Instructional Designer's Guide to Legal and Ethical Responsibilities

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Introduction to the Instructional Designer's Guide to Legal and Ethical Responsibilities

Instructional designers must combine laws and principles concerning intellectual property, accessibility, and eLearning design. As a professional instructional designer, you must appropriately manage and make sound decisions about the legal and ethical situations you may face. This Instructional Designers' Guide to Legal and Ethical Responsibilities includes numerous sections to help you decide the best course of action during the design process. Topics include:

1) Code of Ethics Statement

2) Definitions including digital citizenship, intellectual property, copyright, fair use, patent, trade secrets, copyright, and trademark

3) Principles for Determining Fair Use

4) Code of Best Practices for Instructional Designers

5) Use-Case Scenario that incorporates the principles of intellectual property, copyright, accessibility, and ADA compliance

6) Additional Resources

This guide is intended to be a tool to help determine legal and ethical responsibilities for instructional designers. Professional ethics is an essential component of educational technology. As defined by the Association for Educational Communications and Technology (AECT), ''Educational technology is the study and **ethical** practice of facilitating learning and improving performance by creating, using, and managing appropriate technological processes and resources'' (Spector, 2016, p.1003). This Instructional Designers' Guide to Legal and Ethical Responsibilities includes specific laws, legal requirements, and ethical concerns instructional

designers must follow. This guide is not intended to be a replacement or provide legal advice. Use this guide as a tool for instructional designers regarding ethics, intellectual property, fair use, and appropriate accommodations for learners; however, please explore or seek legal advice when needed.

Code of Ethics Statement

A unified Code of Ethics provides a standard for maintaining a high level of professional, ethical, and legal principles and conduct within our instructional design team. Additionally, members of this instructional design team are expected to follow these Codes of Ethics standards to promote the best interests of the team, clients, and the company we serve.

Pledge of Commitment to the Individual Learner

Each instructional design team member shall encourage each learner's pursuit of learning by providing access to professional and instructional materials that stimulate intellectual freedom. Protect and keep private individual learner records and information inappropriate for the learning process. Each learner will be given an equal opportunity to participate in courses on the learner's job role. The instructional design team represents the face of the company to the public, so it is essential to be mindful of behaving professionally and acting with integrity. Furthermore, individual learners should be safe and free from harm in the learning environments.

Each team member depends upon each other to produce the best work we can achieve, so we must support, encourage, and seek the best for others. Also, we will not always agree, but different views and opinions should be encouraged and are no excuse for disrespect. Remember and apply "The Golden Rule" when dealing with fellow learners, team members, and potential clients. Furthermore, the decisions of each team member affect each other, learners, clients, and colleagues, so consider consequences when making decisions.

Professional procedures should be followed when evaluating and selecting learning materials, equipment, and furniture in educational work areas. Each instructional design team member should maintain all persons' privacy, protection, and safety. The individual integrity, rights, and educational opportunities of learners should always be encouraged.

Pledge of Commitment to Society

Each instructional design team member shall accurately represent the institution, company, or organization. Moreover, design team members shall maximize and promote the responsible use of educational communication, media, and technology for learning. Next, team members should develop learning materials, programs, and media that highlight the diversity of society and the multicultural aspects of communities. All instructional design team members are required to conduct themselves professionally. Additionally, they should seek the best in others, be kind, and refrain from insults or degrading comments.

Every instructional team member shall always seek to model professional, courteous, and respectful conduct to everyone. Any harassment or exclusionary behavior is unacceptable and should be avoided. Examples of inappropriate conduct are the following:

- Threats of violence

- Discriminatory jokes and language

- Insubordination

- Personal insults

- Unwelcome sexual attention

- Sharing inappropriate material via electronic devices or means

- Encouraging, supporting, or advocating any of the above behavior

Every instructional team member shall welcome and support people of all backgrounds. People of all backgrounds include all ethnicities, cultures, national origins, social and economic classes, educational levels, colors, immigration status, sex, age, size, family status, political beliefs, religions, and mental and physical abilities.

All instructional team members need to find strength in diversity. Furthermore, team members must remember that different people have different perspectives; however, these differences can help generate new ideas and help solve problems. Therefore, it is essential to make differences into strengths. Also, be patient and understanding with one another as we all make mistakes and blaming each other will not help anyone. Instead, focus on resolving issues, learn from mistakes, and support one another in this process.

Section 3 - Commitment to the Profession

Each instructional design team member shall treat all colleagues professionally, responsibly, and respectfully. All team members must promote intellectual freedom and diversity in publications and at conferences. Moreover, team members must stay above reproach by not accepting gratuities, gifts, or favors that might impair professional judgment. Furthermore, members shall engage in fair and equitable practices with those supplying services to the profession through proper channels. Next, team members should seek to improve professional knowledge through research and implementing the best learning and teaching practices. Finally, instructional design team members should maintain professional and ethical standards while interacting with patrons and colleagues.

Personal and professional qualifications and evaluations of colleagues should be truthful and accurate. Moreover, proper credit should be acknowledged and given when work and ideas are published in any form. Team members should promote current, professional, and ethical

practices in the use of technology. Additionally, all laws affecting our profession shall be maintained, promoted, and disseminated. Finally, accepted guidelines and procedures shall be followed while conducting research.

Section 4 - Commitment to the Law

Each instructional design team member shall enforce intellectual property rights (copyrights, trademarks, logos, trade secrets, and patents) as they are valuable assets. Unauthorized use can harm you and your instructional design team. Moreover, team members will abide by all copyright and other intellectual property laws. Furthermore, any acts that involve a violation of intellectual property shall be reported to a team member's supervisor. Always address any questions regarding intellectual property or fair use to your supervisor.

Each instructional design team member shall protect the privacy and maintain the confidentiality of learners, colleagues, and clients. Furthermore, team members should honor applicable privacy laws. They should maintain the confidentiality of personal and proprietary information. Moreover, all team members should collaborate and protect company trade secrets and proprietary information. Conversely, instructional design team members should refrain from sharing confidential information with those who need it for their job. Each design team member must comply with local, state, and federal laws. Remember, if you have questions, ask, do not assume. It is wiser to demonstrate caution than make choices that could open you, your team, and our company to unnecessary liability issues.

Each member of the instructional design team is expected to comply with local, state, and federal laws. Each instructional designer must possess professional knowledge and understanding of major laws and regulations that apply to their team projects, such as fair use, ADA, HIPPA, the TEACH Act, and other applicable laws. Moreover, use prudent judgment, ask

questions, collaborate with teammates, and exercise caution. Finally, liability issues could open

you, your teammates, your colleagues, and our company to preventable legal recourse.

Terms and Definitions

Digital Citizenship:

Digital Citizenship is a set of knowledge and skills that all citizens must learn to be digitally

literate in the information age and the 21st century. There are four main components of 21st-

century skills: "tool competence; creativity and expression; teamwork and collaboration; and

analysis, critical thinking, and ethical judgment" (Core Copyright, 2009, p. 94). A few literacies

involve 21st-century media, such as digital texts, digital tools, and digital technologies.

Additionally, being a digital citizen involves creating using digital tools, which requires

knowledge about the proper use of intellectual property, fair use, and copyright (Core Copyright,

2009).

Intellectual Property:

Intellectual Property involves a nontangible good created by the mind of a human (Core

Copyright, 2009). This property rights class is more complex because it deals with areas such as

ideas and expressions (Cass & Hylton, 2013). Additionally, patent law, trademark, and copyright

fall under the intellectual property category.

Patent:

A patent grants original ideas and concepts into forms of property (Cass & Hylton, 2013).

Therefore, the person who invented these ideas or concepts has exclusive rights to those

inventions with a patent (Cass & Hylton, 2013). Additionally, patent law protects inventions,

devices, methods of manufacturing, and chemicals, to name a few (DardenMBA, 2009).

Furthermore, patents exclude others from doing what you invented (DardenMBA, 2009).

Trade Secrets:

Trade Secrets grant the owner of secret information an advantage concerning competition

(DardenMBA, 2009). State law governs most trade secrets and can protect devices, formulas, or

recipes (Core Copyright, 2009).

Copyright:

Copyright provides the author or owner the legal right to modify, display, reproduce, or transmit

the work they have created (Hobbs, 2010). Additionally, copyrighted materials are under the

doctrine of fair use, Section 107 of the Copyright Law of 1976, which provides certain users "the

right to use copyrighted materials without payment or permission, depending on the specific

context and situation of the use" (Hobbs, 2010, p. 2). In order to promote innovation, copyright

protects both the rights of owners and users (Hobbs, 2010).

Trademark:

A *trademark* is a signal or label that identifies the product's origin (Cass & Hylton, 2013).

Furthermore, trademarks distinguish one company from another and can be in the form of names,

words, or symbols (DardenMBA, 2009). Additionally, any intellectual property someone wants

to protect can be trademarked (Films Media Group, 2014).

Principles for Determining Fair Use

Under certain conditions, copyright law has certain elements that permit quotations from

copyrighted works without permission or payment. Furthermore, as stated by Hobbs (2010), "At

the heart of copyright law, the doctrine of fair use states that people have a right to use

copyrighted materials freely without payment or permission, for purposes such as criticism,

comment, news reporting, teaching, scholarship, and research." Copyright law does not specify how to apply fair use, so each instructional designer must use reasoning and logic to assess each specific situation and context (Hobbs, 2010). Fair use doctrine is flexible; therefore, hard-and-fast rules do not apply.

Before using any copyrighted material, determine whether fair use applies by working through Sections I, II, III, IV, and V. Please record the answers to all sections in your instructional design planning documentation. If uncertainties exist after applying Sections I, II, III, IV, and V, then use Creative Commons and our current media subscription services as legal safeguards. Additionally, should any hesitations occur during the instructional design process about using a digital asset, seek administrative approval before proceeding.

Section I: "Four-Factors" Principle

The Copyright Act statute requires, at a minimum, the following:

1. Consider the character of the use. What are you doing with the material; is it of a commercial nature, or is it for non-profit educational purposes?

2. Consider the nature of the original work. Is it mainly factual reporting or an imaginative production?

3. Consider the amount taken. Is it the central part of the work? What is the portion used concerning the copyrighted work as a whole?

4. Consider the effect of taking on the market value of the work. What is the effect of the use upon the potential market for or value of the copyrighted work?

References: (Aufderheide & Jaszi, 2018) (Hobbs, 2010)

Please record the answers to Section I in your instructional design planning documentation.

Section II: "Two Key Questions"

As a result of litigation, judges have employed two questions when determining a typical fair-use calculation. Before using any copyrighted material, determine whether fair use applies by answering the "Two Key Questions" below.

1. "Did the unlicensed use "transform" the material taken from the copyrighted work by using it for a different purpose than that of the original, or did it just repeat the work for the same intent and value as the original?" (Aufderheide & Jaszi, 2021, p.6).

2. "Was the material taken appropriate in kind and amount, considering the nature of the copyrighted work and of the use?" (Aufderheide, & Jaszi, 2021, p.6).

The answers to the "Two Key Questions" should both be yes. If not, use Creative Commons and our current media subscription services as legal safeguards. Additionally, please record the answers to Section II in your instructional design planning documentation.

Section III: "Fair Use Evaluator"

The Fair Use Evaluator is an interactive tool that takes you step-by-step through the factors of fair use and helps you better understand how to determine the "fairness" of a use under the U.S. Copyright Code. This tool does not provide legal advice. The Fair Use Evaluator tool will provide you with a time-stamped .pdf document that must be included in your instructional design planning documentation.

Section IV: "Fair Use Checklist"

Read through the Copyright Advisory Services webpage at Columbia University Libraries. Afterward, print, complete, and save the "Fair Use Checklist" in your instructional design planning documentation. Furthermore, read through the Creative Commons Attribution License at the bottom of the Columbia University Libraries webpage.

Section V: Code of Best Practices

A unified Code of Best Practices for Instructional Designers provides a standard for maintaining a high level of professional, ethical, and legal principles and conduct within our instructional design team. This Code of Best Practices offers several best practices for specific situations in sound recordings, visual arts, teaching, and media literacy, to name a few. Please note that these best practices are not law. The doctrine of fair use is flexible and, therefore, must be examined in light of each situation. Moreover, use Creative Commons and our current media subscription services as legal safeguards. Finally, should any hesitations occur during the instructional design process about using a digital asset, seek administrative approval before proceeding.

1) Use of copyrighted material for commentary, critique, or analysis

Instructional designers may use copyrighted material to comment or criticize directly or indirectly or solicit critique from others. The very core of the fair use doctrine allows for freedom of expression, including scrutiny, comment, or critique. The use of copyrighted material should be limited in duration and not become a substitute for the original work. Finally, include proper attribution in the credits or body of the text. For more information, see the *Code of best practices in fair use for online video, Code of best practices in fair use for the visual arts, Documentary Filmmakers' statement of best practices in fair use, and Code of best practices in fair use for scholarly research in communication.*

2) Quoting copyrighted material as an illustration or example

Instructional designers may quote copyrighted material that is taken (music, photographs, animations, text) for illustrative purposes. Moreover, copyrighted material can be used to illustrate an argument or make a point. Fair use is applicable when instructional designers

present quoted material to create a new purpose, which creates new value. The use of

copyrighted material should be limited in duration and not become a substitute for the original

work. Illustrative quotations should be limited in duration to achieve the intended effect. Finally,

include proper attribution in the credits or body of the text. For more information, see the *Code*

of best practices in fair use for online video, Documentary Filmmakers' statement of best

practices in fair use, and Code of best practices in fair use for scholarly research in

communication.

3) Capturing copyrighted material incidentally or accidentally

Instructional designers may use film sequences from real-life settings that include

copyrighted sounds and images. If a media object has been captured incidentally or accidentally,

it is permissible to use it, to a reasonable extent, as part of the final version of the video. For

instance, the recording of an unstaged event may include a sound, image, text of a poster on a

wall, or music playing on a radio. The captured media included should be integral to the scene.

Additionally, ensure that the content is properly attributed. Finally, the scene should not exploit

or constitute the scene's primary focus on the interest of the copyrighted media content. For more

information, see the *Code of best practices in fair use for online video and Documentary*

Filmmakers' statement of best practices in fair use.

4) Using copyrighted material to stimulate discussion

Instructional designers must engage learners using multiple instructional strategies and

techniques. Moreover, whether live or online, group discussions can promote active learner

participation, which may involve using copyrighted material to spur discussion (Morrison et al.,

2019). Instructional designers may need to meet with SMEs and use copyrighted material to

stimulate discussion concerning instructional goals. Additionally, "when content that originally

was offered to entertain or inform or instruct is offered up with the distinct purpose of launching

an online conversation, its use has been transformed" (Center for Media & Social Impact, 2021).

The viewer(s) or learners need to know the intent of using copyrighted material to spur

discussion. For more information, see the *Code of best practices in fair use for online video,*

Documentary filmmakers' statement of best practices in fair use, and Code of best practices in

fair use for scholarly research in communication.

5) Using copyrighted material during the instructional design process (e.g., target audience,

needs assessment, task analysis)

        The are several stages during the instructional design process that might require the use

of copyrighted material. One aspect of the analysis phase is defining the target audience's

characteristics, including collecting copyrighted data (Morrison et al., 2019). Additionally,

designing creative and innovative ways of presenting information may involve interacting with

copyrighted material. During the instructional design process, copyrighted material may

communicate a point or fact about the client's needs or the learner's background. The amount of

material used should correspond to the instructional design purpose. It is best practice to use the

least amount of copyrighted material necessary, such as a clip or excerpt. As in research done by

scholars, the use should be transformative, narrowly available, and properly attributed. For more

information, see *the Code of best practices in fair use for scholarly research in communication.*

6) Storing copyrighted material in collections and archives during the instructional design

process (e.g., target audience, needs assessment, task analysis)

        During the instructional design process, "A designer new to an organization or client

might gather data on several types of needs to gain a more robust picture and data" (Morrison et

al., 2019, p. 37). Some of this data may include copyrighted material that needs to be stored in

collections and archives during the instructional design process. Material included in these

collections should be related to a specific instructional program for a specific client.

Furthermore, "Archived material should be marked as to its source, and (whenever possible)

metadata associated with that material should be preserved" (Center for Media & Social Impact,

2021). Any copyrighted material and digital assets should only be available for a set time and no

longer, as in research done by scholars, provide proper attribution to the copyright owner, source,

and publisher. For more information, see the *Code of best practices in fair use for scholarly*

research in communication.

7) Using copyrighted material in instructional design lessons plans

Instructional designers strive to create engaging learning scenarios and active learning

situations. These instructional design lesson plans may include video, images, text, and sound

recordings to teach skills or convey information. Under fair use, instructors can use illustrative

material from "copyrighted sources, and make them available to learners, in class, in workshops,

in informal mentoring and teaching settings, and on school-related Web sites" (Center for Media

& Social Impact, 2021). Moreover, use only material essential to the project or topic to

accomplish the educational goal or purpose. Additionally, provide proper attribution and model

citation best practices. When illustrative material is available in digital formats, use hyperlinks to

images, videos, text, or sound recordings, rather than downloading a copy. As stated in The

University of Rhode Island's Fair Use and Copyright Guide (2013), "Linking to materials is

ordinarily not a violation of copyright but rather a technological instruction for locating

materials" (Rathemacher et al., 2013). For more information, see the *Code of best practices in*

fair use for media literacy education and The University of Rhode Island (Rathemacher et al.,

2013). *Fair Use and Copyright for Online Education*. See specific best practices for textual materials, images, video, and sound recordings below.

8) Using copyrighted material in instructional design curriculum materials

Instructional designers can use copyrighted materials for curriculum materials. Developing innovative training lessons can involve "instructional materials such as video recordings, web pages, print materials, or audiotapes" (Morrison et al., 2019, p. 18). Under fair use, facilitators "can integrate copyrighted material into curriculum materials, including books, workbooks, podcasts, DVD compilations, videos, Web sites, and other materials designed for learning" (Center for Media & Social Impact, 2021, p. 12). These materials should be used for curriculum development with obvious and stated educational objectives, a thorough description of instructional practices, and learner assignments (Center for Media & Social Impact, 2021). Lastly, provide proper attribution and model citation best practices. For more information, see the *Code of best practices in fair use for media literacy education.*

9) Sharing copyrighted material within instructional design lessons and curriculum materials

A designer will often work with an organization or client during the instructional design process, which can involve the exchange of instructional design lessons and curriculum materials containing copyrighted material. It is essential to employ fair use best practices during the curriculum design process, so instructional materials can "be seen, used, and even purchased by anyone since fair use applies to commercial materials as well as those produced outside the marketplace model" (Center for Media & Social Impact, 2021, p. 13). When sharing curriculum materials, instructional designers should carefully choose illustrations from copyrighted material that is essential for maintaining lesson objectives or the educational goal of the unit of

instruction. Note that "curriculum developers should not rely on fair use when using copyrighted third-party images or texts to promote their materials. For promotional purposes, the permissions process is appropriate" (Center for Media & Social Impact, 2021, p. 13). Additionally, curriculum materials should be properly attributed wherever possible and limited in duration to achieve the intended effect. Finally, include proper attribution in the credits or body of the curriculum materials. For more information, see the *Code of best practices in fair use for media literacy education.*

10) Creating art or making videos for instructional design projects

Artists, musicians, and instructional designers will often draw inspiration or incorporate the creative work of others. This process has been commonplace for centuries. Moreover, instructional designers may also be artists, using "digital tools to incorporate existing (including digital) works into their own" (Center for Media & Social Impact, 2021, p. 11). This new art may involve copying that is a copyright infringement and sometimes not. When instructional designers create videos, digital works, or remixes, it is essential to modify the artistic meaning and medium from the original. Do a fair use analysis using the *Fair Use Evaluator* and complete the *Fair Use Checklist* outlined in Sections III and IV. Cite your sources. For more information, see the *Code of best practices in fair use for* the visual arts.

11) Using textual materials during the instructional design process

Instructional designers strive to create engaging learning scenarios and active learning situations. These instructional plans may use textual materials to teach skills or convey information within a course setting. When including textual materials, provide hyperlinks to the text instead of making an electronic copy. Also, use a narrowly defined amount of text that serves the educational objective and no more. Additionally, make only a brief excerpt of textual

materials and avoid copying materials created for instructional courses such as textbooks or

workbooks. Ensure textual materials are not used as entertainment but serve a pedagogical

purpose. Next, place the textual materials within the context of the course, explaining the

illustrative purposes and recontextualizing the texts whenever possible. Moreover, limit access to

the texts and provide the source, copyright, and publisher citation (Rathemacher et al., 2013). For

more information, textual materials resources, and example scenarios, see the University of

Rhode Island's fair use and copyright for online education (Rathemacher et al., 2013).

12) Using images during the instructional design process

Research has shown that "Pictures help readers learn the text information that was

illustrated" (Morrison et al., 2019, p. 183). Additionally, illustrations, images, and pictorial

representations can help " illustrate abstract material and the main ideas in the text" (Morrison et

al., 2019, p. 183). When using images while designing coursework during the instructional

design process, provide links to images and use the lowest image resolution whenever possible

(Rathemacher et al., 2013). Moreover, avoid using images for decorative or aesthetic purposes.

Instead, ensure that pictures and illustrations serve pedagogical purposes. Also, provide

attributions to known copyright owners of the images and limit access to these images and

pictures to students enrolled in the course (Rathemacher et al., 2013). For more information,

image resources, and example scenarios, see the University of Rhode Island's fair use and

copyright for online education (Rathemacher et al., 2013).

13) Using video during the instructional design process

Instructional videos are a common digital asset that instructional designers may use while

designing effective instruction for a course. Moreover, instructional videos are excellent sources

to demonstrate procedural or process strategies during the instructional process. For instance,

"While watching a video recording of the process, students are encouraged to take notes on each step" (Morrison et al., 2019, p. 154). When using video during the instructional design process, limit access to the video to only students enrolled in the course. Additionally, place a hyperlink to the video or stream the video, limiting learners' ability to "download, copy, or redistribute the material" (Rathemacher et al., 2013). Ideally, use video clips or segments for teaching purposes only and avoid copying or using the entirety of a video. For more information, video resources, and example scenarios, see the University of Rhode Island's fair use and copyright for online education (Rathemacher et al., 2013).

14) Resource materials suited to the learning objectives of an OER may be incorporated in reliance on fair use during the instructional design process

Using OER content as educational materials during the instructional design process is growing in popularity (Rathemacher et al., 2013). Additionally, OER resources can include course materials, streaming videos, textbooks, learning modules, and numerous tools, materials, and techniques supporting knowledge acquisition. Moreover, these OER resources are free to access and, in most cases, to modify, reuse, and redistribute. Instructional designers should consider and be prepared to explain the pedagogical content of an OER selection beyond its mere entertainment or informational content. Furthermore, the resources "incorporated in a particular OER should be derived from a range of sources, rather than from only a few" (Center for Media & Social Impact, 2021, p. 14). Finally, attribution should be included in fair use inserts in OER resources.

15) Using copyrighted materials to develop evaluations or assessments

Part of an instructional design is to evaluate learners in the form of assessments during instruction (formative assessment) and after instruction (summative assessment). Use the

minimum amount needed to accomplish the purpose and properly attribute the source. These assessment curriculum materials should be linked to stated educational objectives, instructional practices, and learner assignments (Center for Media & Social Impact, 2021). Moreover, use only copyrighted material essential to the evaluation items to accomplish the educational goal or purpose. For more information, see the *Code of best practices in fair use for media literacy education.*

Introduction to this Instructional Design Plan

A private elementary school in the Phoenix metro area plans to deploy Apple Macintosh laptops for each student in the intermediate elementary grades for the 2023-2024 school year. As a result, the intermediate-level elementary teachers at this school need technical skills and classroom technology integration training. Instructional designers conduct a needs assessment report when "the introduction or rollout of a new product (Morrison et al., 2019, p.31). The intermediate-level elementary teachers at this school need technical skills training on how to use the computer software on these laptops. Further, these teachers need additional technical skills training on how to teach computer software skills to their students and "how to integrate this technology into their curricula" (Morrison et al., 2019, p. 30). A prior task analysis addressed the instructional problem of computer software technical skills training. Additional training sessions will need to address screencast software training and teaching technology integration skills to elementary teachers.

Use-Case Scenario

Instructional designers must combine laws and principles concerning intellectual property, accessibility, and eLearning design. Intellectual Property is an extensive set of laws protecting trademarks, patents, copyrights, and trade secrets. Moreover, accessibility and

eLearning design concerns principles, guidelines, and laws incorporating Web Content

Accessibility Guidelines (WCAG), Section 508 of the Americans with Disabilities Act (ADA)

with Standards for Electronic and Information Technology, and the Universal Design for

Instruction and Learning.

Below is an instructional design plan that employs Gagne's Nine Levels of Learning

within a technology integration course that will instruct teachers on techniques for integrating

computer technology into classroom learning and instruction. To achieve these two goals,

teachers will learn the computer software skills they will need to teach their students in the 2023-

2024 school year. The target audience for this training is elementary teachers. This course has

fourteen total objectives, with two of these objectives detailed below in the following tables. This

plan has been modified as a use-case scenario to address intellectual property rights, copyright,

fair use, accessibility, and ADA compliance. Within the instructional design plan that appears

below are descriptions and explanations about how this plan can be implemented to comply with

each of these areas, with specific adaptations appearing in bold text.

Intellectual Property

Intellectual Property involves a nontangible good created by the mind of a human (Core

Copyright, 2009). This property rights class is more complex because it deals with areas such as

ideas and expressions (Cass & Hylton, 2013). Moreover, intellectual property is the broad

umbrella of law protecting creative works, including copyright, patents, trademarks, and trade

secrets. The instructional design plan that follows does not include any copyrighted work, patent,

trademark, or issues with trade secrets. Finally, specific explanations and adaptations appear in

bold text within this plan to address compliance with intellectual property laws.

Copyright

Copyright provides the author or owner the legal right to modify, display, reproduce, or transmit the work they have created for a specified time (Hobbs, 2010). Additionally, copyrighted materials are under the doctrine of fair use, Section 107 of the Copyright Law of 1976, which provides certain users "the right to use copyrighted materials without payment or permission, depending on the specific context and situation of the use" (Hobbs, 2010, p. 2). The instructional design plan that follows does not include any copyrighted work.

Accessibility/ADA Compliance

Accessibility and eLearning design concerns principles, guidelines, and laws incorporating Web Content Accessibility Guidelines (WCAG), Section 508 of the Americans with Disabilities Act (ADA) compliance, and principles for the Universal Design for Learning (UDL). This instructional design plan will incorporate WCAG guidelines, ADA compliance, and UDL principles as explained in the white paper; Learning *is for Everyone: Instructional Design for Accessibility* by S. Victor and Obsidian Learning.

I: Equitable Use

"Provide the same means of use for all students; identical whenever possible, equivalent when not" (Victor, 2016, p. 6). All learners will access this course through the Canvas LMS system, employer-owned teacher laptop computers, and high-speed internet connection. Accommodations will be made to ensure that access to the training is equitable. Since this course is provided in hybrid and asynchronous formats, all learners will have high-speed internet access to the Canvas LMS system. Moreover, all employer-owned teacher laptops will have essential software preloaded, color-coded instructional materials, large print materials, and headphones.

II: Flexibility in use

"To accommodate a wide range of individual abilities, provide choice in methods of use" (Victor, 2016, p. 6). This instructional design plan has been developed to deliver this technology integration course in hybrid or asynchronous formats. Online or access to assigned reading material will be provided in varied delivery formats such as DVDs and PowerPoints. Learners can skip navigation by accessing the "Skip to Content" and "Skip Navigation" links at the top of each webpage (Victor, 2016, p. 6). Moreover, all web pages will be user-friendly and intuitive in appearance and operability. Additionally, all web content will be compatible with current and future user agents, including assistive technologies (Victor, 2016, p. 6).

III: Simple and intuitive design

"Design clearly and predictably. Eliminate unnecessary complexity" (Victor, 2016, p. 6). This instructional design plan follows a logical sequence using Gagne's nine levels of Learning that is user-friendly and intuitive. Moreover, standard file formats will be used for all files: pdf for documents, jpeg for images, mp3 for audio, and mp4 for videos.

All designs will be perceivable, with high contrast, and follow the best webpage design practices regarding color selection (Pappas, 2021). As a result, reader viewability is high because there is enough contrast between the text and background (Victor, 2016). In addition, good color contrast on web pages can help "learners focus more of their energies on gaining an understanding of the information, rather than on overcoming barriers caused by poor design" (CAST Publishing, 2022). Applying CSS style for all headers will create a consistent layout throughout all web pages, facilitating the perceptual features of text, color, and contrast (Center for Applied Special Technology (CAST) Publishing, 2022). Different header sizes use different font sizes, color depth, and contrast, making reading easier for learners.

IV: Perceptible information

"Communicate necessary information, so it is readily understandable, regardless of ambient conditions or learners' sensory abilities" (Victor, 2016, p. 6). First, CSS styles and HTML standards will be used for text formatting, which includes titles, headings, and other styles to enhance readability and improve the structure of a document. Section headings will follow best practices for a person using a screen reader, which offers an easy way to navigate (Victor, 2016). So, all learners can use their keyboards, screen readers, and headings to find the section with the most relevant content. Additionally, an appropriate heading style will be implemented so that screen readers will function properly (Pappas, 2021).

All images and graphics will have text descriptions that offer alternatives for visual information (Pappas, 2021) and by following Web Content Accessibility Guidelines (WCAG) alt text guidelines (Victor, 2016). Screen readers can only describe images to learners if they contain alt text. Moreover, all time-based media, such as videos, will contain text alternatives, and text alternatives for any non-text content will be provided. Therefore, this plan will implement text alternatives such as captions, alternative text for images, and closed captioning for videos (Victor, 2016). These additions will make learning material more understandable for all learners, especially those with vision or hearing impairments or operative accessibility issues. Finally, contrasting colors will be used when creating the slides and videos to maximize viewability (University of Minnesota n.d.).

Hyperlinks on web pages must be descriptive and meaningful (Victor, 2016). Hyperlinks that lack meaning can confuse users. As stated in the CAST guide on *Creating Accessible Documents,* links need to be "...meaningful on their own, without the surrounding text to provide additional context" (2022). Additionally, hyperlinks within websites will have descriptive titles

and avoid complete URLs that can negatively affect a person using a screen reader (Pappas, 2021).

V: Tolerance for error

"Anticipate variation in individuals' learning pace and prerequisite skills" (Victor, 2016, p. 6). Several factors can affect the sequencing of instructions, such as complex content, the prior knowledge of the learner, and the quality of task analysis (Morrison et al., 2019). It is important to remember that instruction sequencing does affect the quality of learning, which has been verified by research, so an instructional designer must include this step in the ID process (Morrison et al., 2019).

Several strategies exist for sequencing content, including learning-related sequencing. In this strategy, "guidelines prescribe teaching easier tasks first," which is also directly related to the "amount of cognitive processing required" (Morrison et al., 2019, p. 131). As the instructional designer, this would imply that instruction starts with more simple concepts and then proceeds to more complex concepts in sequential and successive order. Additional considerations must be addressed when teaching a mix of concepts and procedures. Morrison et al. 2019 state that research has shown that "using an iterative approach is more effective than teaching the concepts first, followed by the procedures" (p. 135). This approach means "teaching the first concept and the associated procedure, followed by the second concept and related procedure..." (Morrison et al., 2019, p. 135).

VI: Low physical effort

"Minimize nonessential physical effort" (Victor, 2016, p. 6). Since this integration course is digital, little physical effort will be exerted.

VII: Size and space for approach and use

"Design to allow appropriate size and space for approach, reach, manipulations, and use" (Victor, 2016, p. 7). All learners (teachers in real life) will complete the training in their classrooms or homes, so ADA accommodations should already exist.

VIII: A community of learners

"A community of learners: Promotes interaction and communication among learners and between learners and instructors" (Victor, 2016, p. 7). The Canvas LMS will be used for discussion boards and small group collaboration. All learners will be given information about contacting the instructor, and information about the weekly small group discussion board will be given at the beginning of the course.

IX: Instructional Climate

"Designed instruction that is welcoming and inclusive" (Victor, 2016, p. 7). Photos, videos, and examples will include the demographics of elementary teachers as the target audience for this instructional design plan.

Instructional Design Plan Using Gagne's Nine Events of Instruction (1)

Objective 1.1.1: The learner will display a willingness to learn the procedures and attributes associated with MS Word fonts. (Attitude Concept/Application)

Objective 1.1.2: The learner will demonstrate how to modify font, size, and color in the MS Word template. (Recall/Procedure/Application)

Design Sequence	Description	Objective(s)	Time	Instructional Strategy	Media (Technology, Worksheets, etc.)
Gain Attention	Pre-instructional Strategy	1	2 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word fonts. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. Additionally, the instructor should use a Lorem Ipsum Generator to create a one-page document in MS Word that is double-spaced using Curlz MT font, 24 in font size, and the font color in color yellow. **Teach & Train:** The instructor should welcome teachers to their first training session in this video. Next, the instructor should display a one-page document in MS Word that is double-spaced using Curlz MT font, 24 in font size, and the font color in yellow. Next, the trainer will ask the learners to predict what would happen if an entire Microsoft Word document used the Curlz MT font, 24 in font size, and the font color was yellow. **Delivery:** This lesson will be in a video format and uploaded to the school's LMS system and into the course module. **Course Accessibility: Learners must understand how the LMS and modules work to accommodate virtual access. First, the instructor should create a screencast video about the LMS system and how**	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Text Accessibility Use contrasting colors. Choose a text font style and size that are easy to read.** **Course Accessibility See the instructional strategy section.**

				to use the software. When creating the screencast video, use contrasting colors and choose a text font style and size that are easy to read. Also, ensure that onscreen images and graphics are easy to view. Have the option to zoom or make these features bigger or smaller. Finally, include closed captions burned into the video and as a separate text document. Provide options for learners to self-identify as being visually or hearing impaired. The Canvas LMS will store the learner selection. Afterward, the learner will be automatically branched to instructional modules tailored to their needs.	
Inform Learners of Objectives	Pre-instructional Strategy	1	2 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word fonts. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. Additionally, the instructor should use a Lorem Ipsum Generator to create a three-paragraph document in MS Word. Each paragraph within the document should be in a different font, size, and color. **Teach & Train:** First, display a three-paragraph document to the learners. Next, highlight how each paragraph within the document is a different font, size, and color. Additionally, specifically focus the learner's attention to features unique to each paragraph (e.g., each paragraph contains words in a different font, size,	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Text Accessibility** **Use contrasting colors. Choose a text font style and size**

				and color; some paragraphs are easier to read than others). Finally, explain to the learners that they will demonstrate how to modify font, size, and color in a Microsoft Word template. **Course Accessibility:** **Learners self-identified as visually or hearing impaired will automatically be branched to instructional modules tailored to their needs.** **Delivery:** This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	**that are easy to read.** **Course Accessibility** **See the instructional strategy section.**
Stimulate Recall of Prior Learning	Pre-instructional Strategy	1	2 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word fonts. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. **Teach & Train:** In this video, the instructor will show several web pages from various sources and settings (e.g., an online department store, an elementary school, and a clothing store) and ask the learner to identify unique features of the web page font, size, and color. Then, have the learner consider the readability of each web page. **Accessibility and ADA Compliance:** **The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.**	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Accessibility and ADA Compliance** **See the instructional strategy section.**

				Delivery: This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	
Present Stimulus Material	Initial Presentation	1	2 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word fonts. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. **Teach & Train:** First, review with the learners that they will demonstrate how to modify fonts in a Microsoft Word template. Next, explain to the learners that they will view a training screencast video created by the course facilitator. In this video, the instructor will review how the learners will demonstrate how to modify font, size, and color in a Microsoft Word template. Next, explain to the learners that they will view a training screencast video created by the course facilitator. Then, as they watch the tutorial video, they must develop a mental model of the procedures. However, since the tutorial is a video, learners can rewatch it as they complete the process in this lesson. Lastly, learners will apply their mental model by demonstrating the procedure using the Microsoft Word template. **Accessibility and ADA Compliance: The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.**	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Accessibility and ADA Compliance** **See the instructional strategy section.**

				Delivery: This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	
Provide Learner Guidance	Initial Presentation	1	4 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word fonts. (Attitude Concept/Application)	Computer with internet or mobile device
					LMS system
				Instructional Strategy: Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review.	MS Office software
					Screencast software
				Design & Develop: The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic.	Screencast video
					Video Accessibility **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.**
				Teach & Train: In this video, the instructor will demonstrate how to access the Microsoft Word template for the exercises Next, the learner will visualize how to complete the following procedures by watching the tutorial screencast. Furthermore, underline the word "font" anywhere in the template. Additionally, modify the font to Arial in line 2 of the template. Then, alter the font color to Red in line 3 of the template. Next, change the font size to 24 in line 4 of the template. Lastly, modify the font, color, and size to course facilitator specification in line 5 of the template.	**Accessibility and ADA Compliance** **See the instructional strategy section.**
				Accessibility and ADA Compliance: **The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.**	
				Delivery: This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	

Elicit Performance	Generative Strategy	1	5 min	**Objective:** The learner will demonstrate how to modify font, size, and color in the MS Word template. (Recall/Procedure/Application) **Instructional Strategy:** The instructional strategy includes the learner viewing a training screencast video, developing a mental model, then applying this mental model by demonstrating the procedure using the Microsoft Word template. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. In this video, the instructor will demonstrate how to access the Microsoft Word template for the exercises. Next, underline the word "font" anywhere in the template. Additionally, modify the font to Arial in line 2 of the template. Then, alter the font color to Red in line 3 of the template. Next, change the font size to 24 in line 4 of the template. Lastly, modify the font, color, and size to course facilitator specification in line 5 of the template. The Microsoft Word template contains the learner directions embedded within the document for ongoing feedback to the learner during the process. **Teach & Train:** First, the learner visualizes how he or she would modify the font, size, and color in a Microsoft Word template. Second, each learner practices changing the font, size, and color in a Microsoft Word template. Finally, the Microsoft Word template contains the learner directions embedded within the document. **Accessibility and ADA Compliance:** **The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are**	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Accessibility and ADA Compliance** **See the instructional strategy section.**

				incorporated into instructional strategies and delivery. **Delivery:** This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	
Provide Feedback	Generative Strategy	1	5 min	Learners will create a screencast. Each screencast will have learners (teachers in real life) instruct on the Microsoft Word software skills they learned in the section lesson objectives. The intended audience for the teacher-created screencasts will be their students. **Accessibility and ADA Compliance: All learners must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery of their screencast videos.** Additionally, learners will attach a copy of their screencast and completed Microsoft Word template through the LMS. Next, learners will directly include questions or comments about the lesson in their screencast. Finally, the instructor will provide feedback on each learner's screencast and Microsoft Word template.	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Learners must include closed captions burned into their screencast videos and as separate text documents.** **Accessibility and ADA Compliance** **See the instructional strategy section.**
Assess Performance	Post-Instructional	1	2 min	The instructor will evaluate each screencast based on the Microsoft Word software skills they learned in the section lesson objectives. Additionally, the instructor will evaluate each modified Microsoft Word according to the lesson objective. Lastly, the instructor will provide constructive and specific feedback to each learner through the LMS.	Computer with internet or mobile device LMS system

Enhance Retention and Transfer	Post-Instructional	1	1 min	In the feedback section for each learner, the instructor will instruct learners to upload their screencast videos to their classroom homepages. Next, teachers will use their screencasts to instruct students on the Microsoft Word software skills they learned in the lesson objectives.	Computer with internet or mobile device LMS system

Instructional Design Plan Using Gagne's Nine Events of Instruction (2)

Objective 2.1.1: The learner will display a willingness to learn the procedures and attributes associated with MS Word pictures. (Attitude Concept/Application)

Objective 2.1.1: The learner will demonstrate how to modify a picture in the MS Word template. (Recall/Procedure/Application)

Design Sequence	Description	Objective(s)	Time	Instructional Strategy	Media (Technology, Worksheets, etc.)
Gain Attention	Pre-instructional Strategy	1	2 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word pictures. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. Additionally, the instructor should use a Lorem Ipsum Generator to create a one-page document in MS Word that is double-spaced using Times New Roman font, 12 in font size, and the font color in color black. Next, the instructor will add	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.**

| | | | | four pictures to the document with varied justifications. Finally, the instructor will position two photos, so they interfere with the readability of the text.

Teach & Train:
The instructor should welcome teachers to their second training session in this video. Next, the instructor should display a one-page document in MS Word that is double-spaced using Times New Roman font, 12 in font size, and the font color in color black. Next, the instructor will ask the learners to predict what would happen if an entire Microsoft Word document used photos that interfered with text readability.

Course Accessibility:
Learners must understand how the LMS and modules work to accommodate virtual access. First, the instructor should create a screencast video about the LMS system and how to use the software. When creating the screencast video, use contrasting colors and choose a text font style and size that are easy to read. Also, ensure that onscreen images and graphics are easy to view. Have the option to zoom or make these features bigger or smaller. Finally, include closed captions burned into the video and as a separate text document.

Provide options for learners to self-identify as being visually or hearing impaired. The Canvas LMS will store the learner selection. Afterward, the learner will be automatically branched to instructional modules tailored to their needs.

Delivery:
This lesson will be in a video format and uploaded to the school's LMS system and into the course module. | **Text Accessibility**
Use contrasting colors. Choose a text font style and size that are easy to read.

Course Accessibility
See the instructional strategy section. |
| Inform Learners of Objectives | Pre-instructional Strategy | 1 | 2 min | **Objective:**
The learner will display a willingness to learn the procedures and attributes associated with MS Word pictures. (Attitude Concept/Application) | Computer with internet or mobile device

LMS system

MS Office software |

| | | | | **Instructional Strategy:**
Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review.

Design & Develop:
The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. Additionally, the instructor should use a Lorem Ipsum Generator to create a three-paragraph document in MS Word. Each paragraph within the MS Word document is double-spaced using Times New Roman font, 12 in font size, and the font color in color black. Next, the instructor will add six pictures to the document with varied justifications. Finally, the instructor will position four photos to interfere with the readability of the text.

Teach & Train:
First, display a three-paragraph document to the learners. Next, highlight how each paragraph within the MS Word document contains photos that interfere with the readability of the text. Additionally, explain to the learners that they will demonstrate how to modify a picture in the MS Word template. (Procedure/Application)

Course Accessibility:
Learners self-identified as visually or hearing impaired will automatically be branched to instructional modules tailored to their needs.

Delivery:
This lesson will be in a video format and uploaded to the school's LMS system and into the course module. | Screencast software

Screencast video

Video Accessibility
Allow learners full control of video playback

Include closed captions burned into the video and as a separate text document.

Text Accessibility
Use contrasting colors. Choose a text font style and size that are easy to read.

Course Accessibility
See the instructional strategy section. |
| Stimulate Recall of Prior Learning | Pre-instructional Strategy | 1 | 2 min | **Objective:**
The learner will display a willingness to learn the procedures and attributes associated with MS Word pictures. (Attitude Concept/Application) | Computer with internet or mobile device

LMS system

MS Office software |

				Instructional Strategy: Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review. **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. **Teach & Train:** In this video, the instructor will show several web pages from various sources and settings (e.g., an online department store, an elementary school, and a clothing store) and ask the learner to identify unique features and positions of the web page photos. Then, have the learner consider the readability of each web page. **Accessibility and ADA Compliance: The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.** **Delivery:** This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Accessibility and ADA Compliance** **See the instructional strategy section.**
Present Stimulus Material	Initial Presentation	1	2 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word pictures. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review.	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video

				Design & Develop: The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. **Teach & Train:** First, review with the learners that they will demonstrate how to modify pictures in a Microsoft Word template. Next, explain to the learners that they will view a training screencast video created by the course facilitator. In this video, the instructor will review how the learners will demonstrate how to modify pictures in a Microsoft Word template. Next, explain to the learners that they will view a training screencast video created by the course facilitator. Then, as they watch the tutorial video, they must develop a mental model of the procedures. However, since the tutorial is a video, learners can rewatch it as they complete the process in this lesson. Lastly, learners will apply their mental model by demonstrating the procedure using the Microsoft Word template. **Accessibility and ADA Compliance: The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.** **Delivery:** This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	**Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Accessibility and ADA Compliance** **See the instructional strategy section.**
Provide Learner Guidance	Initial Presentation	1	4 min	**Objective:** The learner will display a willingness to learn the procedures and attributes associated with MS Word pictures. (Attitude Concept/Application) **Instructional Strategy:** Instructional strategies include applying the performance by identifying new examples of the concepts. Additionally, learners practice recall strategies through repetition, rehearsal, and review.	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video

				Design & Develop: The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic. **Teach & Train:** In this video, the instructor will demonstrate how to access the Microsoft Word template for the exercises. Next, the learner will visualize how to complete the following procedures by watching the tutorial screencast. First, access the Insert tab in the menu. Then, choose the Insert Pictures tab in the menu. Next, locate four online pictures of your favorite hobby. Finally, Insert each online image into the template. **Accessibility and ADA Compliance: The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.** **Delivery:** This lesson will be in a video format and uploaded to the school's LMS system and into the course module.	**Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and as a separate text document.** **Accessibility and ADA Compliance** **See the instructional strategy section.**
Elicit Performance	Generative Strategy	1	5 min	**Objective:** The learner will demonstrate how to modify a picture in the MS Word template. (Recall/Procedure/Application) **Instructional Strategy:** The instructional strategy includes the learner viewing a training screencast video, developing a mental model, then applying this mental model by demonstrating the procedure using the Microsoft Word template.	Computer with internet or mobile device LMS system MS Office software Screencast software Screencast video **Video Accessibility** **Allow learners full control of video playback** **Include closed captions burned into the video and**

| | | | | **Design & Develop:** The instructor will create a screencast video using the built-in-Retina display, built-in HD Camera, speaker audio, and system audio. This video will use Microsoft Word and screencast software, such as Camtasia or Screencast-o-Matic.

In this video, the instructor will demonstrate how to access the Microsoft Word template for the exercises. Next, the learner will visualize how to complete the following procedures by watching the tutorial screencast. First, access the Insert tab in the menu. Then, choose the Insert Pictures tab in the menu. Next, locate four online pictures of your favorite hobby. Finally, Insert each online image into the template. The Microsoft Word template contains the learner directions embedded within the document for ongoing feedback to the learner during the process.

Teach & Train: First, the learner visualizes how he or she would modify the pictures in a Microsoft Word template. Second, each learner practices changing the pictures in a Microsoft Word template. Finally, the Microsoft Word template contains the learner directions embedded within the document.

Accessibility and ADA Compliance: The instructor must ensure that accessibility guidelines, UDL principles, and ADA compliance are incorporated into instructional strategies and delivery.

Delivery: This lesson will be in a video format and uploaded to the school's LMS system and into the course module. | **as a separate text document.**

Accessibility and ADA Compliance **See the instructional strategy section.** |
| Provide Feedback | Generative Strategy | 1 | 5 min | Learners will create a screencast. Each screencast will have learners (teachers in real life) instruct on the Microsoft Word software skills they learned in the section lesson objectives. The intended audience for the teacher-created screencasts will be their students.

Accessibility and ADA Compliance: All learners must ensure that accessibility guidelines, UDL | Computer with internet or mobile device

LMS system

MS Office software

Screencast software

Screencast video |

				principles, and ADA compliance are incorporated into instructional strategies and delivery of their screencast videos. Additionally, learners will attach a copy of their screencast and completed Microsoft Word template through the LMS. Next, learners will directly include questions or comments about the lesson in their screencast. Finally, the instructor will provide feedback on each learner's screencast and Microsoft Word template.	**Video Accessibility** **Learners must include closed captions burned into their screencast videos and as separate text documents.** **Accessibility and ADA Compliance** **See the instructional strategy section.**
Assess Performance	Post-Instructional	1	2 min	The instructor will evaluate each screencast based on the Microsoft Word software skills they learned in the section lesson objectives. Additionally, the instructor will evaluate each modified Microsoft Word according to the lesson objective. Lastly, the instructor will provide constructive and specific feedback to each learner through the LMS.	Computer with internet or mobile device LMS system
Enhance Retention and Transfer	Post-Instructional	1	1 min	In the feedback section for each learner, the instructor will instruct learners to upload their screencast videos to their classroom homepages. Next, teachers will use their screencasts to instruct students on the Microsoft Word software skills they learned in the lesson objectives.	Computer with internet or mobile device LMS system

Additional Resources

The internet provides abundant resources about copyright, fair use, accessibility, and ADA compliance.

The University of Rhode Island University Libraries. Fair Use and Copyright for Online Education:

https://uri.libguides.com/fairuse

- Explanations of copyright, fair use, and alternatives to fair use

- Descriptions of fair use scenarios in textual materials, images, videos, and sound recordings usage

- Additional resource links to Codes of Best Practices, fair use checklists, books, and articles

The Center for Media & Social Impact (CMSI) at American University's School of Communication in Washington, DC:

https://cmsimpact.org/report-list/codes/

- Links to at least sixteen different Codes of Best Practices in Fair Use

Stanford University Library Copyright and Fair Use Website:

https://fairuse.stanford.edu/

- The legal perspective of fair use and copyright law.

- Web pages include summaries of fair use cases identified as "fair use" or "not fair use."

University of Minnesota's Fair Use Analysis Tool Website:

http://www.lib.umn.edu/copyright/

- This website helps answer the questions: Can I use this? What do I own?

University of Texas Libraries: Copyright Crash Course Site:

http://guides.lib.utexas.edu/copyright

Section 508 Home page:

https://www.justice.gov/crt/section-508-home-page-0

https://www.section508.gov

**ADA Standards for Accessible Design at the U.S. Department of Justice Civil Rights
Division:**

https://www.ada.gov/law-and-regs/design-standards/2010-stds/

Conclusion

This *Instructional Designers' Guide to Legal and Ethical Responsibilities* has provided numerous resources to help you decide the best course of action during the design process. The following topics within this guide were thoroughly presented to help you.

- Legal and ethical responsibilities that should provide an overarching framework during the design process

- Definitions for your work as an instructional designer and digital citizen in the area of intellectual property, copyright, and trade mark to name a few

- Principles for determining fair use

- Best practices for instructional designers

- A use-case scenario in an instructional design project incorporating copyright, accessibility, and ADA compliance

- Additional resources

As instructional design professionals, we must demonstrate uncompromising legal and ethical responsibilities at the personal, team, and company levels. Follow "the Golden Rule" as a way of professional life. *Do to others as you would have them do to you*. Moreover, we will ensure the integrity of our client's content by relentlessly respecting others' intellectual property rights. Think of your interactions with our clients as "win-win" scenarios. Our clients will form long-term relationships with us as they witness the scrupulously high standards of legal and ethical responsibilities that we seek to achieve.

Remember that each learner is unique, which requires creative and innovative instructional strategies to meet their needs. Additionally, incorporate Universal Design for

Learning principles in your design process so all learners experience accessible learning opportunities. Provide all learners multiple means of engagement, representation, action, and expression. Be strategic and goal-directed in your ongoing assessment opportunities to determine each learner's potential strengths and growth areas. Research the resources within this guide and seek out the knowledge of your colleagues during your design process. Be creative. Be adaptable. Think outside the box to be the best instructional designer possible.

References

Association for Educational Communications and Technology. (2018). *AECT code of*

professional ethics 2018. AECT Code of Professional Ethics 2018. Retrieved November

12, 2022, from https://www.aect.org/docs/AECT_Code_of_Ethic-Current.pdf

Aufderheide, P., & Jaszi, P. (2018). *Reclaiming fair use: How to put balance back in copyright*.

The University of Chicago Press.

Aufderheide,, P., & Jaszi, P. (2021, February 3). *Code of best practices in fair use for scholarly*

research in communication. Center for Media and Social Impact. Retrieved November

23, 2022, from https://cmsimpact.org/code/code-best-practices-fair-use-scholarly-

research-communication/

Betterteam. (n.d.). *Code of ethics*. Betterteam. Retrieved November 12, 2022, from

https://www.betterteam.com/code-of-ethics

Brewer, M., & ALA Office for Information Technology Policy. (2008). *Fair useevaluator*. Fair

Use Evaluator - /resources/fairuse/howitworks.php. Retrieved November 24, 2022, from

https://librarycopyright.net/resources/fairuse/howitworks.php

Cass, R. A., & Hylton, K. N. (2013). *Laws of creation: Property rights in the world of ideas*.

Harvard University Press.

CAST Publishing. (2022, September 27). *Creating accessible documents*. Creating Accessible

Documents. Retrieved December 6, 2022, from https://aem.cast.org/create/creating-

accessible-documents

Center for Applied Special Technology (CAST) Publishing. (2022, October 14). *National center*

on accessible educational materials at CAST. National Center on Accessible Educational

Materials. Retrieved December 6, 2022, from https://aem.cast.org/

Center for Media & Social Impact. (2021, January 30). Code of best practices in fair use for

    online video. Retrieved November 22, 2022, from https://cmsimpact.org/code/code-best-

    practices-fair-use-online-video/

Center for Media and Social Impact. (2013, May 2). *Fair use & online videos | cemix Culture -*

    fair use is your friend. Fair Use & Online Videos | Remix Culture -Fair Use is Your

    Friend. Retrieved November 22, 2022, from

    https://www.youtube.com/watch?v=alKh7IMEAoE

Center for Media and Social Impact. (2021, February 22). Code of best practices in fair use for

    open educational resources. Retrieved November 11, 2022, from

    https://cmsimpact.org/code/open-educational-resources/

Center for Media and Social Impact. (2021, February 3). *Code of best practices in fair use for*

    scholarly research in communication. Code of Best Practices in Fair Use for Scholarly

    Research in Communication. Retrieved November 11, 2022, from

    https://cmsimpact.org/code/code-best-practices-fair-use-scholarly-research-

    communication/

Center for Media and Social Impact. (2021, February 3). Code of best practices in fair use for the

    visual arts. Retrieved November 11, 2022, from https://cmsimpact.org/code/fair-use-for-

    the-visual-arts/

Center for Media and Social Impact. (2021, February 8). *Code of best practices in fair use for*

    academic and research libraries. Code of Best Practices in Fair Use for Academic and

    Research Libraries. Retrieved November 22, 2022, from

    https://cmsimpact.org/code/code-best-practices-fair-use-academic-research-libraries/

Center for Media and Social Impact. (2021, January 30). *Code of best practices in fair use for media literacy education*. Code of Best Practices in Fair Use for Media Literacy Education. Retrieved November 11, 2022, from https://cmsimpact.org/code/code-best-practices-fair-use-media-literacy-education/#Notes

Center for Media and Social Impact. (2021, January 30). *Documentary filmmakers' statement of best practices in fair use*. Documentary Filmmakers' statement of best practices in fair use. Retrieved November 22, 2022, from https://cmsimpact.org/code/documentary-filmmakers-statement-of-best-practices-in-fair-use/

Columbia University Libraries. (n.d.). Copyright advisory services: fair use checklist. Retrieved November 23, 2022, from https://copyright.columbia.edu/basics/fair-use/fair-use-checklist.html

Core Copyright. (2010, June 9). The difference between copyright & intellectual property. Retrieved November 1, 2022, from https://corecopyright.org/2009/12/03/copyright_ip/

DardenMBA. (2009, June 15). *Intellectual property: Patents, trademarks, and copyright*. DardenMBA. Retrieved November 1, 2022, from https://www.youtube.com/watch?v=qFRaamWjYGo&list=PLJ0QSb9wF4GpLxlWSDVRYfh6duTd2FEv7&index=1

Films Media Group. (2014). *Understanding intellectual property*. Films On Demand: Understanding Intellectual Property. Retrieved November 6, 2022, from https://digital.films.com/PortalPlaylists.aspx?wID=16862&xtid=129212

Google. (n.d.). *Google code of conduct*. Alphabet Investor relations. Retrieved November 12, 2022, from https://abc.xyz/investor/other/google-code-of-conduct/

Harper, G., & University of Texas Libraries. (n.d.). *Copyright crash course* . Copyright Crash

    Course. Retrieved December 6, 2022, from https://guides.lib.utexas.edu/copyright

Hobbs, R. (2010). *Copyright clarity: How fair use supports digital learning*. Corwin.

ISPI. (n.d.). *Code of ethics - international society for performance improvement*. International

    Society of Performance Improvement. Retrieved November 12, 2022, from

    https://ispi.org/general/custom.asp?page=CodeofEthics

Morrison, G. R., Ross, S. M., Morrison, J. R., & Kalman, H. K. (2019). *Designing effective

    instruction*. John Wiley & Sons, Inc.

Pappas, C. (2021, May 12). Learning is for everyone: Instructional design for accessibility.

    Retrieved December 6, 2022, from https://elearningindustry.com/instructional-design-for-

    accessibility-free-technical-article

Rathemacher, A., Ferria, A., & Lovett, J. (2013, May). *Fair use and copyright guide for online

    education guide*. The University of Rhode Island Fair Use and Copyright for Online

    Education Guide. Retrieved November 11, 2022, from https://uri.libguides.com/fairuse

Spector, J. M. (2016). Ethics in educational technology: Towards a framework for ethical

    decision making in and for the discipline. *Educational Technology Research and

    Development*, *64*(5), 1003–1011. https://doi.org/10.1007/s11423-016-9483-0

U.S. Department of Justice Civil Rights Division. (n.d.). *2010 ADA standards for accessible

    design*. ADA Standards for Accessible Design. Retrieved December 6, 2022, from

    https://www.ada.gov/law-and-regs/design-standards/2010-stds/

U.S. General Services Administration (GSA). (n.d.). *Section508.gov*. Does Your Website Have

    an Accessibility Statement? Retrieved December 6, 2022, from

    https://www.section508.gov/

The United States Department of Justice. (2021, November 17). *Section 508 home page*. The

United States Department of Justice. Retrieved December 6, 2022, from

https://www.justice.gov/crt/section-508-home-page-0

University of Minnesota Libraries. (n.d.). Copyright information services. Retrieved December

6, 2022, from http://www.lib.umn.edu/copyright/

Victor, S. (2016, May 13). *Learning is for everyone: Instructional design for accessibility*.

Obsidian Learning. Retrieved December 6, 2022, from

https://obsidianlearning.com/white-papers/learning-is-for-everyone-instructional-design-

for-accessibility.html

Wilson, C., & Minow, M. (2021, November 30). *Stanford copyright and fair use center*. Stanford

Copyright and Fair Use Center. Retrieved December 6, 2022, from

https://fairuse.stanford.edu/