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*Readings/Assignments on the first line is for the first day of the week and the second is for the second day of class unless otherwise specified.*

*See list of Readings on Panel/Group Sign in Sheet handed out in class and on U-Learn for more specific detail on readings when groups start to present.*

AFRICAN AMERICAN FAMILY, AAS 3000; SOCI 3162
OUTLINE/PANEL PRESENTATION

Guidelines

Please follow the instructions below for outlining and presenting the chapters/articles to class.

GENERAL RESEARCH (SECONDARY)

Opening/Introduction - Chapters/articles in which there is an opening or introduction:
- Identify the major argument, thesis or purpose of the chapter (should be able to find in the first 2-3 paragraphs).
- Identify sub-arguments/thesis/purpose (should also be able to find in the first 3 paragraphs).
- For each paragraph in the opening/introduction pull out all important notes, points, other research and information including statistics that the author provides

Subheadings:
- Identify the major point/argument(s)
- For each paragraph under each subheading pull out all supporting notes, points other research, and information that supports the major points of the subheading.

Discussion/Conclusion:
- Identify:
  - Major and important points.
  - Conclusions the author comes to with regard to what was discussed in the chapter
  - Solutions the author offers and suggestions for future research (if applicable)

PRIMARY RESEARCH

Identify:
- Purpose of the Study— Why was the study initiated: What did the research expect to find
  What arguments does the research make to justify why the study was necessary. As above, report all important notes, points, other research and information including statistics
- Method used to conduct the study. Include the subjects and instruments, e.g. whether it was interviews, surveys, etc. and other pertinent information.
- Findings - What did the researchers find or discover as a result of the study?

You will be graded on the following:

1. Outline – how well you outline the article/chapter/research
   - It is important that you show a clear, logical and explicit understanding of the thesis/arguments/purpose (If this is not done it will throw off your entire presentation).
The Slave Community

PLANTATION LIFE IN THE ANTEBELLUM SOUTH

Revised & Enlarged Edition

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Understanding Their Lives and Families

edited by
Bette J. Dickerson

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Portions to be used (e.g., pages, timer counts): Chp. 12, pp. 214-233

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Complete and retain a copy of this checklist for each “fair use” of a copyrighted work in order to establish a “reasonable and good faith” attempt at applying fair use should any dispute regarding such use arise.

Factor 1: Purpose and Character of the Use

Weighs in Favor of Fair Use

- Nonprofit Educational
- Teaching (including multiple copies for classroom use)
- Research or Scholarship
- Criticism, Comment, News Reporting, or Parody
- Transformative (use changes work for new utility or purpose)
- Personal Study
- Use is necessary to achieve your intended educational purpose

Weighs Against Fair Use

- Commercial activity
- Profiting from use
- Entertainment
- Non-transformative
- For publication
- For public distribution
- Use exceeds that which is necessary to achieve your intended educational purpose

Factor Weights in Favor of Fair Use

Factor Weights Against Fair Use
Factor 2: Nature of Copyrighted Work

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<tr>
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Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use

Factor 3: Amount and Substantiality of Portion Used

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Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use

Factor 4: Effect on Market for Original

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<td>- No significant effect on market or potential market for copyrighted work</td>
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<td>- Use stimulates market for original work</td>
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<tr>
<td>- No similar product marketed by the copyright holder</td>
<td>- Numerous copies made or distributed</td>
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Factor Weighs in Favor of Fair Use

Factor Weighs Against Fair Use

Revised for use by the University System of Georgia, based upon the Copyright Advisory Office at Columbia University's "Fair Use Checklist", http://www.copyright.columbia.edu/fair-use-checklist
**Fair Use Checklist**

Name: Patricia Dixon  
Date: November 29, 2010

Class or Project: African American Family, AAS 3000

Course and Term: African American Family, AAS 3000, Fall 2009

Title of Copyrighted Work: Black Families: Black Children/Sage Publications

Author and Publisher: Harriet Pipes McAdoo

Portion(s) to be used (e.g., pages, timer counts): Chp. 6, pp. 73-96

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**Factor Weighs in Favor of Fair Use**

- Published work
- Factual or nonfiction work
- Important to educational objectives

**Factor Weighs Against Fair Use**

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Copyright in Instruction & the New USG Copyright Policy

Cynthia V. Hall
Office of Legal Affairs
Georgia State University
February 23, 2009
Disclaimer

• Copyright is a large field, and this isn’t all there is to it

• Primarily focused on use of copyrighted materials by an instructor and the USG Policy

• Call Legal Affairs with any questions or specific situations – 404-413-0500
What can be copyrighted?

• “Original works of authorship”
• Fixed in a tangible form of expression
• Includes:
  • Literary works
  • Pictorial, graphic, & sculptural works
  • Motion pictures & other audiovisual works
  • Musical works
  • Pantomimes / choreographic works
  • Dramatic works
  • Sound recordings
  • Architectural works
  • Compilations**** of above works
What cannot be protected?

- Not in fixed tangible form of expression
- Titles, names, short phrases, slogans
- Familiar symbols/designs; mere variations in typographic ornamentation, lettering, coloring
- Mere listings of ingredients or contents
- Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, devices
- Consisting entirely of information that is common property with no original authorship
- Works by U.S. government employees
How does one get copyright?

- No notice needed – Now conferred upon creation/fixation for new works
  - Previously notice was “required”
- But recommend providing notice
  - © Year Author
- Registration at U.S. Copyright Office is not required, but common if intent is commercial
Rights conferred in copyright

• Copyright holder has exclusive rights to:
  – Copy or reproduce
  – Display publicly
  – Adapt (derivative works, translations)
  – Perform publicly
  – Distribute copies to the public
  – Subject to statutory exceptions like fair use

• Authors of visual works have rights of attribution and integrity
Copyright Holder vs. Author

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• Authors of visual works have rights of attribution and integrity
USG Copyright Policy

- “Policy on the Use of Copyrighted Works in Education and Research” – www.usg.edu/copyright
  - Focused on respecting rights of copyright holders and use of copyrighted works in teaching, research, and service

- Compare GSU Intellectual Property Policy
  - Focused on new works created by employees and students
USG Copyright Policy

- Inform & educate students, faculty, & staff on copyright
- Tools to assist in copyright & fair use analysis (see Fair Use checklist)
- Facilitates use of materials currently licensed & provide information on licensing
- Individuals to counsel faculty & staff (Office of Legal Affairs, others)
USG Guidelines on Electronic Reserves

- Instructors evaluate whether permissions needed or fair use – know details of work & use
- Instructors should fill out Fair Use Checklist for each work relying on fair use
- Citation / attribution
- Lawful copy
USG Guidelines on Electronic Reserves (cont.)

- Password restricted with access terminated at the end of the semester
- Remove materials at the end of each semester
- Wherever possible, link or post references rather than scanning material
- No charge for student use
Fair Use

- Copying a work for purposes of criticism, comment, news reporting, teaching, scholarship, or research is not an infringement if determined to be fair use.
- Basis in common law, but now at 17 U.S.C. § 107
Fair Use Factors

- Purpose & character of the use
- Nature of work
- Amount & substantiality of portion used
- Effect of the use upon the potential market
- Fair Use Checklist
  - Based upon one originally compiled by Kenneth Crews, formerly of IUPUI and now at Columbia University
## Factor 1: Purpose & character

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## Factor 3: Amount & Substantiality

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- **Factor Weighs in Favor of Fair Use**

- **Factor Weighs Against Fair Use**
## Factor 4: Effect

### Weighs in Favor of Fair Use
- No significant effect on market or potential market for copyrighted work
- Use stimulates market for original work
- No similar product marketed by the copyright holder
- No longer in print
- Licensing or permission unavailable
- Supplemental classroom reading
- One or few copies made or distributed
- User owns lawfully acquired or purchased copy of original work
- Restricted access (to students or other appropriate group)

### Weighs Against Fair Use
- Significantly impairs market or potential market for copyrighted work or derivative
- Licensing or permission reasonably available
- Numerous copies made or distributed
- Repeated or long-term use that demonstrably affects the market for the work
- Required classroom reading
- User does not own lawfully acquired or purchased copy of original work
- Unrestricted access on the web or other public forum

### Factor Weighs in Favor of Fair Use

### Factor Weighs Against Fair Use
Face-to-Face teaching exception

- 17 U.S.C. §110(1)

- "performance or display of a work by instructors or pupils in the course of face-to-face teaching activities...in a classroom...unless, in the case of a motion picture or other audiovisual work...is given by means of a copy that was not lawfully made..."
Distance Education: TEACH Act

• 17 U.S.C. § 110(2)
• Nondramatic literary or musical work or reasonable portions of other works
• But NOT works marketed for online use (digital databases, etc.)
• By instructor as an integral part of mediated instructional activities
• Directly related and of material assistance to the teaching content
• Reception limited to students officially enrolled
Distance Education: TEACH Act

- Institute has policies regarding copyright and provides informational materials to faculty, staff, and students.
- Notice to students that materials used may be subject to copyright protection.
- Technological measures reasonably prevent retention of the work for longer than the class session AND unauthorized further dissemination.
- No circumvention of technological measures.
Methodology of Analysis

• Is this a copyrighted work?
  – U.S. government work
  – Public domain (expired copyright)
• Can we make it available with no copying?
  – Links or mere references
• Use within an exception?
  – Fair Use
• Do we have a license for this use?
Copyright Licensing

- If the use does not fall into one of the exceptions, then permission/license is needed to copy, display, perform, etc.
  - Collective rights organizations
- Web linking & referencing without copies
- Georgia State resources:
  - Library holdings (databases in particular) & GALILEO
  - ASCAP & BMI licenses
Copyright Licensing (cont.)

- CreativeCommons.org
  - Provides standard licenses in easy-to-understand terms that more authors are now using
  - Gaining more popularity on the web
  - Caution on 3rd party materials
  - Example: 📚💰🔒
Copyright Licensing (cont.)

- Copyright Clearance Center (print and online)
- Swank / Criterion (for motion pictures)
- Individual contact with studio, author, composer, etc.
Attribution

• Always attribute the author / source of the work
• Even if using without permission (i.e. fair use or another exception)
• Include the author, name of the work, publisher, year, copyright holder
Anticircumvention

- Digital Millenium Copyright Act
- Generally can’t go around any type of digital access controls if such access would be “unauthorized”
- Limited exceptions for a few uses, but need to talk to Legal Affairs
Copyright Myths

• I can copy if I give attribution.
• It is legal to copy as long as you don’t copy the entirety (more than 25%, 20%, 10%, etc.) of the work.
• Works on the internet are in the public domain and “fair game” for copying.
• If there is no copyright notice, then it is not copyrighted.
Resources

- Association of Research Libraries’ Know Your Copy Rights - www.knowyourcopyrights.org
- Columbia University - http://www.copyright.columbia.edu/
Office of Legal Affairs

• MUST notify Legal Affairs if you receive an accusation of infringement, breach of contract, or other legal violation
• MUST notify Legal Affairs if you receive a subpoena or legal request for documents related to your research or university work
• Reviews ALL contracts involving the University except Research Agreements (OSP) and our own standard forms
Fair Use Checklist

Name: Patricia Dixon ........................................ Date: November 29, 2010

Class or Project: African American Family, AAS 3000

Course and Term: African American Family, AAS 3000, Fall 2009

Title of Copyrighted Work: African American Single Mothers: Understanding their Families/Sage Publications

Author and Publisher: Bette Dickerson/Suzanne M. Randolph

Portion(s) to be used (e.g., pages, timer counts): Chp. 7, pp. 117-145

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☐ Factor Weights Against Fair Use

Exhibit 22 - 108
### Factor 2: Nature of Copyrighted Work

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Exhibit 22 - 109