying relationships and patterns; creating various forms of media

Materials:

- Computers with Internet LCD projector or DVD player
- **COPYRIGHT CRIMINALS Discussion Guide**
- **COPYRIGHT CRIMINALS Film Module 3 “Hip Hop Sampling: Theft or Tribute?”**
- whiteboard/markers, or chalkboard/chalk
- **Teacher Handout A:** Assignment Rubric
- **Student Handout A:** Module 3 Note Taking Guide
- **Student Handout B:** Quotes

Procedures:

PREVIEWING ACTIVITY:

1. Bring that Beat Back:

Play three examples of songs that were noticeably sampled by popular contemporary artists. For example, “Straight to Hell” by The Clash, sampled in M.I.A.’s “Paper Planes”; “Move on Up” by Curtis Mayfield, sampled in Kanye West’s “Touch the Sky”; “Love on a Two-Way Street” by The Moments, sampled in Jay-Z & Alicia Keys’ “Empire State of Mind.” (Note: Teachers can use websites such as Who Sampled? (<http://www.whosampled.com>), Grooveshark (<http://listen.grooveshark.com/>), Last FM (<http://www.last.fm>), Pandora Radio (<http://www.pandora.com>), Myspace Music (<http://music.myspace.com>), and YouTube (<http://www.youtube.com>) to search for and stream music online for classroom use). Call on students to respond:



- What is the more recent song that samples this original? Describe how much of the song they sampled and how they used it.
- After listening to the original, how do you like it? How does it compare to the song that samples it? Did the sampler take the best part of the song?
- Are you curious who the original artist is? Would you want to listen to more music by the original artist?
- How and why do you think the producer chose to sample that particular artist and song?

2. How Far Can a Sample Go?

Have students listen to “Can I Get An Amen?”, the audio installation by Nate Harrison about the Amen break, the infamous four bar drum break taken from obscure 1960s funk/soul band The Winstons’ song “Amen, Brother.” The Amen break has been credited in dozens—if not hundreds—of hip-hop recordings and later became the foundation for the jungle/drum-and-bass musical genre (http://nkhstudio.com/pages/popup_amen.html).

Discuss the following with the class:

- Why was this particular drum break so “usable” and ultimately so ubiquitous?
- How did producers use digital samplers to creatively use the Amen break? Which use do you like the best and why?
- Can it be argued that hip-hop, sampling, and the era digital music rescued The Winstons from obscurity? Why or why not?
- Should The Winstons have been credited and compensated for the many uses of their record? How do you think they feel about the mileage that producers and music as a whole has gotten out of their break?

3. Provide Background Information on COPYRIGHT CRIMINALS: Briefly introduce the film *Copyright Criminals*. Note how the film module will focus on artists who have been famously sampled in hip-hop, such as JB’s drummer Clyde Stubblefield, Parliament/Funkadelic front man George Clinton, and The Beatles. Have students read page 4 of the **COPYRIGHT CRIMINALS Discussion Guide**, specifically “Copyright Ownership and Fees” and “Creative Commons.”

VIEWING THE FILM:

4. Viewing the Film Module: Instruct students to take notes on **Student Handout A: Module Note Taking Guide** as they view the **COPYRIGHT CRIMINALS Film Module**, making note of the artists who were sampled and the hip-hop songs that sampled them.

REFLECTING ON THE FILM:

5. Review and Discuss: Debrief the module and notes by discussing them together as a class. Have students review the **Student Handout B: Quotes** before the discussion. Use the following guide questions:

- What impact(s) does sampling have on the original artists? Is the effect generally good or bad for the sampled artist? In what ways?
- Clyde Stubblefield, the most sampled drummer in hip-hop, worked as a session musician on James Brown’s records, and never received publishing or composing credit for music on which he was prominently featured. Is this fair? Why or why not? Should he be compensated for the use of his drum hits and patterns in sampled music?
- Do you agree with Shock G’s painter/photographer analogy? Why or why not?
- George Clinton’s career was arguably revitalized by hip-hop’s sampling of his music. However, he argues that the hip-hop artists should pay. Do you agree or disagree?
- If you wanted to make a song, should you have the right to be able to sample? Should you have to pay the artist you sample? Why or why not?
- How would you feel if someone else sampled your song? Does money affect the way you feel about it? Does it make a difference if the person who sampled your song is making money from his/her music? Does it make a difference if you are being compensated financially for it? What would you want someone sampling to do in return?
- What other examples are there of sampling bringing attention to the music of the sampled artist in a positive way?
- What is Creative Commons, how does it work, and is it an effective way to mediate between the rights of the artist and the creativity of the samplers?



6. Assignment: Funky Drummer: Assign students in small groups to take a previously sampled piece of music such as “Funky Drummer,” “Amen, Brother,” or another one from the beginning of the lesson and create their own piece. Have them create a “sample script” similar to the one by Public Enemy shown in Module 1. They could also search for their own sound sources (<http://www.freesound.org> is a great Creative Commons site with tons of sounds – including drum loops and breaks) to compose an audio collage with. Using a free audio editing and recording tool such as Audacity (<http://audacity.sourceforge.net/>) or more involved production software such as GarageBand or Pro Tools (especially for music production classes), students can re-arrange the break, add or subtract elements, record their own lyrics or vocals, or even layer and collage speeches or other “found sound” sources to create their own composition. Direct groups to upload finished compositions to a blog or class website and have groups listen to and comment/critique each other’s works. Have them also attribute their sample sources in some way, such as including a recognition on their web post, or adding links to the original artist’s website or to a place where their music can be purchased.

Note to teacher: Depending on availability of computers, internet access and other technology constraints, it may be more practical and have just as much impact to have students create recordings using a tape recorder or even the voice recorder on most cell phone/smartphone devices.

Assessment

Use **Teacher Handout A: Assignment Rubric** to assess groups’ media productions. Students should receive the rubric in advance to guide their work.

Extension activities for students:

1. Research the music and backgrounds of artists who were sampled. Explore the genre and era of the music that the sampled artist comes from.
2. Trace the musical DNA of a series of songs using the Who Sampled? website (<http://www.whosampled.com>). For example, students can see how songs that use samples have themselves been sampled, and so on. They can have a contest to find the series of songs with the most “generations” of sampling.
3. Research the different types of copyrights involved in music in a deeper way, looking at publishing, songwriting, recording, etc. Develop a presentation for the class.
4. View the DJ Shadow scene from the film *Scratch* (<http://www.youtube.com/watch?v=1gpKYnRdf0A>). Reflect on how digging for records and sampling is a form of preservation of those artists’ legacies. Research other artists who have preserved or paid tribute to forgotten/unsung forbears in their own work.

Recommended National Standards

THE CONSORTIUM OF NATIONAL ARTS EDUCATION ASSOCIATIONS

Music: Grades 9-12

Standard 4: Composing and arranging music within specified guidelines

Standard 6: Listening to, analyzing, and describing music

MID-CONTINENT RESEARCH FOR EDUCATION AND LEARNING STANDARDS

Career and Business Education

Standard 34. Understands the role of ethics in the business world

NATIONAL COUNCIL FOR THE SOCIAL STUDIES

V. Individuals, groups, & institutions

V.a. Apply concepts such as role, status, and social class in describing the connections and interactions of individuals, groups, and institutions in society;

VII. Production, distribution, & consumption

VII.b. Analyze the role that supply and demand, prices, incentives, and profits play in determining what is produced and distributed in a competitive market system;



Activity 4

Sampling in Other Forms of Media and Industry
(90-120 min + assignments)

“That’s how society moves forward. It doesn’t just invent new things. It evolves through taking old things and changing them.”

-Tom Silverman (Record Producer)



Activity 4

Sampling in Other Forms of Media and Industry

(90-120 min + assignments)

Subject areas: Social Studies, Civics, Government, Sociology, Language Arts, Economics, Art/Music, Economics, Law, Media Studies, Cultural Studies

Lesson Purpose:

Cutting-edge artists continue to push the boundaries of creativity, often borrowing and referencing the work of artists before them. This lesson takes a look at the fashion industry, contrasting the lack of intellectual property protection for designers with its speed of innovation and creativity. It also takes another look at the music industry, this time at artists who are taking sampling into the future with their innovations. Students will research artists who are predominantly taking works of the past and creating something new.

Objectives:

Students will:

- Consider perspectives for how the creative process moves forward.
- Investigate the role of artistic appropriation in the fashion industry.
- Find out how musicians are currently using sampling, as well as the direction(s) sampling could be taking now.
- Research an artist in any medium whose works are clearly referential.

Skills: Stating and supporting opinions in class discussions and in writing; analytical reading and viewing; note taking; interpreting information and drawing conclusions; critical thinking; identifying cause and effect; identifying relationships and patterns; creating various forms of media

A note to teachers: This lesson should follow the previous lessons as it assumes prior knowledge about sampling and copyright law.

Materials:

- Computers with Internet. LCD projector or DVD player
- **COPYRIGHT CRIMINALS Discussion Guide**
- **COPYRIGHT CRIMINALS Film Module 4 “Sampling in Other Forms of Media and Industry”**
- Whiteboard/markers, or chalkboard/chalk
- **Teacher Handout A:** Assignment Rubric
- **Student Handout A:** Module 4 Note Taking Guide
- **Student Handout B:** Quotes

Procedures:

PREVIEWING ACTIVITY:

1. Introduction:

Have students copy and write quick responses to this quote from the film:

That’s how society moves forward. It doesn’t just invent new things. It evolves through taking old things and changing them. –Tom Silverman



- I think Silverman means...
- Some examples of advances in society that came out of people making something “new” from something “old” include...
- I agree/disagree with Silverman because...

Call on students to share their responses and discuss opinions.

2. Another Perspective: The Fashion Industry

Explain that, unlike the music industry, the fashion industry has flourished without copyright protection on designs. Post and read this passage from the article “Control of creativity: Fashion’s secret” from the Christian Science Monitor (<http://www.csmonitor.com/2003/0909/p09s01-coop.html>).

Through fashion we have a ringside seat on the ecology of creativity in a world of networked communication. Ideas arise, evolve through collaboration, gain currency through exposure, mutate in new directions, and diffuse through imitation. The constant borrowing, repurposing, and transformation of prior work are as integral to creativity in music and film as they are to fashion.

Divide the class into five groups and explain that each group will read and discuss different (but related) articles and then report back to the class. Distribute the previously mentioned article as well as the following:

“The Fashion Industry’s Piracy Paradox” from PublicKnowledge.org
(<http://www.publicknowledge.org/node/597>)

“Flattery Gets You Everywhere” from Financial Times
(<http://www.ft.com/cms/s/2/d8fa7b7c-93f9-11dc-acd0-0000779fd2ac.html>)

“Why That Hoodie Your Son Wears Isn’t Trademarked” from The New York Times
(<http://www.nytimes.com/2007/04/05/business/05scene.html?ex=1333425600&en=bf7593c76d8b819&ei=5090&partner=rssuserland&emc=rss>)

“Put A Patent on That Pleat” from BusinessWeek

(http://www.businessweek.com/print/magazine/content/08_13/b4077065407184.htm)

**College, and even high-school classes could also read “The Piracy Paradox: Innovation and Intellectual Property in the Fashion Industry” by law professors Kal Raustiala and Christopher Jon Sprigman from the *Virginia Law Review* (http://papers.ssrn.com/sol3/papers.cfm?abstract_id=878401) .

Have groups read, take notes, and discuss the following guide questions.

- Why has the fashion industry been commercially viable even sans copyright protection for designers?
- How does borrowing and copying help the creative process in fashion design?
- What might happen if laws such the 2006 proposed Design Piracy Prohibition Act were to be passed?

Direct groups to choose a spokesperson to report to the class. Then pose this final question and discuss all together:

- Could the fashion industry’s model be viable for the music industry, in terms of the sampling and borrowing of sounds and musical ideas?

3. Provide Background Information on COPYRIGHT CRIMINALS: Briefly introduce the film *Copyright Criminals*. Note that the film module will focus on artists who are at the forefront of digital technology and sampling, such as audio/visual mashup artists Eclectic Method.

VIEWING THE FILM:

4. Viewing the Film Module: Instruct students to take notes on **Student Handout A: Module 4 Note Taking Guide** as they view the **COPYRIGHT CRIMINALS Film Module**, making note of the artists who are “carrying the torch” for the future of sampling and music production.



REFLECTING ON THE FILM:

5. Review and Discuss: Debrief the module and notes by discussing together as a class. Have students review the **Student Handout B: Quotes** before the discussion. Use the following guide questions:

- How did the filmmakers use sampling and remixing in the film sequences? Do you think it falls under fair use? Discuss the artistic aspect of putting those montage scenes together.
- Are the examples of Warhol, Disney, Shakespeare, and jazz and blues musicians all similar in terms of appropriating something and building from it, or are there differences? What about compared to music sampling? Explain.
- Danger Mouse was asked to “cease and desist” by The Beatles’ record label, and his Grey Album was stopped, but ultimately it became a viral phenomenon. Could there have been a way for the music industry to make it a viable recording beyond just a copyright infringement case?
- What do you think of Eclectic Method’s live showcase? How is their video performance similar or different from listening to a DJ mix and scratch?
- Do you think the music industry will catch up and eventually crack down on artists such as Eclectic Method?
- Do you think there is an economically viable solution for allowing Eclectic Method to legally pursue their art, even recording and releasing it to the public?
- What long-term effects do you foresee in a two-class system wherein a few super-producers have the resources to legally sample, while other producers have to refrain from sampling or become underground “outlaw” samplers?
- What does Chang mean when he says, “We live in a remix culture?” Do you agree or disagree?

6. Disney and the Future of Copyright Law: Have students read this 2008 *Los Angeles Times* article “Whose Mouse Is It Anyway?” The article explores the copyright fight over Disney’s famous icon. Discuss opinions on both sides and predictions of what may happen in the future with copyright laws. It can be found at <http://articles.latimes.com/2008/aug/22/business/fi-mickey22>.

7. Assignment - Research Project: Have students find and research an artist in any medium (visual art, music, film, dance, literature, fashion, cooking, technology, and eco/recycled art) who is focused on borrowing, collaging, revisioning, and reworking art and ideas that have been used before into something new. Have them research the artist’s intentions, techniques, audience, economic viability, and other aspects of their career (interviews with the artist would be especially useful). Have them create a web page, blog, podcast, PowerPoint, or other form of audio/visual and/or web-based presentation.

Assessment

Use **Teacher Handout A: Assignment Rubric** to assess groups’ media productions. Students should receive the rubric in advance to guide their work.

Extension activities for students:

1. English/language arts teachers can explore the issue of plagiarism in literature and writing. Use articles such as “The Ecstasy of Influence: A Plagiarism” from *Harper’s Magazine* (<http://www.harpers.org/archive/2007/02/0081387>) and “Author, 17, Says It’s ‘Mixing’ Not Plagiarism” from *The New York Times* (<http://www.nytimes.com/2010/02/12/world/europe/12germany.html?hp>) as a jumping-off point.

It would also be useful to investigate such mashup literature as the 2009 best seller *Pride and Prejudice and Zombies*. An article from *The Guardian* discusses the book’s popularity (<http://www.guardian.co.uk/books/2009/apr/09/austen-zombie-pride-prejudice>), and an excerpt is published on the *Oprah Magazine* website (<http://www.guardian.co.uk/books/2009/apr/09/austen-zombie-pride-prejudice>).

2. Research specific trends in fashion (such as sagging, skinny jeans, vintage sports jerseys, etc.). Investigate the origins of the trends in other eras of fashion; how, and why it came to be a trend again; and the designers at the forefront of developing or re-introducing that particular design. Find examples from advertisements, magazines, etc.



3. Take five copyrighted images (characters, logos, copyrighted phrases, etc.) from a magazine and piece the images together in a way that creates new meaning. They can cut, paste, illustrate, and design them into a work of art. Critique the works and discuss.

4. Research specifically how “sampling” or borrowing ideas occurs in the technology world. For example, students can look at how Microsoft sampled many elements of Apple’s operating system to create Windows. How is sampling treated in this industry as compared to the fashion world and the music industry?

5. Research plagiarism policies at various education institutions. What do they deem plagiarism? How is a case of plagiarism disciplined? Compare and get perspectives from teachers and professors as well.

Recommended National Standards

MID-CONTINENT RESEARCH FOR EDUCATION AND LEARNING STANDARDS

Civics

Standard 3. Understands the sources, purposes, and functions of law, and the importance of the rule of law for the protection of individual rights and the common good

THE CONSORTIUM OF NATIONAL ARTS EDUCATION ASSOCIATIONS

Music: Grades 9-12

Standard 8: Understanding relationships between music, the other arts, and disciplines outside the arts

NATIONAL COUNCIL FOR TEACHERS OF ENGLISH

Standard 1: Students read a wide range of print and non-print texts to build an understanding of texts, of themselves, and of the cultures of the United States and the world; to acquire new information; to respond to the needs and demands of society and the workplace; and for personal fulfillment. Among these texts are fiction and nonfiction, classic and contemporary works.

Standard 7: Students conduct research on issues and interests by generating ideas and questions, and by posing problems. They gather, evaluate, and synthesize data from a variety of sources (e.g., print and non-print texts, artifacts, people) to communicate their discoveries in ways that suit their purpose and audience.

Standard 8: Students use a variety of technological and information resources (e.g., libraries, databases, computer networks, video) to gather and synthesize information, and to create and communicate knowledge.

INTERNATIONAL SOCIETY FOR TECHNOLOGY IN EDUCATION

Standard 1. Creativity and Innovation

- Students demonstrate creative thinking, construct knowledge, and develop innovative products and processes using technology.

Standard 3. Research and information fluency

Students apply digital tools to gather, evaluate, and use information.



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About ITVS:

The Independent Television Service (ITVS) funds and presents award-winning documentaries and dramas on public television, innovative new media projects on the Web and the Emmy Award-winning weekly series *Independent Lens* on Tuesday nights at 10 PM on PBS. ITVS is a miracle of public policy created by media activists, citizens and politicians seeking to foster plurality and diversity in public television. ITVS was established by a historic mandate of Congress to champion independently produced programs that take creative risks, spark public dialogue and serve underserved audiences. Since its inception in 1991, ITVS programs have revitalized the relationship between the public and public television, bringing TV audiences face-to-face with the lives and concerns of their fellow Americans. More information about ITVS can be obtained by visiting itvs.org. ITVS is funded by the Corporation for Public Broadcasting, a private corporation funded by the American people.

About *Independent Lens*:

Independent Lens is an Emmy® Award-winning weekly series airing Tuesday nights at 10 PM on PBS. Hosted this season by Maggie Gyllenhaal, the acclaimed anthology series features documentaries and a limited number of fiction films united by the creative freedom, artistic achievement and unflinching visions of their independent producers. *Independent Lens* features unforgettable stories about a unique individual, community or moment in history. Presented by ITVS, the series is supported by interactive companion websites, and national publicity and community engagement campaigns. Further information about the series is available at pbs.org/independentlens. *Independent Lens* is jointly curated by ITVS and PBS, and is funded by the Corporation for Public Broadcasting (CPB), a private corporation funded by the American people, with additional funding provided by PBS and the National Endowment for the Arts. The series producer is Lois Vossen.

About PBS:

PBS is a media enterprise that serves 354 public noncommercial television stations and reaches almost 90 million people each week through on-air and online content. Bringing diverse viewpoints to television and the Internet, PBS provides high-quality documentary and dramatic entertainment, and consistently dominates the most prestigious award competitions. PBS is a leading provider of educational materials for K-12 teachers, and offers a broad array of other educational services. PBS' premier kids' TV programming and Web site, PBS KIDS Online (pbskids.org), continue to be parents' and teachers' most trusted learning environments for children. More information about PBS is available at pbs.org, one of the leading dot-org Web sites on the Internet.

