

ETHICS OF IMAGE USE & STUDENT VOICE

There are two sources that can provide you with guidelines for what is considered “original” artwork: **US Law & AP® Guidelines**

U.S. Legal Terminology:

Appropriation		The use of another person’s images or ideas.
Plagiarism	<u>NOT LEGAL</u>	The authorized or unauthorized use of another person’s images or ideas without clear citation of the originator <i>in conjunction</i> with the appropriated idea or image.
Satire	<u>NOT LEGAL</u>	The unauthorized use of another person’s images or ideas for a commentary not directly related to the appropriated image or idea.
Parody	<u>LEGAL</u>	The authorized or unauthorized use of another person’s images or ideas for a commentary directly related to the appropriated image or idea. (When an image or artwork is used in order to poke fun at, or comment on, the image or work itself.)
80% Transformation	<u>LEGAL</u>	US law provides for the use of appropriated images and ideas if they are used in a composition that is judged to be 80% different (or <i>transformed</i>) from the original intent of the original image or idea.
Copyright		The legal establishment of origination and ownership of an image or composition. Applies to visual images, music, plays, written compositions, and characters, riffs, plots, and sequences contained therein.
Fair Use		Factors involve in establishing fair use: “1. The purpose and the character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; 2. The nature of the copyrighted work. 3. The amount and sustainability of the portion used in relation to the copyrighted work as a whole (<i>80% rule</i>) <i>Transformative</i> . 4. The effect of the use upon the potential market for or value of, the copyrighted work.” (Russel, That’s not funny! Parody, Satire and fair use, part I., 2006, January p. 8).

AP® Guidelines:

No artwork submitted in the portfolio was derived solely as a direct copy of another person’s image. All compositions submitted in the portfolio were originated and constructed by the named submitting student. Works that do not meet highest AP® Exam Levels include:

- Copyright violations
- Satire
- Cliché (Trite; overused; betraying a lack of original thought)
- Direct copies of logos & trademarks without parody
- Plagiarism (Direct copies, *authorized or unauthorized*, of published or photographic sources, or the work of other artists.)