

Excellence through Ethics™

Session 3

Credit Where Credit Is Due



Middle School



Junior Achievement®



Excellence through Ethics
Middle Grades
Session 3

Credit Where Credit Is Due

Content: Ethics and Intellectual Property Rights

Methods: Scenarios and Discussion

JA Foundational Pillars: Ethics and Entrepreneurship

Contents

Guide for Volunteers and Teachers	3
Student Handout	8-9
Appendix	10-13
Volunteer and Teacher Welcome	10
Program Introduction and Overview	11
Program Acknowledgements.....	14
<i>Excellence through Ethics</i> Pilot Cities	15
<i>Excellence through Ethics</i> Evaluation.....	16

Acknowledgements

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Credit Where Credit Is Due

Overview

Students examine the concept of intellectual property rights. They realize that everyone is a stakeholder in maintaining a fair, honest system in which the creative rights of artists, designers, entertainers, and thinkers are protected by law.

Objectives

Students will be able to:

- Learn that copyrights and patents are called intellectual property.
- Describe how intellectual property is protected by national and international law.
- Realize why copying protected work is considered unethical.
- Recognize how intellectual property theft is harmful to society.

Preparation

Review the activity. Prepare the necessary copies and session materials.

Group work is incorporated into this session. You may consult with the teacher to determine how best to form the groups.

Post Key Terms and definitions in a visible place.

- **Ethics:** The standards that help determine what is good, right, and proper.

Recommended Time

This session typically takes 45 minutes to complete. Ask the teacher to help you keep track of time.

Materials

- Intellectual Property Scenarios (1 scenario per group)
- Colored markers
- Vinyl record album, or 8-track or cassette tape (optional)
- Blank sheets of paper
- Pens or pencils (1 per student)

Presentation

Introduction (5 minutes)

Greet the students. Briefly review and summarize how international trade benefits everyone. Emphasize the basic principles of property ownership and compensation. Laws and the exchange of currencies provide a system of fair compensation for all parties creating and exchanging goods in the global marketplace.

Introduce the idea of intellectual property. Tell students that a copyright is a lot like the right to place your name on your own homework. No one else in the class has the right to copy somebody else's homework and then put his or her name on it to get credit for it.

Ask the class what would happen if that were not true. What would happen if teachers didn't think it was unfair if one student simply copied another student's homework and then turned it in? How would the original writer of the work feel? Have students explain their answers.

Activity

Understanding Intellectual Property (15 minutes)

Suppose a student named Sally did her assignment. Sally has a copyright for her own homework. That means other people have to ask her permission before they can use her work, and they still have to give Sally credit if they do. In other words, if John used her homework, he'd have to say that Sally did all the work instead of passing it off as his own. Copyrights have value because they represent creative effort and uniqueness. If John copies Sally's work and then passes it off as his own, Sally loses something of value—something that belonged to her.

Like copyrights, patents protect ownership of creative effort. Explain that patents are like copyrights, except that they protect inventions like light bulbs or batteries rather than artistic works like movies or books. Both patents and copyrights are called intellectual property rights, which means people can't freely take things that another person created. Intellectual property rights ensure that only the owners have the right to use, sell, rent, or distribute their property.

Ask the class if they can think of examples of things that might have a copyright or patent, things that might be considered intellectual property. CDs, movies, and books are some examples.

Ask students, "Why is it important to get credit for your work? Why is it important to get paid for your work?"

Then ask, "How would you feel if your work was copied or stolen, and you did not receive payment or credit for that work?"

Point out that different countries have different laws for these kinds of rights. Some countries, like the United States and Germany, have very strict laws. Other, less economically developed, countries have very relaxed laws by comparison. Explain that the combination of Personal Computers, and CD and DVD recorders, coupled with low-cost Internet communications, have made it relatively easy for people to download, copy, and distribute materials worldwide. This is called "piracy." As such, international law is playing an increasingly important role in fighting piracy and protecting intellectual property.

Tell students that in their grandparents' day, stealing music would have meant sneaking out of a store with a large, vinyl record. If you brought a vinyl record, hold it up and show the class. In their parents' day, you would probably had to walk out of a store with an 8-track or a cassette tape. If you brought an 8-track or a cassette tape, hold it up and show the class. Today, if someone wants to steal music, they don't even need to go to a store.

Ask students, "Do you think there is a difference between sneaking a CD out of a store and swapping music over the Internet?" Encourage multiple responses and points of view.

Ask students why they think people download music from the Internet. Then, ask them if they think it is illegal or unethical to download music or movies.

Ask, “What are some ways that people justify swapping files?”

Ask, “What would happen if everyone did it—if everyone ignored all intellectual property rights? How would our society be different?”

Point out that the U.S. government has enacted laws to protect copyrights. In fact, copyright protection is part of the U.S. Constitution (Article 1, Section 8). These laws have been updated several times to keep pace with changes in society.

A few years ago, file-sharing software became so popular that millions of people were downloading songs every day. It seemed harmless enough at first, but the artists who created these songs weren’t getting the royalties they would have received if all the file-sharers had bought the music legally at a store. Define “royalty” as a part of the proceeds from the sale of a piece of intellectual property that is paid to the artist.

The Recording Industry Association of America (RIAA) and the Motion Picture Association of America try to protect artists who create intellectual properties. The RIAA decided to sue people who were downloading lots of songs for copyright infringement. “Copyright infringement” means that someone took something that someone else created, like a song or a movie, without asking or without paying for it. It is the same as stealing.

A judge ruled that people were breaking the copyright laws by file-sharing. Ask the students if they have heard of these cases in the news. You can now download music legally from websites by paying a small fee for each song. This means that the artists who created the music you download are getting their royalties.

Ask students if this information has changed the way they feel about file-sharing.

Explain that ethical decision-making can be thought of as making decisions based on values. Ask students what the ethical decision concerning illegal downloading would be if it were known that everyone ignoring copyrights and patents could harm society.

Activity

Analyzing Intellectual Property Scenarios (20 minutes)

Tell students that the next activity deals with similar issues. Tell them that the class will be separated into three groups. Each group will receive the exact same scenario, but different decision instructions based on different values.

Separate the class into three groups. Distribute copies of Scenario A to the first group, Scenario B to the second group, and Scenario C to the third group. Ask students to follow along as you read the scenario, stopping short of the special Group Instructions. Tell the groups they will have five minutes to discuss the scenarios and their decisions. Have each group select a spokesperson to report that group’s responses to the two questions. Write the responses on the board under the headings A, B, and C.

Summary and Review (5 minutes)

Briefly review the vocabulary introduced in the session.

Review with students how creative works, such as the performance of the youth group in the scenario, can either be encouraged and supported to everyone's benefit, or stolen and exploited to the harm of the creators. Explain that ethical decision-making, based on the principles of fairness and honesty, helps protect the intellectual property rights of society in the event law enforcement is not possible. Everyone is a stakeholder in maintaining a fair, honest system in which the creative rights of artists, designers, entertainers, and thinkers are protected.

Session Outline**Introduction**

- Greet the students.
- Tell them that during today's session, they will learn that international trade benefits everyone.
- Explain that ideas, inventions, literary and artistic works, and other creations that are unique and have value in the marketplace are called intellectual property.
- Explain that intellectual property is protected by copyright and patent laws.
- Discuss how intellectual property rights can be stolen, as well as the ethical implications of such theft on society.

Activity

- Separate the class into three groups.
- Distribute Analyzing Intellectual Property Scenario A to the first group of students, Scenario B to the second group and Scenario C to the third group.
- Have the groups discuss the scenarios and answer the questions; have them report their group's answers.

Summary and Review

- Review the Key Terms for the session.
- Explain that ethical decision-making helps protect the intellectual property rights of society in the event law enforcement is not possible.
- Thank the students for their participation.

Possible Group Responses:**Scenario A**

- Tape the performance without asking for permission or paying.
- Use the video to teach the act to a talented dance company in the United States.
- Pass the music and choreography off as your own interpretation of an African folk dance.
- Protect the choreography and music with U.S. intellectual property rights.
- Promote the production, and sell tickets for live performances.

Scenario B

- Because you didn't ask permission, don't tape the performance.
- Ask for permission to tape another performance as a memory of your trip.
- Ask for permission to show it to your friends and schoolmates back in the United States.
- Talk with the performers and compliment their creativity.
- Give them some extra money to promote their work with tourists.
- Establish a way you can become international pen pals and continue the relationship.

Scenario C

- Ask for permission to tape another one of their performances.
- Educate the group as to the value of copyrights and ownership of creative material.
- Help them get their work copyrighted in their country and abroad.
- Offer to help set up a partnership to promote their work in the United States.

Analyzing Intellectual Property Scenarios



Scenario A

You decide to visit a developing country in Africa where your parents work as missionaries. The leaders of a village church invite you to a performance of their youth group. The group has developed a new choreography (dance routine) and music piece from an African folk dance. The youth group tours the local region, performing in small churches; however, it isn't likely to ever attract the attention of audiences on a national scale.

The musical harmonies are wonderful, and the dance moves are exotic. You've never seen anything like it, and your imagination is running wild: "Wow, what a great 'new thing' to bring back to the States with me!" You have your video camera with you, and you're sitting in the front row. You could easily capture the whole routine.

Group Instructions

When you see an opportunity, you try to exploit it. You have no problems with maximizing profits at the expense of others. You believe that the laws in this African nation do little to protect copyrights, so it shouldn't be a problem to take the choreography and music back home. What do you do with this opportunity? How do you justify those actions?



Scenario B

You decide to visit a developing country in Africa where your parents work as missionaries. The leaders of a village church invite you to a performance of their youth group. The group has developed a new choreography (dance routine) and music piece from an African folk dance. The youth group tours the local region, performing in small churches; however, it isn't likely to ever attract the attention of audiences on a national scale.

The musical harmonies are wonderful, and the dance moves are exotic. You've never seen anything like it, and your imagination is running wild: "Wow, what a great 'new thing' to bring back to the States with me!" You have your video camera with you, and you're sitting in the front row. You could easily capture the whole routine.

Group Instructions

You never seek to take unfair advantage of anyone, and you're determined to always do what's ethical, not to mention what's legal. You believe creators and entertainers deserve to be paid for their work. What do you do with this opportunity? How do you justify those actions?

**Scenario C**

You decide to visit a developing country in Africa where your parents work as missionaries. The leaders of a village church invite you to a performance of their youth group. The group has developed a new choreography (dance routine) and music piece from an African folk dance. The youth group tours the local region, performing in small churches; however, it isn't likely to ever attract the attention of audiences on a national scale.

The musical harmonies are wonderful, and the dance moves are exotic. You've never seen anything like it, and your imagination is running wild: "Wow, what a great 'new thing' to bring back to the States with me!" You have your video camera with you, and you're sitting in the front row. You could easily capture the whole routine.

Group Instructions

You thrive on finding and marketing things of value to global markets. All you want is a fair share of the profits. You don't seek to take unfair advantage of anyone. You're determined to always do what's ethical, not to mention what's legal. You believe that everyone, especially creators and entertainers, deserve to get paid for their work. What do you do with this opportunity? How do you justify those actions?



Appendix

Welcome to Junior Achievement's *Excellence through Ethics*

As a Junior Achievement (JA) volunteer or teacher, you are joining other teachers and volunteers from across the United States in providing students with a unique educational experience. Junior Achievement's *Excellence through Ethics* offers students learning opportunities to share knowledge and information regarding ethics in business. JA strives to show students how business works, and to better evaluate organizations that conduct their operations in the right way.

Excellence through Ethics is designed to equip volunteers and teachers with supplemental, ethics-based activities for use with JA in-class programs for grades four through twelve. All these activities provide students with current and essential information about business ethics.

These activities are designed to reinforce students' knowledge and skills, teach them how to make ethical decisions, assist them in learning to think critically, and help them to be better problem-solvers. All the activities are hands-on, interactive, and group-focused to present the material to students with the best instructional methods.

Within these supplements, you will find sections to help you effectively implement the activities in your volunteer experience. Materials include: (a) an introductory discussion of business ethics, marketplace integrity, and the growing capacity of students for ethical decision-making; (b) activities and student materials that connect to and expand current classroom-based Junior Achievement programs; and (c) a functional glossary of terms relating to a wide spectrum of ethics, quality, service, and social responsibility considerations in business.

JA greatly appreciates your support of these important and exciting activities. If you have comments about the *Excellence through Ethics* program content, curriculum, and/or instruction, please access <http://studentcenter.ja.org/aspx/LearnEthics/> and choose the “*Excellence through Ethics Survey*” link located in the middle of the page.

Appendix

Introduction and Overview

- *How do I do the right thing in this situation?*
- *Should I be completely honest, even if it puts others in jeopardy?*
- *What kind of community do we want to be?*
- *How do we do what's best for the long term?*
- *Who should cover the cost of "doing the right thing"?*

These are all questions having to do with business ethics. They are valid and necessary questions, and good business people have asked them for generations. They form the backdrop of vital discussions as business, community, and political leaders grapple with significant issues. Many students would ask these questions, even if Junior Achievement hadn't developed this ethics curriculum.

Business Ethics Discussions Are Here To Stay

Business ethics has been in the spotlight for much of the past decade, especially as examples of wrongdoing come to light in the media. New technologies and international competitive pressures cause a steady focus on the question, “Is it possible to be competitively successful in business today and still operate in an honest and ethical manner?” The past decade has seen individuals search for deeper personal meaning in the workplace, which has contributed to lively ethics discussions in the business realm. For these reasons, the discussion of business ethics is not a passing fad; it’s here to stay.

Many graduate schools of business have either required ethics coursework or integrated ethics principles throughout all areas of study. That is commendable. We believe this vital area of exposure and instruction also should happen at earlier ages and continue throughout the students’ educational journey. Many of today’s students haven’t had access to a well-rounded education in economics and free enterprise or have come to see these in a very negative light. They have limited awareness of the extent to which good business leaders engage in the challenging exercises of ethical decision-making amid heavy competitive pressures. As students learn the general principles of economics and business, it’s critical that these be underpinned with a strong foundation in ethics. This will accentuate the best in American business traditions, while laying the groundwork for students’ continued evolution into future generations of leaders.

Integrity in the Marketplace?

Many adults and young people choose to believe that the marketplace is driven only by greed. They view it as bringing out only the worst in human behavior, demoralizing the human spirit, and driving out any sense of idealism. While elements of greed and extreme self-interest among some individuals cannot be denied, solid research has shown time and again that companies with a long-term focus on ethics and a broad consideration of stakeholders’ interests are much more profitable than those lacking such a focus.

James A. Autry, in his book *Love and Profit: The Art of Caring Leadership*, said it well: “I do not doubt the presence of greed in the marketplace because I do not doubt the presence of greed in people. But, I also do not doubt the ennobling aspects of work, of the workplace, of the community, of endeavor, of

Appendix

the marketplace. So I choose to believe that most of the marketplace is driven by people who want to do good work for others and for themselves.”

Excellence through Ethics accepts the challenge of educating youth in the basics of economics and business while establishing a positive balance on the side of well-informed, ethical business practice. This may appear to place a heavy burden on Junior Achievement volunteers, who are not trained ethics experts. The following informational pages will not turn you into an ethics expert. That’s not what we’re striving for here. What students need most is meaningful interaction with people who are willing to engage in a discussion of these vital issues.

Lively Practitioners Rather Than Dry Theorists

This program is more about day-to-day ethics practice than the nuances of ethics theory. Some believe that working in business requires a disconnect from one’s personal ethics. We do not believe this is the case. Students need to know that what they learn about fairness and honesty in general also applies to business. While business ethics may address some specific areas of business practice, it’s not a separate and distinct specialty to be set apart from the general ethical principles that apply in other areas of life. Young people need to encounter the wisdom of age and experience that volunteers bring to the classroom.

Students’ Growing Capacity for Ethical Decision-Making

Excellence through Ethics is designed to foster discussions at the appropriate level for each age group. The curriculum developers have designed the ethics activities with sensitivity to student’s mental maturity. At the late elementary and middle-grades levels, students’ capacities for ethical reasoning tend toward good personal behavior as determined by adult rules and authority. In relationships, personal trust, loyalty, and respect are of paramount importance. For these students, corporate ethical behavior is viewed in much the same light as their own personal behavior: it’s governed by rules.

As students advance into high school, their ethical decision-making moves into the larger arena of social contracts and systems that guide and govern societal and group behavior. Here the rationality and utility of laws are scrutinized, as students become more capable of higher-ordered, principled thinking. Students are increasingly aware of the diversity of values among different cultures and communities. At this level, students’ capacities for processing the complex, ethical dilemmas that may be encountered in business are greatly enhanced.

You will gain confidence as you come to realize that conducting a robust, provocative discussion with students is more important than “having the right answer.” The activities have been designed to leave room for lively discussion and multiple points of view. Having the courage to share your own experiences is very valuable to students.

Appendix

You don't have to apologize for the excesses students may see in business. Don't assume responsibility for actions that are not your own, and do not try to defend the indefensible. While accentuating the fact that most businesses operate ethically, it's okay to scrutinize the unethical players in the marketplace who give business in general a bad name.

Continuing Education

Teaching this material to students will no doubt strengthen and enhance your own ethics awareness and continuing education. Some students will challenge your best reasoning capacities. Having your own support network of professional colleagues with whom you can share and discuss some of these issues is very valuable. It's also helpful to seek out colleagues with philosophical views that differ from your own. This serves as a valuable "cross-pollination" function because you will be able to understand and discuss a variety of views with students, as well as share students' perspectives with your colleagues. In this way, everyone learns.

Finally, please be assured that your contributions here have tremendous value to students and will serve to upgrade business ethics in the future. We're dealing with the future generation of leaders in their formative years. We can take pride in the fact that we've had a hand in shaping the very people who will be responsible for business ethics and social responsibility in the future.

Appendix

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Many educators, economists, businesspeople, and consultants have contributed to the development of *Excellence through Ethics*. We would like to acknowledge the following individuals and groups for their efforts, creative talents, and support in creating these materials:

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Appendix

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Appendix

Excellence through Ethics Evaluation

Junior Achievement has discontinued all paper versions of program surveys. However, we greatly appreciate your comments and feedback about *Excellence through Ethics*. Please help us improve the quality of *Excellence through Ethics* by sharing your comments through our new online survey process. The online survey should take less than 10 minutes to complete.

If you have comments about the *Excellence through Ethics* program content, curriculum, and/or instruction, please access <http://studentcenter.ja.org/aspx/LearnEthics/> and choose the *Excellence through Ethics* Survey link located in the middle of the page.

Thank you for participating in JA!



Let Their Success Be Your Inspiration!®

Excellence through Ethics Volunteer Survey

1. Including this session, how many individual sessions of Excellence through Ethics have you presented? _____

2. Do you feel that the students were engaged through this session?
A. Not at all
B. Somewhat engaged
C. Engaged
D. Very Engaged
E. Unsure

3. Do you feel the session was relevant to students?
A. Not relevant
B. Somewhat relevant
C. Relevant
D. Very relevant
E. Unsure

4. Do you feel students are more prepared to make ethical decisions after participating in this session?
A. Significantly more prepared
B. Somewhat more prepared
C. Somewhat less prepared
D. Significantly less prepared
E. Unsure

5. On a scale of 1 to 10 (10 being excellent), how would you rate the overall quality of the Excellence through Ethics session? _____

6. After this JA experience, how likely are you to volunteer for JA again?
A. More likely to volunteer
B. Less likely to volunteer
C. No more or less likely to volunteer
D. Unsure

7. What comments or suggestions do you have regarding the overall session (including format, content, etc.)?

Optional: City _____

State _____ Country _____

Email _____

Excellence through Ethics Student Survey

1. What grade are you in? _____

2. Please fill in the circle that best describes how you feel about the following statements.

There is no right or wrong answer.

	Strongly Disagree	Disagree	Neither agree or disagree	Agree	Strongly Agree
This topic is very important.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am able to apply what I learned in this session to the real world.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The activities were interesting.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I learned something about ethics from this session.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Do you feel more prepared to make ethical decisions after participating in this session?

- A. Significantly more prepared
- B. Somewhat more prepared
- C. Somewhat less prepared
- D. Significantly less prepared
- E. Unsure

4. I saw someone at my job taking money from the cash register, I would:

- A. Ask someone I trust what I should
- B. Tell a supervisor
- C. Talk to the person taking the money
- D. Do nothing
- E. Not sure

5. To help us better understand who you are, please answer the following questions: How do you describe your ethnicity (family background)? (Fill in all that apply)

- A. African American
- B. Asian American
- C. Latino (a) or Chicano (a)
- D. European American (white)
- E. Native American
- F. Other – how do you identify yourself? _____

6. Do you have any additional comments regarding this session?

Optional: City _____ State _____ Country _____