



# BABCOCK UNIVERSITY

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**SCHOOL: EDUCATION AND HUMANITIES**

**DEPARTMENT: MUSIC AND CREATIVE ARTS**

**SEMESTER /SESSION: FIRST SEMESTER, 2015/2016 SESSION**

**COURSE CODE AND TITLE: MUSC 331: ETHICS OF MUSICAL PRACTICE** DAY OF CLASS: TUESDAY (9am – 11am)

**NO OF UNITS: 3 CREDIT UNITS**

**TEACHER'S NAME: OJUOLA, B. OLUSEGUN (M.A., PGDE)**

**OFFICE ADDRESS: HOD'S OFFICE, MUSIC AND CREATIVE ARTS**

**VENUE FOR CLASS: MIT LAB (EAH)**

**OFFICE HOURS: 7AM – 5PM**

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## **OUR VISION STATEMENT**

A first-class Seventh-day Adventist institution, building servant leaders for a better world

## **OUR MISSION STATEMENT**

Building leadership through Christian education; transforming lives, impacting society for positive change

To achieve our mission, we are committed to:

- Achieving excellence in our teaching, research program, and service delivery
- Imparting quality Christian education
- Instilling Christ-like character to the members of our Community

## **OUR CORE VALUES**

- |                               |                 |
|-------------------------------|-----------------|
| • Excellence                  | -Our Culture    |
| • Integrity                   | -Our Promise    |
| • Accountability              | -Our Moral      |
| • Servant Leadership          | -Our Strength   |
| • Team Spirit                 | -Our Dignity    |
| • Autonomy and Responsibility | -Our Passion    |
| • Adventist Heritage          | -Our Commitment |

## **OUR PHILOSOPHY**

Babcock University's philosophy is anchored on the harmonious development of the intellectual, physical, social, and spiritual potentials of our students, inspiring stable and noble character needed for effective leadership and service in the society.

**CORPORATE IMAGE STATEMENT:** A center of excellence for character development and scholarship; a socially responsive, responsible, and accountable institution in matters of commitment and action.

## **COURSE DESCRIPTION**

The course provides an ethical framework for professionals and music practitioners. It highlights their responsibilities to the public, clients, colleagues, employers, managers and professional association by maintaining the highest standard of moral conduct, professional conduct and personal integrity. It also provides the understanding of copyrights and related rights and laws including the individual rights of the artiste, consequences of infringement on copyright laws, use of copyright symbols, exclusive rights of the holder of a copyright, fair use and fair dealings, copyright transfer agreement and licensing, duration of the term of copyright and the international conventions and treaties on copyrights.

## **COURSE OBJECTIVES**

On completion of this course the student should be able to:

1. Understand the workings of the business and their rights and obligations.
2. Know the common legal concepts underlying business determinations.
3. Know the procedure for entering into recording artist contracts.
4. Interpret copyright protection laws.
5. Develop a high moral conduct, professional conduct and personal integrity.
6. Appreciate God's law as the highest standard of moral conduct.

## **COURSE CONTENT**

### **WEEK 1. DEFINITION OF ETHICS**

- i. Ethics from philosophical perspective.
- ii. Ethics from Christian perspective.

### **WEEK 2. THE MUSIC INDUSTRY IN THE TWENTY-FIRST CENTURY**

- i. Industry Growth
- ii. Factors relating to Growth
- iii. Factors Inhibiting Growth

### **WEEK 3. RECORDING ARTIST CONTRACTS**

- i. The Standard Agreement
- ii. Recording and Release Requirement
- iii. Artist Royalties

### **WEEK 4. RECORDING ARTIST CONTRACTS CONT'D**

- i. Publishing Rights
- ii. Video Rights

### **WEEK 5. RECORDING ARTIST CONTRACTS CONT'D**

- i. Ownership and Use of Masters
- ii. Accounting and Defaults
- iii. Bankruptcy

### **WEEK 6. INDEPENDENT RECORD PRODUCERS**

- i. The role of Independent Record Producer
- ii. Label deals and Pressing, and Distribution Deals
- iii. Producer Royalties, Recording Funds and Production Deals

**WEEK 7. MID SEMESTER TEST**

**WEEK 8. COPYRIGHT PROTECTION**

- i. Copyright Protection for and Unpublished Works
- ii. Authorship and Rights of Copyright Owner
- iii. Copyrightable Works

**WEEK 9. COPYRIGHT PROTECTION CONT'D**

- i. Bootlegging
- ii. Piracy
- iii. Counterfeiting
- iv. Anti-counterfeiting Practices

**WEEK 10. OVERVIEW OF COPYRIGHT LAWS**

- i. Copyright Law in the United States
- ii. The Nigerian Copyright Law

**WEEK 11. THE DURATION OF COPYRIGHT PROTECTION**

- i. Term of Copyright Protection
- ii. The Duration of Copyright for Solo and Joint Works
- iii. The Determination of Date of Death
- iv. Copyright Renewal
- v. Termination of Transfer

**WEEK 12. SONGWRITER CONTRACTS AND ROYALTY STATEMENT**

- i. Duration of Copyright Assignment
- ii. Copyright Divisibility and Royalty Statements
- iii. Factors Determining a Work-for-Hire Relationship

**WEEK 13. INTERNATIONAL COPYRIGHT PROTECTION**

- i. World Intellectual Property Organization Treaties

**WEEK 14. REVISION AND FINAL EXAMINATION**

**USEFUL RESOURCES FOR THE COURSE**

1. William M. Krasilovsky and Sydney Shemel (2007) *This Business of Music: The Definitive Guide to the Music Industry*. 10<sup>th</sup> Edition. New York: Watson-Guptill Publications.
2. Allen Bargfrede and Cecily Mak (2009) *Music Law in the Digital Age*. Boston: Berklee Press.
3. Mark Halloran (2008) *The Musician's Business and Legal Guide*. New Jersey: Pearson: Prentice hall.

**COURSE REQUIREMENTS:**

**CLASS ATTENDANCE:** - "Every student is required to attend classes regularly and punctually, unless ill or prevented by some recognized emergency. Students who absent themselves from class for more than three weeks during the semester shall merit an F grade. Authorized leave of absence from campus does not excuse the student from classes, or relieve the student of the required course work' (*BU Academic Bulletin 2012-2015 p.13*).

**PARTICIPATION:** -Students are to actively engage in topic discussion and sharing of ideas in class.

**TARDINESS/CONDUCT OF STUDENTS IN CLASS:** - Lateness to class is unacceptable; students are not allowed to operate their cell phones, iPods and other electronic mobile gadgets during classes, except with the permission of the teacher. Eating and chewing off bubble gums and drinking (water exempted) is also not allowed except with the permission of the teacher. Very importantly, students are required to dress in compliance with the university dress code and wear their identity cards while in class.

**SHORT DEVOTIONALS/PRAAYER:** - Spiritual nurture is a part of whole person development, and team spirit is our strength; thus, every student is required to participate in the devotional exercise and prayer in class.

**SUBMISSION OF ASSIGNMENT:** Assignments could be turned in earlier, but not later than the deadline set by the teacher.

**LATE ASSIGNMENTS:** Assignments turned in later than the deadline set by the teacher will not be graded without stringent penalty.

**GUIDELINE FOR WRITTEN WORK:** Students will be required to do assignments, quizzes, tests and examination.

**ACADEMIC INTEGRITY/HONESTY:**“Babcock University has a zero tolerance for any form of academic dishonesty. Morally and spiritually, the institution is committed to scholastic integrity. Consequently, both students and staff are to maintain high, ethical Christian levels of honesty. Transparent honest behavior is expected of every student in all spheres of life. Academic dishonesty include such things as plagiarism, unauthorized use of notes or textbooks on quizzes and examinations, copying or spying the test or paper of another student (formal or take-home), talking to another student during examinations. Academic matter would automatically result in a failing grade for the examination, and suspension, or outright dismissal from the university. Academic dishonesty issues are referred to SPEAM (Senate Panel on Examination and Academic Misconduct) who investigates and makes recommendations to Senate. Penalties for examination and academic misconduct are spelt out in the *student’s handbook* and in other regulations as published from time to time” (BU Academic Bulletin 2012-2015 p.18).

### **GRIEVANCEPROCEDURE**

“Students who believe that their academic rights have been infringed upon or that they have been unjustly treated with respect to their academic program are entitled to a fair and impartial consideration of their cases. They should do the following to effect a solution:

1. Present their case to the teacher(s) concerned

2. If necessary, discuss the problem with the Head of Department
3. If agreement is not reached at this level, submit the matter to the School Dean
4. Finally, ask for are view of the case by the Grievance Committee
5. A fee is charged for remarking of scripts. If a student’s grievance is upheld after an external examiner has remarked the script, the grade would be credited to the student. The lecturer will be given a letter of reprimand and will be asked to refund the fees to the student. If the student’s grievance is not sustained, the student will be given a letter of reprimand and the original grade retained” (BU Academic Bulletin2012-2015 p.18).

**TEACHING/LEARNING METHODOLOGY:** Interactive/participatory strategies will be adopted for the class and this will include integration of faith and BU core values in the learning process.

**COURSE ASSESSMENT/EVALUATION**

**Continuous Assessment:**

Class Attendance:	5% }	}	=40%
Quizzes & Tests:	10% }		
Assignments:	10% }		
Mid-Semester Exam:	15% }		
Final Semester Exam:	60%		

**GRADE SCALE**

Currently, the 5-point grading system adopted by the University Senate translates as follows:

Grades	Marks- Quality	Range Points	Definition
A	80-100	5.00	Superior
B	60-79	4.00	Above Average
C	50-59	3.00	Average
D	45-49	2.00	Below Average
E	40-44	1.00	Pass
F	0-39	0.00	Fail

**INCOMPLETE GRADE:** An incomplete grade may only be assigned to a student upon request, due to an emergency situation that occurred within that semester, which prevented completion of an/some assignments, quizzes, or examination. Such a student would complete a contract form,

obtainable from the Registrar, after agreement with the teacher. The form must be signed by the teacher, the student, the HOD, the dean, the Registrar, and the Senior Vice President (SVP) before contract begins. The original copy of the incomplete form will be sent to the Registrar with copies to the teacher, the student, the HOD, the dean, and the SVP. An incomplete grade(I) reverts to the existing grade if contract is not completed by the end of the following semester (including summer semester, except for examinations), (*BU Academic Bulletin 2012-2015 p. 20*).

### **FURTHER READINGS:**

Any books on Ethical Practices and Copyright Protection by leading publishers can be consulted for more information.

### **STUDENTS WITH DISABILITY**

“Babcock University seeks to provide a conducive environment for optimal living and learning experience. While the university is working towards facilities that accommodate persons with disabilities, provisions will be made for students with disabilities under the following conditions. Students with disabilities are to:

- a. Report to Student Support Services for assessment, and obtain a clearance/recommendation at the commencement of the semester or as soon as disabling incidence occurs
- b. Show the clearance/recommendations to relevant university officials at the commencement of the semester or as soon as disabling incidence occurs
- c. Maintain ongoing contact with Student Support Services” (*BU Academic Bulletin 2012-2015 p. 20*).