

## Teacher's Guide: Who Owns a Sound?

Recommended Grade Level: 5-8

*(also applicable to grades 9-12 for students requiring significant support in learning)*

Suggested Time: About 50-60 minutes spread over one or more class periods, plus additional time to complete a writing assignment

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### Goals

Following are the big ideas that students should take away after completing this lesson:

- You need information from both sides of a debate to form your own opinion about which side is right.
- Copyright law applies to some, but not all, sampling.

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### Vocabulary

(See definitions on page 6.)

- copyright
- debate
- electronic
- infringement
- permission
- sampling
- transform

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### Key Literacy Strategies

Following are the primary literacy strategies students will use to complete this activity:

- Determining important information (screens 5 and 10)
- Making inferences (screens 8 and 9; writing assignment 1)
- Making connections (screens 8 and 9; writing assignment 2)
- Comparing and contrasting ideas (screens 8, 9, and 12)
- Constructing summaries (writing assignment 1)

Note: In addition to the key literacy strategies listed above, students will also use each of these strategies to complete this lesson:

- Monitoring comprehension
- Synthesizing
- Making predictions
- Developing vocabulary
- Connecting prior knowledge to new learning
- Developing a topic in writing
- Identifying and using text features (photographs, captions, diagrams, and/or maps)

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### Overview

*Who Owns a Sound?* is a student-directed learning experience. However, while students are expected to work through the lesson on their own, teachers should be available to keep the lesson on track, organize groupings, facilitate discussions, answer questions, and ensure that students meet all learning goals.

The following is a summary of the lesson screens:

- Screen 1: Students read a definition of the term “sampling” and ask themselves if it seems okay to sample.
- Screen 2: Students read a brief summary of what copyright and fair use mean. They learn that this lesson will provide information about the debate over copyright and fair use in electronic sampling.
- Screen 3: Students learn what the goals are for the lesson, which strategies they will be using to complete the lesson, and the important vocabulary words they will use during the lesson.
- Screen 4: Students read about the origins of electronic sampling in music and learn about quotes, which are sounds lifted whole from one song and inserted, unchanged, into another.
- Screen 5: Students watch a video about hip-hop artists who ran into legal trouble over sampling in the 1980s. As they watch, they think about the argument that musicians in the video make that their transformation of the samples qualifies as fair use. After watching the video, they write an explanation for sampling.
- Screen 6: Students read about the debate on how much a sample must be changed—or transformed—to be considered fair use. They also read about quoting versus transforming samples.
- Screen 7: Students read about why musicians want to be paid or credited when their work is quoted or sampled, even if the sample is very small. They learn about the example of drummer Clyde Stubblefield.
- Screen 8: Students watch a video in which lawyers and musicians give opposing points of view on when copyright permission should be required for samples. They then choose the side they agree with, the people who created the original music or the musicians who sampled the music, and write the reasons why.
- Screen 9: Students read a PDF text describing a copyright case mentioned in the video on screen 4—The Turtles versus De La Soul—and consider the case in light of four rules set out by the government to help determine fair use. After reading, they write down whether they would have found in favor of The Turtles or De La Soul if they had been the judge in this case.
- Screen 10: Students answer three multiple-choice questions to show their comprehension of copyright, fair use, and sampling.
- Screen 11: Students complete an interactive vocabulary activity, and then choose two words from the vocabulary list and write a new sentence for each word. These tasks demonstrate their understanding of the meanings of the words.
- Screen 12: Students use an interactive activity to categorize descriptions of sampling as requiring copyright permission or not.
- Final  
Assignment: Students select and complete a writing assignment about the lesson topic.

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## Before the Lesson

- ❑ Go through each screen of the lesson, including all the interactive activities, so that you can experience ahead of time what students will be doing. As you go through each screen, jot down your own expectations for students' responses.
- ❑ Determine if students will be working individually or in pairs on the lesson. Some students may be able to work independently with little or no support. Students who are less familiar with the subject area or who struggle with literacy skills may benefit from working with another student. An effective way to do this is to pair a stronger student with a less able reader. You can also have students work individually on certain tasks and in pairs on others, depending on their experience and needs. If students will be working in pairs on any portion of the lesson, let them know if they will be expected to type in their notes individually or together.
- ❑ Provide instruction on key vocabulary (vocabulary words are defined in the lesson on screen 3, and on page 6 of this guide).
- ❑ Determine what students already know about copyright law and how it relates to the music industry. (You may want to use specific questions to start the discussion, such as: Have you ever heard a song that sounds like another one you know? Why do you think they sound similar? What is a copyright? Why would musicians get a copyright on their songs?) Record their ideas on a chart, highlighting the words that may come up in the lesson. This will give you a sense of the background knowledge and possible misconceptions that students have before beginning this lesson. If time allows, return to the chart after students have completed the lesson to add new learning and correct misconceptions. Note: You may want to record their new learning in a different-colored ink so they can see how much they've learned.
- ❑ Arrange computers with Internet access so students can work individually or in pairs.
- ❑ Before students begin, suggest a timeline for completing the lesson, mention the different types of media they will encounter, and let them know how you expect them to submit their work. You may want to provide an outline of this information on a chart, chalkboard, or whiteboard, or as a handout.

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## Lesson Assessments

The following are descriptions of the lesson features that will be part of the packet of materials that students will submit. Students will use the packet for reference when writing their final assignment. It also serves as a formative assessment tool to monitor students' work as they are progressing through the lesson.

- **Notes** - Students write their ideas in response to a prompt on screens 5, 8, and 9. If time allows, review their notes before students begin their writing assignment.
- **Multiple-choice questions** - Students complete the three questions on screen 10. Walk around to make sure students answer all three questions before they continue. If students click to go to the next page before they finish, their work will not be saved.

- **Match It!** - Students complete an interactive vocabulary activity on screen 11. They begin by dragging the vocabulary terms into the correct sentences. After they finish and save their work, they will be able to check their answers against an answer key. When they are done, they will be asked to choose two vocabulary words and write a new sentence for each word. Sentences should demonstrate a clear understanding of the meaning of each word. An inappropriate response would be “Musicians use sampling.” An appropriate response would be “Musicians who use sampling use parts of someone else’s music in their own songs.”
- **Compare It!** -Students complete the interactive comprehension activity Compare It! on screen 12. Students determine whether given descriptions of sampling require copyright permission. Students will not be able to check their answers online, so you will need to provide them with correct answers when they are finished with the lesson. You can choose to review the answers as a class or return the corrected packet of materials to students before they begin the final assignment.

**Do not need permission**

- Using a melody from a popular song for a classroom lesson
- Using a hip-hop song in a home movie
- Putting several samples together to make a song for a school fair
- Sampling a drumbeat for a neighborhood block party

**Need permission**

- Sampling one sound from a hip-hop song in a TV commercial
  - Sampling a short vocal for a song on a commercial album
  - Putting samples together to make one song on a TV show
  - Using a melody from another song on a song you sell on iTunes
- **Final Assignment** - Students complete one final writing assignment. You can choose to let students make their own selection or assign one according to your goals for the lesson. Use the rubric on page 7 to assess the writing assignments.

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**Lesson Aids and Extensions**

Use the following suggestions to help students if they are stuck on a particular screen, to prepare students for completing their writing assignments, or as follow-up discussions to reinforce learning.

- **Watching Videos** - Encourage students to watch the videos more than once. After the initial viewing, provide students with a specific content focus to frame their next viewing(s) of the video. This will help them draw connections between the main topic and the information that the videos have to offer.
- **Participating in Discussions** - Organize class discussions or encourage students to talk about their questions in pairs. You may want to use the following discussion starters:
  - o What does sampling allow musicians to do?

- o Why do you think some musicians sample from the works of others?
- o What is fair use? How is it different from copyright permission?
- o Why do some musicians want anyone who samples their work to have to ask permission or pay for the sample?
- o Do you know of any music that includes samples?
- **Reading the PDF Text** - Before they read the PDF text on screen 9, ask students to make predictions about how the case against De La Soul will be resolved.
- **Sharing Student Work** - It may be motivational, and a further learning opportunity, for students to post their final essays so that their classmates, peers, and/or parents can see them. This may also provide an opportunity for students to comment on and discuss each other's essays.

If you do not already have access to an online writing community, Teaching Matters™ provides TeXT, free classroom publishing tools that allow teachers and students to create and publish their own online eZine. More information and a free signup are available at Teaching Matters: TeXT (<http://text.teachingmatters.org>).

- **Reflection and Self-Assessment** - After students have turned in their writing assignments, you can choose to have them assess their learning. Bring students together as a whole class or in small groups to discuss the questions below. You may want to return to the chart of their ideas developed before the lesson and record their new learning. You may also have students respond individually to the questions and then convene the class to discuss the chart.
  - o What did you learn?
  - o What was surprising?
  - o What questions do you still have?
  - o What was the easiest for you to understand and do?
  - o What was the most difficult?

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## Vocabulary Definitions

### **copyright**

A law that gives a person or company some control over how others use a work (such as a book or a song) that the person has created.

### **debate**

A discussion about a topic on which people have different views.

### **electronic**

A word that describes machines that use electricity, like computers or some musical instruments, or something that is created by these machines.

### **infringement**

An action that's against the law. Copyright infringement is using someone else's copyrighted work without permission, unless it is considered fair use.

### **permission**

Official approval to do something.

### **sampling**

When creating music, using parts of someone else's music in your own piece.

### **transform**

To change someone or something completely, making it hard or even impossible to recognize the original place, thing, or person.

## Final Assignment Rubric Who Owns a Sound?

1. Write an essay describing the different sides of the debate about sampling. Include in your answer:
  - 1) a definition of what sampling is;
  - 2) why some artists choose to sample from other artists' work; and
  - 3) what the debate is regarding when it is and is not okay to sample.
2. Imagine that you wrote a song, and someone else sampled it.
  - First, consider how you would feel if the other person's song were a huge hit, but he or she did not give you any credit or money for the sample. Would that be okay with you? Explain why or why not.
  - Now imagine that the other person's song has not made any money. Does that change the way you feel? Why or why not?

4	3	2	1
<p>Provides a clear and accurate response to the question. Ideas are elaborated, with three or more relevant supporting details from the reading passage, video, and other materials in the lesson.</p>	<p>Provides an adequate response to the question. Topic and ideas are generally well organized, with two relevant supporting details from the reading passage, video, and other materials in the lesson.</p>	<p>Provides a generally accurate response, with one supporting detail from the reading passage, video, and other materials in the lesson.</p>	<p>Provides an inaccurate response to the question or fails to address the question. May include misinterpretations. Understanding of the topic is not apparent.</p>
<p>Uses at least three vocabulary words (or a form of the vocabulary words) from the lesson, and uses them all correctly.</p>	<p>Uses two vocabulary words (or a form of the vocabulary words) from the lesson, and uses them both correctly.</p>	<p>Uses one vocabulary word (or a form of the vocabulary word) from the lesson, and uses it correctly.</p>	<p>Does not use any vocabulary words, or uses vocabulary words incorrectly.</p>

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## Scoring the Rubric

Here are two suggestions for scoring the final assignment rubric. Select the option that best meets your needs or develop your own grading system.

**Option 1:** This option provides one score for each submitted assignment.

Assign a score of 4 or below for the written response (first row of the rubric) and a score of 4 or below for the use of vocabulary (second row of the rubric), for a total maximum score of 8. The interpretation of scores is as follows:

Score	Grade	Narrative Interpretation
7-8	A	Excellent
5-6	B	Good
4	C	Adequate (Fair)
3 or below	D	Minimal

**Option 2:** This option provides two scores for each submitted assignment: one for written content and one for the use of key vocabulary. An advantage of separate scores is that you can weight students' comprehension and composition differently than you do their knowledge of vocabulary. It can also help you identify specific needs for future instruction.

Assign a score of 4 or below for the written response (first row of the rubric) and a score of 4 or below for the use of vocabulary (second row of the rubric) and then score them separately. The interpretation of scores is as follows:

Score	Grade	Narrative Interpretation
4	A	Excellent
3	B	Good
2	C	Adequate (Fair)
1	D	Minimal

The final grade may look like this: A/B (A for content and B for vocabulary use).