

Summary Report: XYZ Corporation Case Study

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Introduction

As members of IT 532, our group project was to analyze instructional design and the questions that can arise for designers and educators in regards to copyright and subsequent evaluation. Our group was provided with the following case study:

Sarah's role as the coordinator for Distance Learning in XYZ Corporation requires that she monitor all of the distance course and program offerings that are being offered for online employee training. She has conducted training for the faculty who are developing and implementing the training at a distance. She had made a point of ensuring they understand the regulations regarding copyright. And, she has tried to enlist their help in gathering the kinds of information she needs to evaluate the success of courses and programs of study.

Because of the depth of copyright issues, how should Sara introduce the topic? What kinds of follow-up might she incorporate to be certain that faculty continue to engage in appropriate use of materials? How can Sara conduct course and program evaluations that will yield effective data for making decisions about future courses and programs to offer employees? How can Sara make her management position more efficient because of all the things she must do (Smaldino, 2017, XYZ Corporation Group Homepage)?

From this description, we developed a lesson plan that included a brief instructional component, the creation of scenarios for use in small breakout groups and a whole group activity. We facilitated a synchronous, online class period of 1 hour and 40 minutes on this case study, including scenarios that were created to approach different issues related to copyright and overarching group questions addressing evaluation and Sarah's duties. In this paper, we present

evidence from the literature to support our decisions for such an approach (including the scenarios that were built for this project and research-based solutions), our rationale for the procedures used, and finally, our reflection on the experience of facilitating a course online.

Literature Review

In our literature review, we relate our case study presentation, three breakout scenarios, and possible solutions for Sarah back to the research.

Presentation

Introduction.

As way of introduction, a PowerPoint presentation was created following the guidelines of Durso, Pop, Burnett, and Stearman (2011, pp. 4-8) to establish the perimeters of the case. Through this form of media, a synopsis was given to the class about Sarah and her position as Distance Learning Coordinator in the XYZ Corporation. Relevant copyright terminology was presented and explained, as well as several key concepts that would be essential for learner connectivity. The final step of the introduction was to give a class timeline and roster of the activities that would be included in the remaining agenda.

Breakout scenarios.

The group was then sent into breakout rooms in small groups of four-five people that had been previously sorted via randomization. Each breakout room was given a scenario to discuss that contained myriad *authentic* or real-world copyright infringements or violations by faculty charged with employee instruction. These scenarios aimed to help learners "develop good critical thinking ability and to apply what they (were) learning in other contexts" (Palloff & Pratt, 2007, p.207). Following the presentations, the class was given a ten minute break to digest the material before moving on to the comprehensive and final discussion. This choice was made

according to Mayor and Moreno's concept that segmenting the lesson was a viable solution for cognitive overload.

“A potential solution to this problem is to allow some time between successive segments of the presentation. In segmenting, the presentation is broken down into bite-size segments. The learner is able to select words and select images from the segment; the learner also has time and capacity to organize and integrate the selected words and images. Then, the learner is ready for the next segment, and so on (Mayor & Moreno, 2003, p. 47).”

Final discussion.

Upon reconvening, the class entered into the final portion of our lesson plan, the whole group discussion. The final three questions revisited the original case study, Sarah, and her position in the XYZ Corporation and were based on situations that Sarah might potentially encounter in the future.

The questions were as follows:

1. In Sarah's training program, she has a well-crafted powerpoint of the copyright laws, but she realizes that she needs to modify her lesson plan to help her faculty understand and retain more information. How can Sarah alter her methods of teaching to help increase the retention rate of her training sessions?

Possible answers are: Adding group activities that could engage the learners; handouts, utilizing more forms of learning styles instead of just text or pictures; incorporate videos; and/or to give a test at the end of the training.

- 2) Sarah is the only person monitoring the courses to make sure they all meet the requirements of the XYZ Corporation and that they do not break any copyright laws. She

found three cases she needed to address but she is overwhelmed with the workload as well as her other responsibilities. What are some ways that Sarah can monitor all lessons and courses more effectively?

Possible answers include: Delegating the responsibilities to other qualified people, allowing each department to be responsible for their own monitoring, or organize documents in a manner that allows for more effective maneuvering

3) Sarah has been told that she needs to collect more data to evaluate the successfulness of each course and of the Distance Learning department as a whole. She has E-mailed her faculty to send her the pass/fail list of each class they teach but, many have ignored the request. What kind of data should she be collecting to give a proper evaluation? What can she do to ensure a greater response from her faculty?

Possible answers:

- Number of registrants, number of completions, test scores, and student evaluations.
- Withhold scheduling of other courses, data must be turned in before course is considered complete, negative reinforcement, positive reinforcement.

These questions elicited a unique type of discussion. We noticed that students that have not been as vocal throughout our course were participating in the discussion of these questions.

Following are the detailed breakout scenarios we used and some final research-based solutions that Sarah may employ.

Scenario I

Dr. Rupert Windsor has been teaching for a large university in the United States for 38 years. He was recently contracted by the XYZ Corporation to teach an online marketing course

to mid-level department heads. He has agreed to terms with the company and will be using materials he developed/used during his tenure at the university. Among these materials are a textbook, peer-reviewed articles about his research that he co-authored with a close colleague, instructional videos he created with prior graduate students, and case studies about corporate rebranding that he developed when inspiration struck him in his townhouse late at night. Dr. Windsor has had great success with these materials in the university classroom and sees no point in developing new instructional resources.

Useful terminology and two notes were provided for this scenario. The useful terminology included: copyright, creative commons, Digital Millennium Copyright Act (DMCA), fair use, licenses, patent, permissions, public domain, trademark, work-for-hire, technology, education, and Copyright Harmonization Act (TEACH). The first note stated: the XYZ Corporation has an internal server and a sophisticated learning management system (LMS) accessed via employee login and password. The second note stated: the XYZ Corporation has had prior legal judgments against them due to copyright infringement.

What, if any, issues are there with Dr. Windsor’s selected text?

The above scenario may imply that Dr. Windsor plans to use the same text for his online course that he used for his face-to-face (F2F) courses at the university. To avoid copyright infringement, however, he may not upload copies of this text on the corporation’s LMS: “Although the use is educational, the professor is using the entire work, and by providing copies of the entire book to his students, he has affected the market. This conduct clearly interferes with the marketing monopoly of the copyright owner” (University Library, n.d.). The text would have to be purchased by the course participants.

What, if any, issues are there with Dr. Windsor’s co-authored articles?

Dr. Windsor co-authored these articles that are considered joint works. For that reason, he shares all the rights with his colleague and may claim only 50% ownership absent an agreement to the contrary. An *alpha author* may be determined, but it would be advisable for him to request either permission from his colleague to use the articles or to secure the complete copyright via transfer. It may be the case, however, that the publisher of these articles may hold exclusive rights to these works and Dr. Windsor may therefore “not use (them) freely except under (very) specific exceptions” detailed in fair use clauses (American University Library, 2010). Elsevier, for example, requests transfers of copyrights from authors in order to have the ability to properly administer online dissemination of articles, yet authors may still maintain limited and specific scholarly rights. Ultimately, Dr. Windsor may have to rely on linking or permissions.

What, if any, issues are there with Dr. Windsor’s videos:

“Generally, faculty scholarly work is not considered work-for-hire” (Springer, 2004). There are, however, a few exceptions and these must be explicitly detailed in a signed agreement. Dr. Windsor only owns part of the copyright of these instructional videos as he did not sign a work-for-hire agreement with his students nor did he ask them to sign a waiver before production of these videos. Additionally, he does not have an agreement with the university that employs him and whose library and information technology (IT) resources he used to create the videos. “A professor who intends to own the copyright” of videos “made with students’ help should have a work-for-hire agreement with them, or else face the possibility that ownership will be shared with the students” (Rosini, 2014, para. 17). Additionally, “a professor who writes and puts together a course video and intends to own it should have an agreement with the university that employs him...” (Rosini, 2014, para. 17). Dr. Windsor has no such agreements. “(His) institution holds the copyright to works (he) has prepared within the scope of (his) job, and that

scope could include everything (he) creates on campus and potentially what (he) creates beyond regular working hours, too” yet only if he signed a written agreement with his employing university that acknowledged a work-for-hire status (Rosini, 2014, para. 7).

What, if any, issues are there with Dr. Windsor’s case studies?

Dr. Windsor created his case studies away from the university and on his own time. These case studies were not works-for-hire and he may use them without fear of copyright infringement. “The rule of copyright says that you own what you create. Work for hire is a lonely exception to that rule. If you create a work for hire, your employer owns the copyright for that work from the moment it comes into being” yet, “from the employer’s perspective, the ‘scope of employment’ can be defined so that whatever the employee creates on (his) own time...clearly belongs to (him)” (Rosini, 2014, para. 3 & para. 9). The next question then becomes, are there any written agreements between Dr. Windsor and his employing university? Contracts must be signed by both parties and must acknowledge a work-for-hire status for the university to have a claim of copyright ownership (Rosini, 2014). As no such contracts were signed, Dr. Windsor is free to use these corporate rebranding case studies.

Scenario II

Sarah is the Distance Learning Coordinator for XYZ Corporation. She monitors all online employee training courses, conducts a yearly training seminar for all faculty (with an emphasis on copyright regulations), and creates, disseminates, and assesses evaluations on the employee training courses and respective faculty.

Cari just finished her degree and has been hired by Sarah to create online training courses. Her first project is for the Customer Service staff. She wants to make the training colorful and engaging, not dry like the PowerPoint lectures from some of her classes.

She knows that some of her downloading choices during school were driven by speed, lack of knowledge, and not having the money to pay "corporate" prices for image and media resources. So, they probably weren't entirely legal.

She wants to make better choices now, but doesn't know where to start. She creates a draft version of a training module, pulling images from a variety of online sources, and meets with Sarah to show her.

What issues does Sarah need to address?

When a supervisor in a corporate setting recognizes that an employee may have downloaded images illegally, she must begin a frank discussion with the employee. Sarah can begin on a positive note by stating her full support for the creative, appropriate inclusion of images. Many instructional design researchers describe the benefits of photos and graphics; as Brown and Green (2016) note, "recall is enhanced when learning activities include graphics and animated sequences that illustrate the content...there is evidence to suggest that memory for pictures is generally better than memory for words" (p. 129).

Sarah must then describe the basics of copyright, fair use, commercial use, Creative Commons, and public domain (see Appendix A). Sarah can then explain that Fair Use is generally not applicable in a corporate setting, as Cari's presentation will be used to benefit her company and result in financial gain. This falls under the heading of commercial use.

What consequences could result from misuse of images in a corporate training setting?

In this scenario, Sarah and Cari can avoid legal consequences because Sarah can intervene before the images have been distributed. If an employee distributes illegally obtained images, his or her company may receive a cease-and-desist letter threatening legal action from

the copyright holder. If the terms of the letter are not met, the company may face a copyright lawsuit based on the extensive protections of the copyright law of the United States, as described at <https://www.copyright.gov/>. The company may face financial penalties, loss of public status, negative reactions from customers, and other situations harmful to the future success of the company. For this reason, an individual company is likely to employ a legal representative, and hold employees accountable for what, how, and where they download.

What are some possible solutions for Sarah and Cari?

In the educational arena, faculty and staff may be able to obtain image resources for a discounted price, or display images under the auspices of fair use. In a corporate setting, however, the answer is nearly always money (Heald, 2004). Sarah may be able to recommend an image subscription website, such as Getty or iStock, that has already been approved by XYZ's legal department and paid for in the corporate budget. Sarah may also be able to request a freelance photographer for the project, who will ensure copyright is followed by applying model and setting releases, and will provide Sarah with a digital copy of the photos for a fee. With the approval of the legal department (and the use of a model release), Sarah and Cari may also be able to take their own photos.

Scenario III

Sarah is the Distance Learning Coordinator for XYZ Corporation. She monitors all online employee training courses, conducts a bi-annual training seminar for all faculty (with an emphasis on copyright regulations), and creates, disseminates, and assesses evaluations on the employee training courses and respective faculty.

Audrey has been an employee at XYZ Corporation for eight months. She was hired to offer online courses to XYZ employees that focus on improving communication skills – a field

she is well versed in from prior work experience. During her monitoring of evaluations, Sarah notices multiple positive comments about an assessment Audrey has participants complete in an XYZ Active Listening course. When Sarah relays this positive feedback to Audrey, she learns that Audrey actually created this assessment at a previous place of employment.

Sarah quickly realizes this violates copyright laws, because it is a work made for hire – meaning Audrey’s previous employer technically has the rights to this assessment because she created and disseminated it as part of her previous job.

How should Sarah address this violation?

Evaluations and feedback are important to instructional designers because they can point out what does and does not work well, what is and is not helpful, and whether or not instructional goals and objectives have been met (Brown & Green, 2016; Lehman & Conceição, 2010; Palloff & Pratt, 2007). Evaluations and feedback can also bring to light errors (Rausch, 2012). While errors carry a negative connotation, they can actually be catalysts that lead to positive results of learning and collaboration (Homsma, Dyck, Gilder, Koopman, & Elfring, 2009; Rausch, 2012). However, for learning to occur, there must first be communication to develop a shared understanding about why the error occurred and a collaborative effort to decide how the error should be corrected (Homsma et al., 2009).

Sarah is in a tough situation because Audrey has received very positive feedback from her course participants. Unfortunately, during the process of relaying this positive feedback, Sarah realizes there is a copyright violation. She needs to address this issue quickly, without assuming the work-for-hire violation was intentional. Sarah should also recognize that Audrey is still fairly new to XYZ Corporation, and may have only attended one of the bi-annual trainings focused on copyright rules and regulation.

What are some ways Sarah can prevent this situation from happening in the future?

There are many possible reasons that this situation occurred – Audrey could have only attended a single training in which this specific topic was not covered, the topic may have only been briefly mentioned, participants may have been dozing when this specific topic was covered, etc. Sarah is dealing with teaching a captive audience of participants (with different levels of experience) about a very complex, and somewhat boring topic. However, there is still hope.

To prevent similar issues, Sarah needs to have a better understanding of her learners. Her participants are required to receive her instruction, but she can encourage motivation by establishing a learning community and utilizing interactive activities (Brown & Green, 2016; Lehman & Conceição, 2010; Palloff & Pratt, 2007). This may require a change in training. One tactic to consider, would be individual, instructor-directed orientations to copyright rules and regulations for new employees (Brown & Green, 2016). This foundation would then allow all participants to have a similar base level of information during the bi-annual training. Then, the instructional activities at these larger events could be more self-directed and collaborative, creating a stronger sense of buy-in and motivation for participants (Brown & Green, 2016; Conrad & Donaldson, 2012).

Additionally, there should be some communication tool made available to employees in case they have any questions in between training sessions. If Sarah utilized a hallway or FAQ function, it could enhance the sense of community because individuals would have the opportunity to share personal concerns and experiences (Conrad & Donaldson, 2012; Palloff & Pratt, 2007).

What instructional activities do you think Sarah should employ during her bi-annual trainings to advance the comprehension of copyright rules and regulations?

Instructional activities are engaging experiences created to help participants learn (Brown & Green, 2016). Interactive and collaborative activities, like problem-based learning with real-life examples, might be exactly what Sarah needs. Lehman and Conceição (2010) discuss the difference between cooperative and collaborative activities. They assert that cooperative activities, like group discussion, allow individuals to work together, yet still be assessed on an individual basis. On the other hand, they consider collaborative activities require groups to work together to complete a task or joint product. Sarah would have to consider time constraints when deciding which of these distinctions would fit best with her audience. In problem-based learning, participants are given an issue and asked to come up with a reasonable solution using the resources made available to them (Brown & Green, 2016). This method may be enhanced by using real-life examples. Palloff and Pratt (2007) believe, “the more that participants can relate their life experience and what they already know...the deeper their understanding will be of what they learn” (p. 167). So, if possible, Sarah should create small teams to tackle real-life examples on how to appropriately abide by copyright rules and regulations.

Rationale

The Copyright Act of 1976 automatically “protects original work(s) of authorship fixed in any tangible medium,” the right to control the use of the work and the future rights of the work (Springer, 2004, pp. 1-4). There are, however, limitations to these exclusive rights and detailed exceptions are applicable in educational settings within specific environments and parameters: F2F classroom instruction, libraries, and works-for-hire. Section §107 of the Act states:

the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom

use), scholarship, or research, is not an infringement of copyright (and considers) (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for or value of the copyrighted work (<https://www.copyright.gov/title17/92chap1.pdf>).

Most educational uses are not considered commercial in nature. For that reason, the doctrine of fair use is often applied for a single copy of either an article, book chapter, chart, diagram, essay, graph, or picture in the traditional classroom (Section 110(1)) yet there are exceptions to this exception and rules differ in an online learning environment (See §110(2)). New and evolving forms of digital course materials and their dissemination further complicate an already complex set of rules, exceptions and limitations. It is for this reason that at least a working understanding of the protections this Act affords and the potential for monetary repercussions for infringement is paramount for educators and instructional designers.

The goal of this group presentation was to help our designer and educator-classmates understand the basics of copyright law as these apply to creating online instructional materials and the relevant exceptions to this law. Additionally, our aim was to help our classmates develop an understanding of licenses and permissions to avoid infringements or violations.

Due to the breadth, complexity and dynamic nature of copyright law, our group aimed to introduce the basics in a contextualized format to allow the learners the opportunity to consider authentic applications in online learning environments. A combination of teacher-centered and learner-centered approaches was employed.

The rationale for avoiding an initial brainstorming session in the introduction to the presentation was due only to time constraints. While schema activation and techniques of contextualized learner collaboration were considered, the decision was made to introduce the topic of copyright law solely via an exploration of legal terminology or by employing a direct instruction approach. As Abbott (2004) states, “in classes that would be considered teacher-centered, the teacher tends to be the most active person” that does “most of the talking (e.g., by lecturing, demonstrating concepts, reading aloud, or issuing instructions), while students spend most of their time sitting” and listening. This instructional strategy could have primed the participants for mere surface learning, yet the group soon shifted the balance of power from presenter to learner.

“Recent theories in educational circles... , such as constructivism and active learning, posit that learners actively create knowledge and meaning through experimentation, exploration, and the manipulation and testing of ideas in reality” (Palloff & Pratt, 2007, p. 16). In an effort to shift the focus from passive to active learning, the participants were divided into three groups and were presented with scenarios that explored hypothetical yet realistic issues of copyright. The content was not “covered” but instead became “a vehicle for the development of learning skills and strategies as they relate to that content” (Ibid, p. 106). The group member-leaders did not play the role of Atlas¹ in their respective breakout rooms. Instead, each served as a facilitator to initiate the group discussion and then stepped out of the spotlight to allow the learners to take the lead “to interact with (the) knowledge, with the learning environment, and with other learners” and to work together to construct meaning (Ibid, p.16).

Often considered a constructivist teaching method, authentic learning refers to instructional techniques that connect content to application in a real-world context. Students

“learn by doing” as they acquire knowledge and skills or develop understandings about oftentimes ambiguous and complex interdisciplinary content. Facilitators may posit open-ended questions or pose problems that do not (necessarily) have a right or wrong answer or that have multiple considerations or solutions. Some common strategies of authentic learning include: task-based learning (TBL), personalized learning, project-based learning (PjBL), problem-based learning (PBL), portfolios and more (Abbott, 2014). For this presentation, the group elected to employ a form of PBL by using case studies that included myriad copyright infringements or violations.

While the above scenarios that were used in the small breakout rooms are not authentic as such, “the educational process (was) learner-centered, with the learners taking the lead and determining the flow and direction of the process” as they collaborated through discovery, exploration and later application of copyright regulations (Ibid, p. 16). Scenarios or “case studies can create a social experience in which learners communicate and interact with each other” which “happens through personal and emotional connection to the group with the purpose of accomplishing a task” (Lehman and Conceição, 2010, p.77). These small groups of learners were empowered to take charge of their own developmental process by using the tools they were given to consider and address the authentic problems they were presented.

Following the scenario breakout groups, the learners returned to the main room for a whole group discussion about how the instructional designer, Sarah, of the XYZ Corporation might address issues of copyright infringement with faculty charged with employee instruction. Additionally, learners were asked to brainstorm about Sarah’s multiple responsibilities. Among these, Sarah must decide: how best to introduce the topic of copyright, what kinds of follow-ups she might incorporate in her trainings of the faculty to ensure these educators engage in the

appropriate use of instructional materials, how she might select and gather the necessary data to make decisions about future courses and programs to offer the employees and, finally, how she might make her management position simpler or, at least, more efficient.

Possible Solutions for Sarah

Computer-based training.

After conducting appropriate learner and needs analyses, Sarah may wish to consider creating a CBI (computer-based instruction) or CBT (computer-based training) about copyright for all trainers. It could begin with a clearly defined instructional goal for the learners delivered as video by a senior member of staff. According to Brown and Green (2016), an instructional goal is a general statement that abstractly describes the purpose or the “ultimate intention of instruction” (p. 98). For the XYZ Corporation, the goal of this particular CBT would be to help designers and educators understand copyright and avoid future infringements and violations of copyright laws. The presentational content could be divided or “chunked” thematically with practical considerations about the following categories or components of the learning objectives:

- | | |
|--|---------------------------|
| § Copyright | § Patent |
| § Copyright Infringements | § Permissions |
| § Creative Commons | § Public Domain |
| § Digital Millennium Copyright Act
(DMCA) | § Trademark |
| § Fair use | § Work-for-Hire Contracts |

Each instructional section could then be followed by criterion-referenced assessments that include authentic scenarios to measure the learner’s performance based on these specific criteria. Criterion-referenced assessments “can show a learner’s progress over time and, as such, they are

valuable tools for...use in designing and revising instruction to meet individual student needs” and may prove particularly valuable if immediately followed by corrective feedback (Larson and Lockee, 2014, p. 135). If the learner selects incorrectly, they could be returned to the related content for review and supplied with a new question on the topic. According to Metcalfe (2017), “experimental investigations indicate that errorful learning followed by corrective feedback is beneficial to learning” and this feedback, “including analysis of the reasoning leading up to the mistake, is crucial” (p. 465).

Questionnaires.

As a means to obtain feedback from her learners and evaluate the effectiveness of this and other courses, Sarah could create a questionnaire with both Likert Scale and open-ended items made available to participants on the corporation’s internal server. This tool could be used in tandem with CBT results and learner reflections to help Sarah evaluate this and future courses.

Learner reflections.

As previously mentioned, the XYZ Corporation has an internal server and a sophisticated LMS accessed via employee login and password. Learners could be asked to reflect upon courses, formative and subsequent summative assessments in a private blog or Wiki space on this LMS as a means to demonstrate, detail, or explore their transformative experiences. As Palloff and Pratt (2007) state, reflection is “an important component of the evaluation of a course” and such writings could help Sarah determine if she has achieved her learning objectives (p.199).

Follow-Up Options and Resources for Learners

Checklists.

Sarah may also consider developing a checklist to help the trainers evaluate their own instructional materials and avoid future infringements.

Website links.

A list of informational home page website links (Appendix B) may serve the trainers well as questions arise. For general concerns and questions, <https://www.copyright.gov/> could be provided along with sites that relate specifically to particular areas of need. For those trainers originally from the world of academia, for example, it would be helpful to remember that “many of the same considerations for fair use exist in the electronic classroom as exist in the traditional classroom. However, the electronic classroom amplifies all the risks of the traditional classroom” or that “acknowledging the source is important in research, but does not substitute for permission in using the work.” (Springer, 2014). A link to a site that details how to obtain such permissions could prove imminently useful.

Licenses.

Aside from providing resources specifically to the trainers, Sarah may also recommend that the XYZ Corporation secure a Creative Commons License from creativecommons.org and an Annual Copyright License from the Copyright Clearance Center that would enable the business to “safely publish and share content while ensuring copyright compliance” (copyright.com).

Reflection

After presenting the case study, our group met to discuss the experience. In regard to the learners, one theme that emerged was the benefit of “letting them struggle”; in other words, we did not want to be too quick to rescue them from long pauses or thornier questions. In reflecting on the outcome of this approach, we agreed that they simply would not have learned as much if

we had handed the answers over right away. In the same vein, at one point a small-group discussion escalated into a passionate argument. In that situation, the group leader was actively available as a guide and referee, but made room for the discussion to proceed, as long as things stayed civil.

One constant noted by all presenters was the intrusion of technology problems. In the space of two hours, our learners experienced loss of audio (with video available), loss of video (with audio available), low sound, intermittent connection, and other issues. Our strategies included acknowledging the tech issues quickly, crowdsourcing solutions with the class, slowing the discussion where possible while a learner attempted a fix, and suggesting workarounds such as sending in comments by chat or screen share.

At the recommendation of experienced instructors (including those interviewed for this class), we were careful to outline the topic, schedule, and expected behaviors from learners. As Palloff and Pratt (2007) note, “it is extremely important to begin the class with clear guidelines for acceptable participation...as a means of creating some structure around the course” (p. 143). Per our own preferences as online learners, we also included a timed break. While breaks are not necessary in every situation, they are often a welcome opportunity to resolve interruptions or take a quick mental rest, and students typically return refreshed. To avoid a “teacher-centered” presentation, we also took steps to draw out a variety of voices and personality types. We found that questions about copyright brought out one set of learners, while questions about course evaluation engaged a different (and quieter) set, perhaps due to a different set of life experiences. We enjoyed the creativity of the discussions, and noted that the learners took new directions we had not anticipated. Some groups became very interested in the particular crimes - and punishments - of our copyright villains, while others mused over their backstories and assigned

them extensive future projects. We believe the process was productive for all, and we enjoyed drawing the learners through an intimidating and complex topic by way of engaged and enjoyable discussions.

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Footnote

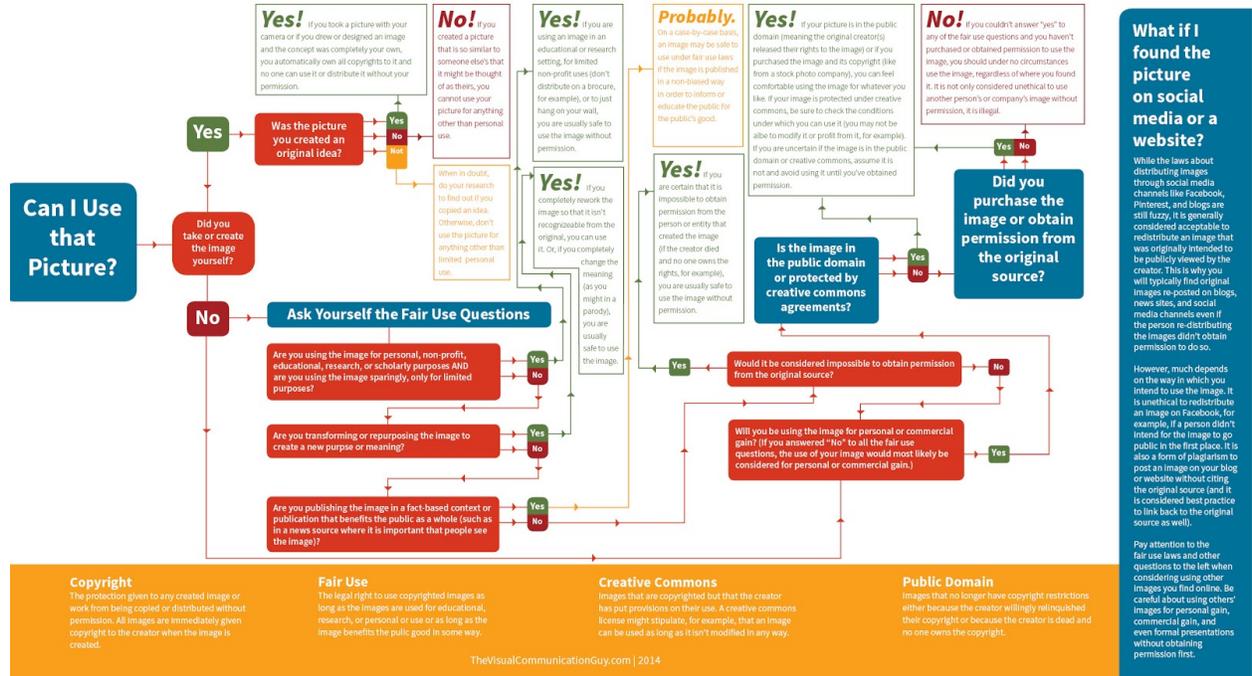
¹ Referred to as the Atlas Complex, many educators historically viewed their role (and many educators still view their role) as “the center of the classroom, supporting the entire burden of responsibility for the course on their own shoulders” (Finkel & Monk, 1983).

Appendix A

http://thevisualcommunicationguy.com/wpcontent/uploads/2014/07/Infographic_CanIUseThatPicture.jpg

Can I Use that Picture?

The Terms, Laws, and Ethics for Using Copyrighted Images



Appendix B

Copyright (General Information): <http://www.lib.utk.edu/scholar/copyright/>
<http://www.lib.utk.edu/scholar/copyright/law/>
<http://counsel.tennessee.edu/copyright/>

Copyright Clearance Center (includes annual copyright license information):
<http://www.copyright.com/>
<http://www.copyright.com/learn/media-download/copyright-at-work/>

Creative Commons, **Fair Use** / Checklists: <http://fairuse.stanford.edu/>
<http://fairuse.stanford.edu/overview/fair-use/>
<http://www.lib.utk.edu/scholar/copyright/fair-use/>
<https://www.lib.umn.edu/copyright/fairthoughts>

Creative Commons: <https://creativecommons.org/>

Fair Use Checklists:
<https://copyright.columbia.edu/basics/fair-use/fair-use-checklist.html>
<https://copyright.columbia.edu/content/dam/copyright/Precedent%20Docs/fairusechecklist.pdf>

Works Made for Hire (*Work-for-hire*): <https://www.copyright.gov/circs/circ09.pdf>
Digital Millennium Copyright Act OF 1998 (DMCA):
<https://www.copyright.gov/legislation/dmca.pdf>
<http://lawhigheredu.com/42-digital-millennium-copyright-act-dmca.html>

TEACH Act (2002) and FAQ: <http://www.ala.org/advocacy/copyright/teachact/faq>

How to Ask for **Permissions:** <http://www.lib.utk.edu/scholar/copyright/permissions/>

Transfer of Copyright:
http://www.ala.org/acrl/sites/ala.org.acrl/files/content/issues/scholcomm/docs/copyright_exercise_jama_agreement.pdf

Know Your Copy Rights: <http://www.knowyourcopyrights.org/>
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<http://www.springer.com/authors/book+authors/helpdesk?SGWID=0-1723113-12-799504-0>