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"I GOT IT FROM GOOGLE"

Recontextualizing Authorship to Strengthen Fair Use Reasoning in the Elementary Grades

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In 2008, media literacy educators joined documentary filmmakers in establishing a code of best practices for fair use of copyrighted materials in their work. Documentary filmmakers' adoption of the best practices model had a real impact on how films are made: now, documentaries routinely employ fair use to justify the use of copyrighted materials in films that play at film festivals, that appear on television, and that are released to millions in movie theaters (Aufderheide 2007; Aufderheide & Jaszi 2011). Media literacy educators' adoption of the best practices model has been more of a grassroots effort. Much of the change we have seen, with the exception of the adoption of the best practices by major professional organizations like the National Council of Teachers of English, occurs teacher by teacher and school by school (Hobbs 2010).

What makes our job as advocates for the best practices model in media literacy education feasible is that fair use best practices look a lot like foundational media literacy education principles. Teaching learners how to understand authorship, message purpose, and other contextual elements in their analysis and creation of media are practices that media literacy educators have championed for decades (NAMLE 2007; Hobbs & Jensen 2009). Fair use is a natural complement to media literacy education because it requires users of copyrighted material to ask questions about their use that could be taken straight out of a media literacy curriculum. Who was the author of an original work, and what was the author's purpose? How was your purpose different from the original? How did you change or transform the original work to make it into something new or otherwise benefit society in your use of it? These are questions that are not only asked by judges presiding over copyright infringement cases; media literacy educators ask them every day in their classrooms.

Even though we have seen success in spreading the word about best practices among media literacy educators, much of the focus has, understandably, been on teaching teachers about their rights to use copyrighted material and to encourage their students to do the same in their creative work. In some contexts, there is no real difference between the learning process of the teacher and the learning process of the student when it comes to understanding copyright and fair use. In David's high school and undergraduate classrooms, creating new work from copyrighted materials goes hand in hand with learning about the four factors of fair use and formally applying the concept to transformative works of art and criticism.

But what about John's students, the youngest of whom are in kindergarten? Should kindergartners creating a magazine collage, a "logo alphabet," or a puppet show with designs based on cartoons and comics be expected to know whether their use of copyrighted material satisfies thinking about the nature, purpose, amount, and effect of their use? On the face of it, this seems absurd—even if a 5-year-old could technically be taught all four of these words, direct instruction of copyright law to young children is neither age-appropriate nor conducive to meaningful learning. And yet the spirit of fair use is that using and creating media, much of which is copyrighted, in a variety of forms is a process that creates new knowledge and new forms of creativity in the world. These ideas are important for kindergartners who are already the authors of their own works and who are already steeped in popular culture that is a locus for use, sharing, and commenting.

Rather than dive too deeply into the issue of whether young children can be taught fair use, we believe it is more productive to ask what kinds of reasoning skills does fair use require and how teachers can best help students at all levels to understand and use these reasoning skills to empower them as authors of their own work. Our model, developed from the perspective of an elementary school media arts teacher (John) and a media literacy consultant and scholar (David), allows teachers to explore fair use with children as young as 5 years old and to prepare even younger children. In this chapter, we will outline what use of copyrighted material looks like in elementary classrooms and what it could and (we believe) should look like. We will describe how empowering young students as authors in creative communities where fair use reasoning is the norm, not the exception, in multimedia composition ultimately prepares them for public, artistic, and professional communities where they will need to demonstrate their rights and responsibilities as users and creators under copyright law.

Getting It From Google

John, a Philadelphia elementary school media educator, is used to managing student distractions, as students try to sneak in YouTube and online games during class. But sometimes John is surprised to find students sneaking in work from their other classes. As he leads an activity in the computer lab, a small group of students from Mr. Baxter's science class break away from the assignment and start to argue about and giggle at adorable pictures of meerkats that they want to incorporate into a presentation on our planet's biomes. The students are using Google Slides, Google's online alternative to Microsoft PowerPoint, and they are comparing different pictures of the types of animals they want to use. One student is picking out the perfect meerkat—should she use a fuzzy baby meerkat with enormous black eyes, which is included in the licensed material automatically generated by Google Slides? Should she switch over to Google Images, where she might find a copyrighted picture of Timon from *The Lion King*? Which meerkat will best grab the attention of her classmates? Before the meerkats derail the lesson, John intervenes and, sensing a learning opportunity, asks the student where she found

the picture she is debating whether to use. She looks up and responds cheerfully: "I got it from Google!"

Figure 18.1 shows an example of students' routine use of stock imagery from Google Presentations and other free online programs. Although students use images in their work, they often do not know where their pictures come from. Clearly, students enjoy using images as part of their learning experience. Mr. Baxter's students were indeed engaged and excited about their project. On the other hand, that response, "I got it from Google," shows us that students may not fully understand where their information comes from. As media literacy educators, we actively encourage our students to copy images from diverse sources into their work, but we also want students to think about photographs as visual texts constructed by authors for a specific purpose.

It wasn't always so easy to copy images into schoolwork or artwork. In the postcomputer, pre-Internet era of the 1980s and 1990s, creating digital art meant drawing by hand or selecting elements from a limited library of clip art. Collage usually meant cutting out images from magazines and other print sources and gluing them together. Later, students might have had access to a scanner that would create a digital copy of those collages. It was not really until the turn of the 21st century that students could regularly and easily delve into the world of digital art making with more sophisticated photo editing programs like Photoshop and the slowly developing image repository of the Internet.

Thanks to Google's search tools and cloud-based multimedia production tools, just about any image, text, sound, or interactive element imaginable can be cut, copied, and distributed in seconds, and the interface is easy enough for elementary school students to use. This new age presents opportunities for creativity, but tools like Google's have made it easier for students and teachers to quickly find different types of media to create, illustrate, and add sound, music and special effects to school assignments.

On the other hand, image search engines by their very nature remove images from its original context. Scrolling through endless pages of pictures in a plain white grid, it is no wonder that students think of these images as an intrinsic part of Google itself rather than seeing them as indexed from diverse sources from throughout the web. For students using Google's

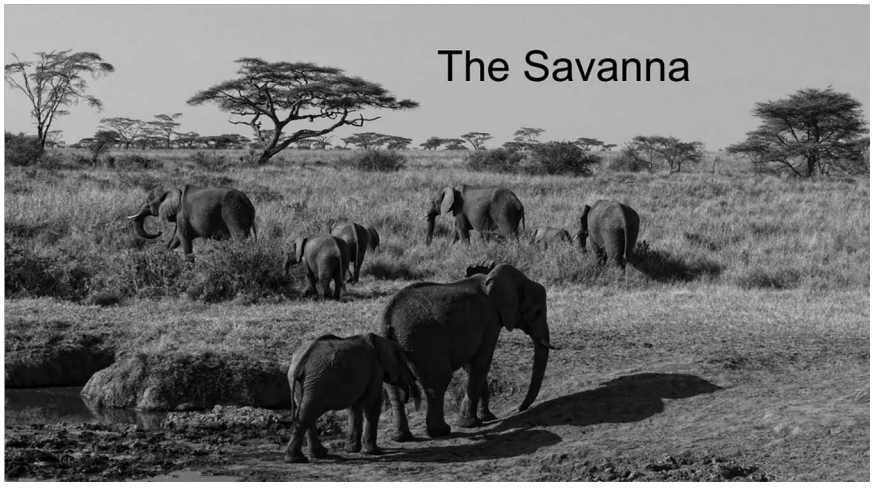

Figure 18.1 Students Use Images from Google Presentations

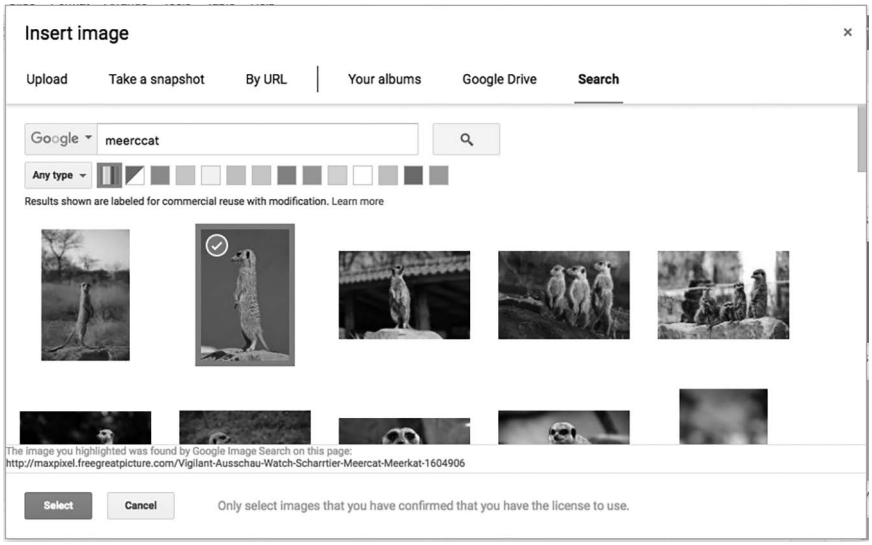

Figure 18.2 A Student Google Slides Image Search (with SafeSearch Enabled) for "Meerccat" [sic]

presentation software, image search is built directly into the interface, bringing access to images even closer to the fingertips and removing images even further from their context. When you search within the Google Slides app in Apps for Education—which is essentially a "safe search" with images licensed for reuse—the only hint of the image's origins in Google Slides is a note written in pale gray 8-point font. Figure 18.2 shows a Google Slides image search (with Safe-Search enabled) for "meerkat."

In the creative communities of our classrooms, we can teach students to respect the rights of authors as a means to reinforce important literacy concepts such as authorship, purpose, and responsible media creation by adapting the principles of fair use to empower students as thoughtful creators of new media work. It's not just that "getting it from Google" is easy; it's that the interface actively discourages the critical thinking process behind the process of transformative use. Unfortunately, many of our most popular technologies are constructed to encourage accessibility at the expense of context.

Talking to Students About Copyright and Fair Use

Talking to students about fair use brings a potentially scary word into the classroom—and that word is "legal." One of the reasons that media literacy educators were brought together as a fair use community in the first place was because of the fear that many teachers felt that they were somehow breaking the law while using copyrighted materials in ways that seemed not only natural but necessary to their instruction (Hobbs, Jaszi, & Aufderheide, 2007). Getting teachers, administrators, and other educational professionals "on board" with fair use required the media literacy community to educate educators on their own rights and responsibilities around copyright law. Even among educators, building comprehension around legal issues was not easy—many of us tend to hear phrases like "the Copyright Act of 1976" or "DMCA take-down" or "cease and desist" and imagine that our normal and necessary teaching practices might land us in jail. Thanks to the best practices model, there is a growing fair use community among educators who no longer fear jail time for doing what

they've always thought was right. However, even teachers knowledgeable about their rights and responsibilities under fair use still worry about setting a positive and morally upstanding model for their own students.

Teaching elementary school students about copyright law presents the added disadvantage that fears about legal implications are much harder to dispel in students who are still in the beginning stages of learning about how the world works. Formal civics education is rarely consistent prior to middle and high school, and even if we could assume that younger students had a working knowledge of documents like the Constitution, simply using the word "illegal" can immediately shut down any possibility of further conversation. In our experience with elementary school students, the word "illegal" connotes a grave crime deserving of harsh punishment. While directly discussing the legal dimensions of fair use may unleash a teacher's creativity, it may do just the opposite for a child.

David, who teaches older students in high school and undergraduate settings, has had some success teaching students about the legal dimensions of fair use and copyright as early as sixth grade. His work with the Media Education Lab at the University of Rhode Island as a filmmaker and educator gave him opportunities to adapt materials designed for high school and college students for younger students in an elementary-level media literacy summer enrichment program. In his summer course, David and a coteacher used the Transformers film series to explore fair use with sixth graders. His class took a silent "teaser trailer" for the Transformers blockbuster and created a new voice-over to imagine a film about Transformers-like characters who used the power of green energy to help stop global climate change (Hobbs & Moore 2013). After making their remix, students articulated exactly why their new work could be justified under fair use, noting that "we used the trailer; we didn't use it exactly what the movie was intended for," and "we changed the subject [of Transformers] to be about green and alternative energy" (Powerful Voices for Kids 2013).

However, we have questions about how applicable this model is to K–6 teaching as a whole. In the context of a media literacy enrichment classroom, David could devote a full week's instruction to fair use, including filling in gaps in students' background knowledge in civics, reviewing new terminology, and facilitating the production of a media project designed to demonstrate fair use reasoning. But few classroom teachers or technology specialists can devote this much time to the subject. Instead of thinking of ways to make fair use accessible to K–6 students as a legal concept, we instead focus on the potential to prepare students for legal reasoning by emphasizing the aspects of fair use that align with our broader goals as media literacy educators. We believe that children who use all media production opportunities as a chance to flex their "fair use muscles"—even if they do not call the process fair use themselves—will be better prepared for naming, understanding, and using fair use as creators when the time is right (perhaps as early as sixth grade) but probably not before the formal introduction of the U.S. Constitution.

Three Kid-Friendly "Big Ideas" for Developing Fair Use Reasoning Skills

As media literacy educators, we know that the reasoning process behind fair use, which itself is tied to the Constitutional spirit of copyright law (to promote creativity and the spread of knowledge), is good teaching practice. As we have demonstrated, we have had some limited success in teaching fair use directly to elementary age students. However, we have pared down the essential questions of fair use to three big ideas that are more applicable to a wide range of younger students, not for strictly legal reasons but rather for pedagogical ones. Figure 18.3 shows the fair use authorship cycle, a set of ideas that align with what we—and, we believe,

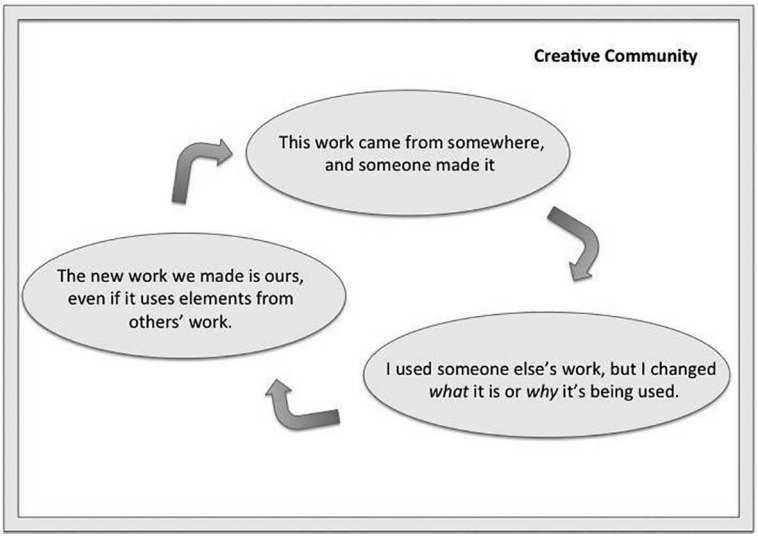

Figure 18.3 The Fair Use Reasoning Authorship Cycle

other media literacy educators—already value in our classrooms: the thoughtful use, analysis, and creation of media. We have phrased these three big ideas in "kid-friendly" language to demonstrate that fair use reasoning isn't just a legal defense but also a way to promote critical thinking, empower students as responsible media creators, and engage students in conversations about and interactions with authentic audiences for their own work and the work of others.

"I Know Where This Media Came From and Who Made It"

In the context of developing information literacy and research skills, engaging students in understanding the who and where of online authorship is often presented as good in and of itself. School librarians and language arts teachers encourage students to determine online authorship to assess the credibility of a source—the idea being that ambiguous or unknown authorship necessarily undermines a source's credibility (Metzger et al. 2015). Unfortunately, systemic changes in how we retrieve information have undermined the relevance of this idea for many students who regularly engage in informal research such as population statistics or science facts without consciously engaging in the type of critical reading that their teachers might encourage. Instead, in our model, understanding authorship of all media in as much context as we can infer is one prong of a reasoning framework that includes students' own creative work. When students understand that their own work can be a part of this process, they will often want their audiences to understand their role as author in the same way that they sought to learn the authorship of the media they used.

Educators have developed simple strategies that help young children become more aware of where sources come from. Table 18.1 shows a worksheet that John uses with young children to help them document the visual sources they use in a collage project. When dealing with diverse Internet sources, it is inevitable that students at differing levels of digital and print literacy will sometimes misidentify a source or its purpose. A student may take an image or text from Wikipedia but incorrectly assume that Wikipedia is a news site because it features large blocks of text. However, the key here is not that students correctly identify the type of website

Table 18.1 Worksheet Helps Elementary School Students Document Their Sources When Creating a Digital Collage

Digital Collage Log		
I found a picture of. . .	*It is from the website. . .*	*I found it using. . .*
A meerkat	Geograph.org.uk	✓ Google Image Search ❑ Kiddle Image Search ❑ Open Clip Art ❑ _____ ❑ Google Image Search ❑ Kiddle Image Search ❑ Open Clip Art ❑ _____ ❑ Google Image Search ❑ Kiddle Image Search ❑ Open Clip Art ❑ _____

they are sourcing images from every time but rather that they are making a meaningful attempt to understand the sources they employ. They are in effect operating in the good faith that they will come to expect within their own creative communities as authors.

"I Used This Media, but I Changed the What and/or the Why"

Our second idea speaks to what the media literacy education fair use community calls transformativeness. Beyond the distinctive legalese of this word, we prefer to break down as many fair use concepts as possible into intuitive and memorable concepts. So, instead, we phrase transformativeness as changing the what and the why of media. When students think about what media is, they notice its formal features and the ways in which it has been presented or distributed. To change the what of media is to alter in some meaningful way what a picture looks like, the length of a video, or the format of a media text, as, for instance, when an advertisement or logo is used in a magazine or digital photo collage. The why speaks more to the nature, context, and reasoning behind media.

Even young children can grasp the concept of changing what something is and why it might be used. In our media literacy education programs, rising second grade students used advertisements of Dawn soap featuring animals covered in oil, in the wake of the BP oil spill, to discuss their feelings about the disaster. What they used (the advertisement) was unchanged, but why they used it (to express their feelings) clearly was. Rising third graders used screenshots from popular films like Disney's *Aladdin* and the Will Smith vehicle *Pursuit of Happyness* to synthesize what they learned about homelessness in Philadelphia into a comic (Moore 2013). Students who are learning to use photo editing software to add splotches of color, text, and other elements to pictures of celebrities to change them—or deface them—understand that what they have created is not the same as the original picture. Figure 18.4 shows an example of students' use of copyrighted images and original drawings in a comic book created to explore the topic of homelessness. Students use examples as they critically examine the representation of the homeless in media and popular culture.

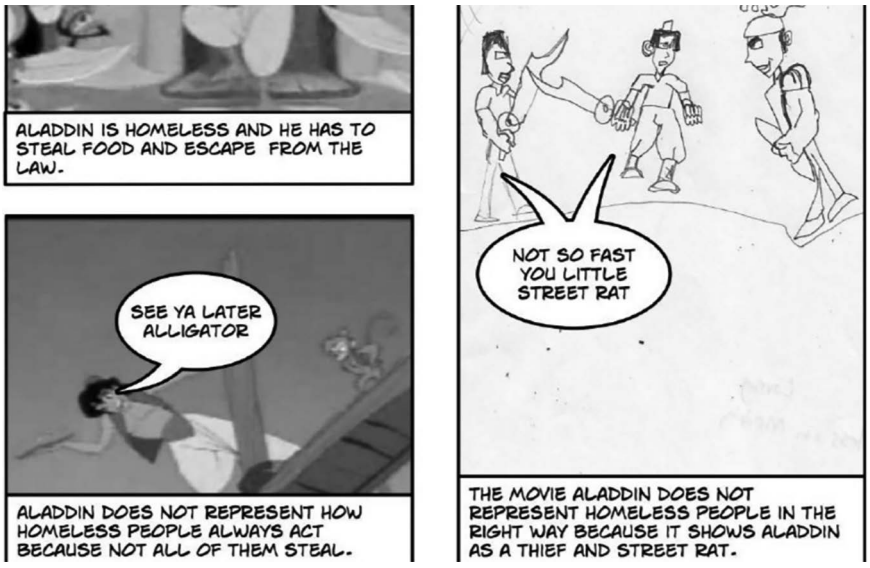

Figure 18.4 Children Use Copyrighted Images from Disney in Creating a Comic Book About Homelessness

Importantly, changing the what and why could be a gauge for the use of all media, regardless of its actual copyright status. We apply the what-and-why standard not only to copyrighted works but to public domain and Creative Commons works as well. In our view, one unfortunate side effect of the Creative Commons movement is the extent to which media arts professionals use media that does not fall under copyright as an excuse to create derivative work. We will see in our third big idea why a true appreciation of copyright law that balances owners' and users' rights—rather than making copyright a nonissue—is so important for how students think not only about the media they use but about the media they create.

"The Media We Make Is Ours"

The fair use reasoning process comes full circle when students understand that the new work they created from existing media—a new work that requires their understanding of where media they used came from and how it was changed (formally or contextually)—is now theirs and is therefore now part of the same process that they went through to make their work in the first place.

Students are taught to claim authorship in preschool, signing their names on crayon drawings even before they know all of the letters in the alphabet. By the time students are in elementary school, authorship takes on social dimensions as students compare their work to others', as when a student's art or design is copied by others when it is perceived as attractive or original. This is how many students are introduced to the idea of a creative community. In one class, copying another student's work might be a sign of great respect, as when an original cartoon or drawing is copied in appreciation; in another, copying might be seen as unethical or insulting, as when students take credit for someone else's work. Importantly, the classroom culture will determine what kind of copying is acceptable and what kind of copying is not—it is not the act of copying itself that determines whether a work is acceptable or unacceptable.

This sort of logic, which can be seen in classrooms of all kinds, from a science classroom where students might be encouraged to paraphrase nonfiction texts in a project to an art classroom where students make variations of a simple style or template, is not at a remove from fair use reasoning. Fair use depends on the communities in which copyrighted material is being used. Whether teachers and students realize it or not, their classrooms are already creative communities with established ways of understanding how different types of imitation are "OK" or "not OK" when it comes to student work. Once students reach later elementary grades, their conscious understanding of how they operate in creative communities in the classroom may translate to opportunities to produce and distribute work in public artistic communities. At this stage, the issue of fair use reasoning is not merely a question of understanding the cycle of authorship (from conscientious user to conscientious creator) but will also require them to exercise the reasoning they have developed in real-world situations. As we will see, even in these real-world situations, it is the knowledge of oneself as a member of a creative community, not specific legal knowledge about copyright and fair use, that both empower and protect students as creators who may use copyrighted materials themselves.

Fair use reasoning prepares students for civic competencies in seeing themselves as members of different kinds of communities, from their classrooms to their schools to their neighborhoods, cities, and the world. The classroom can be a safe space for students to try out new ways of thinking about authorship and to be authors whose work will be used and appreciated in creative communities. Since creative communities online frequently launch student work into a public space where issues of authorship and audiences are beyond any individual's control and require an understanding of complicated group norms, the classroom can be an important first step in practicing how to be a member of an artistic community.

Fair Use Reasoning in the Early Grades

To return to a question we posed at the beginning of our piece: can you teach a kindergartner about copyright and fair use? We admit that we are both still learning about the developmental characteristics of our youngest students and have followed with interest recent developments in the National Association for the Education of Young Children (NAEYC), the American Academy of Pediatrics, and scholars focusing on the effects of media and media literacy on young children (Christakis 2014; Guernsey 2012; NAEYC 2012). There is a lot that we don't know about how best to reach our youngest students with the principles of media literacy and how learning environments for young children might need to differ from those of their older peers.

However, when we think about what early childhood educators do well, we notice that something close to fair use reasoning is actually built into literacy and art activities with young children. If teaching about fair use reasoning asks students to imagine authorship as a two-way relationship between creators and users and if part of this relationship involves understanding oneself as a member of a community, these values are often already embedded in the earliest literacy activities. When students are asked to predict or provide their own ending for a children's story, they are becoming authors in their own right. When they use popular children's book characters to illustrate new ideas, like how they felt about a story or how a story relates to their own lives, they are transforming that text. And when our youngest students learn about collaboration, sharing in a group setting, and speaking at the front of the classroom, they are imagining themselves, often for the first time, as members of a creative community.

In Ms. Webster's first-grade class at John's elementary school in Philadelphia, students engage in a long term 'author study' of children's author and illustrator Mo Willems. In their author study, they learn about the job of an author and the characteristics that make Willems' work unique. In addition to reading several books by this author, the children explore Willems' style by imitating it. They write sentences that imitate his writing style, and they use paint and art materials to carefully recreate his pigeon illustrations. Figure 18.5 shows an example of work by students who, after studying the work of the children's author and illustrator, create their own version of Willems' iconic pigeon.

Although the act of copying the features of the Willems pigeon for the 6-year-olds is a more mechanical and manual process than it might be for older students creating work on a computer, these young students are still transforming the elements from Willems' work into new artworks that serve a new purpose. Students gain new understanding of Willems as an author and of themselves as authors. Similar author studies are conducted in elementary classrooms in schools throughout the country (Jenkins 1999; Snyders 2014). We believe that this awareness of authorship and the transformative nature of reuse can be continued as students mature and create more complex work using popular culture outside the limits of sanctioned children's literature in the elementary classroom.

Media literacy education adds on to a literacy paradigm that already introduces authorship and audience to young people by expanding teachers' and students' conceptualizations of literacy. When students learn about the authors of children's books, they might also think

Figure 18.5 Grade 1 Students Create Birds in the Style of Children's Author and Illustrator Mo Willems

of the people who film or animate their favorite TV shows or movies. They might expand their understanding of "who counts" as an author to media formats like music, comics, video games, or websites. Similarly, when students explore authorship on their own, they might expand their canvas beyond the development of print literacy and think about the visual language of film and video (how do framing or perspective change the way we notice things?) or the interconnectedness of online writing (how can we link one person's idea to another's?).

The work of young children frequently draws on copyrighted imagery, but often this imagery simply comes from copyrighted work that we don't think about as copyrighted—classic children's literature that is, nonetheless, still under copyright, or adaptations of fairy tales and other works that may or may not fall under copyright. In all cases, students rarely copy any of these works mechanically. Instead, they redraw, add ideas, and transform original works using their own imaginations. Even if kindergartners do not need to learn about section 107 of the Copyright Act of 1976, they can still begin to understand the relationship between an original author and a new work created by a user and to understand how they, too, are authors when they create these works.

Fair Use Reasoning in Later Grades

By the time children really start to bring pop culture media into the classroom directly, not just in conversation but through actual cut-and-paste from online and other sources, teachers may experience a shift in how they view the copying of media. All of a sudden, activities that were once limited to a teacher-curated set of texts open up into a media free-for-all, with major media companies, cable television, popular Internet sites, video games, and viral videos and memes all seeping into the classroom environment.

By the later elementary grades, students experience a graduation of sorts from highly protective and kid-centered environments, which are heavily curated by teachers, to a wide world of adult media texts and technologies, including massive databases owned and operated by companies like Google. This transition can be daunting for teachers who are accustomed to controlling which media is OK to use in the classroom and which is not. Employing our three-step authorship cycle, which is, we argue, essential to developing early fair use reasoning, can also help both students and teachers make sense of this newfound deluge of information and media from the Internet.

For instance, in John's fifth-grade media class, students study advertising by attempting to market a product to a specific target audience. In one version of this lesson, students invented an original brand of hand sanitizer. They researched the positive and negative impacts of the product and analyzed different advertising messages to learn how advertisers persuade audiences to purchase their products. One student decided that the best way to reach his target audience was through a celebrity endorsement. Since he had been assigned the task of marketing hand sanitizer to fans of the Pittsburgh Steelers, he chose the brand name "Germ Tacklers" and used an image of quarterback Ben Roethlisberger on the label. Figure 18.6 shows an example of work created by a fifth-grade student who created a promotional message about his new brand of hand sanitizer.

In John's classroom, students are free to use copyrighted pictures like this as part of his work, as long as they also document the images they use and the websites from which they get those images. This student's image was a still from a sports video blog, and he understood that his image differed from the original purpose. Educators and creative media professionals might undebate whether this use is transformative enough, and (unlike the 10-year-old), we

Figure 18.6 Fifth-Grade Students Learn About Advertising by Creating Their Own Brands and Using Images to Simulate a Celebrity Endorsement

certainly know that fair use is not a valid defense for implying a celebrity's endorsement of a product without the celebrity's permission. However, the important element here is that the student has acknowledged the images' origins and his own role in recontextualizing the image. As educators, we are confident that such educational work among our students is legal, even though a similar use would likely not qualify as fair use in the context of an actual marketing campaign for hand sanitizer.

With the rise of social media, young students now participate in online communities and publish work to reach wider audiences. When students encounter real and sometimes quite large audiences for their work, grappling thoughtfully with the issues of fair use is not merely practice for adult interactions. For many children, the fair use reasoning they develop in classrooms can have an immediate bearing on their present lives. For example, Elena, one of John's former students, began publishing her work online at the age of 10 using Scratch, an online creative tool and community designed by the MIT Media Lab's Lifelong Kindergarten group to teach beginning programming skills through animation and game design. Elena's animations about cats have gained in popularity over the years. Figure 18.7 shows an example of her

Figure 18.7 Elena's Work on Scratch Combines Her Original Drawings With Popular Music

creative work. Elena has been featured on the site's front page nine times (a real honor in the Scratch community), and her work is followed by over 1,400 other accounts on Scratch. Now a 15-year-old high school student, Elena returns to John's computer lab weekly to mentor younger students as a part of the school's coding club. Although Elena hasn't had any formal education in fair use, her experiences online as part of a creative community have given her an education in the complex ethics of remix and appropriation, in effect testing the skills she developed as an elementary student in John's classroom.

The design of the Scratch website encourages users to remix one another's work, and community guidelines are in place that emphasize the importance of giving credit to those whose work is remixed. Nevertheless, many students in coding club report that the Scratch community is rife with online "drama" when creators feel that their work has been copied inappropriately. One student, Alicia, felt particularly hurt when one of her followers reported her for having copied her work without giving credit. Elena consoled Alicia at coding club, telling her of her own experiences dealing with "recolorers"—Scratch users who remix other users' Scratch animations by simply recoloring them. When Elena first began using Scratch, she was upset when someone would repost her work having simply recolored it. Now that she has had more experience being recolored, she more or less accepts it but recognizes that different artists are likely to react differently. "Some people love it, they take it as a high compliment. Some people hate it. They think someone's not appreciating their work enough or something like that, it's disrespectful, it's stealing." She also makes a distinction between the recolorers and those who simply copy someone's

project without transforming it. "That's not cool," she reflects. "It doesn't benefit them, and it doesn't benefit me."

As adults, we might rightly debate the extent to which recoloring an animation might be seen as a transformative fair use. Elena does not discuss her experiences in precisely these terms, but it is clear that navigating the creative and social space of Scratch has given her valuable insight into how to approach fair use issues as she grows as an artist. Now that she is moving on to more adult creative communities such as DeviantArt and SketchFu, both of which have their own cultures and customs surrounding the appropriate reuse of creative work, Elena feels that she is a more savvy and productive member of these communities because of her experience on Scratch. She has learned about "dealing with other artists." She reflects on the experience by noting that "it's different than my peer group at school. When so many people share your interests, you have to learn how to deal with it. Generally when you're copying someone else's work, you should do it with courtesy."

Conclusion

As we ask our students to use copyrighted materials in media literacy activities in our classrooms, we have some remaining questions about how we can best prepare students for the real artistic, academic, and professional communities we hope they will join. As educators and creative media professionals, we also reflect on our own experiences and acknowledge that we often just "play around" with a mix of original and copyrighted materials, as when John designs a T-shirt for a friend or David puts together a presentation for older students. In these more personal cases of media making, we often use copyrighted material in ways that are aligned with the so-called HOMAGO philosophy of "hanging out, messing around, and geeking out," popularized by Mizuko Ito and others (Ito et al. 2009). Though we might know the provenance of the images and texts we use, often this is a post hoc process of identifying materials after they have already been incorporated into our work. We notice that Google and other tools make it very easy to play with media, remixing and combining elements into new materials, but it can simultaneously make it difficult to identify exactly where these elements may have originated. How can we best give our students that creative space to try things out and play around when we also want them to exercise their fair use reasoning in the production of their work? Would Mr. Baxter's students think his assignment was as exciting if they needed to determine the authorship of every photo and document their transformative use, or would this extinguish the spark of curiosity that John observed in his own classrooms?

Ultimately, teachers serve as models of ethical behavior in their classrooms—we structure and scaffold lessons to meet their learning needs even while knowing that our students' understanding may be imperfect or incomplete despite our best intentions. The free-for-all nature of online search presents powerful opportunities to navigate millions of sources and images intuitively and easily, and incorporation of fair use reasoning into elementary school classrooms, for us, has required a balance between deliberate and intentional documentation with intuitive and spontaneous creativity. We see no real contradiction here with the spirit of fair use, which is flexible and dependent on the complete context and situation of an individual's use of copyrighted materials. Some fair use claims, like that of contemporary artist Richard Prince, rest on ambiguous—or even nonexistent—intentions of transformative use (Kennedy 2013). Similarly, as teachers, we find that we need to be sensitive to our own tolerance for questionable transformativeness based on our own standards. After all, it is our students who will ultimately be responsible for understanding their own rights as both users and creators of copyrighted material.

Successful teaching of fair use reasoning in elementary school leaves students equipped with the critical thinking, cognitive flexibility, and creative curiosity to use and create new works in real creative communities. To that end, we believe that it is a key responsibility as media educators for us to foster students' abilities to ask questions about authorship, to explain their own motivations and processes for transforming others' work, and to see themselves as authors within a creative community. These three components of fair use reasoning set the stage for more complex fair use reasoning among our students as they get older, encouraging them to confidently and thoughtfully claim their rights as both creators and users of copyrighted material.

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