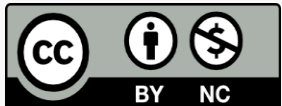


USING OER ETHICALLY: LICENSING & FAQs



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Outline

- Introduction
- Copyright and Fair Use
- Creative Commons licenses
- Using OER ethically
- Common questions re: OER from faculty
- Activity

Sara Satkowiak

Scholarly Research Services Program Lead Librarian
Auraria Library

- Faculty support at Auraria Library
 - OER Consults
 - Research Consults
 - Instruction sessions (in person and virtual)
 - Async information literacy modules



COPYRIGHT AND FAIR USE



Copyright

- Area of law governing the use and access of creators' works, allowing the creator or rightsholder the monopoly on the rights to distribute, copy, adapt, or publicly perform the work
 - U.S. Constitution & federal laws
 - Safeguard the benefits of the work for the creator or rightsholder
 - Automatically applies when an original work takes a tangible form
 - Exceptions

Fair Use

- A fair use is any copying of copyrighted material done for a limited and "transformative" purpose, such as to comment upon, criticize, or parody a copyrighted work" for use by students and teachers/education (Richard Stim, Stanford University Libraries)
 - Fair use factors:
 - Purpose of use
 - Nature of the copyrighted work
 - The amount of material used
 - The effect of the use on the potential market

It's complex on purpose

- Grey area on purpose through court decisions and laws
- Money is involved
- Copyright predates the internet
- Legal ramifications

CREATIVE COMMONS LICENSES

OER's ethical champion



Establishing Creative Commons

- Larry Lessig and Eric Eldred
- Sonny Bono Copyright Term Extension Act
 - Lost the court case
- Creative Commons est. 2002
 - The goal of making creative works more freely available on the internet while respecting and empowering creators
 - "openly accessible" vs. "openly licensed"
 - Internationally recognized

What are Creative Commons licenses?

- Under copyright law, "all rights reserved" by the creator
- CC Licenses: "some rights reserved", dependent on the license
 - Legal code, human readable, machine readable
 - Accessible as possible while being legally robust
 - Works with existing copyright law, so can't be used to reduce rights under copyright law
- Creative Commons & OER
- CC allows the 5Rs of OER to happen ethically

Components of Creative Commons licenses



- Creative Commons logo
- Indicates we're working within Creative Commons licensure

Components of Creative Commons licenses



- CC 4.0 BY
- Sharing or adaption of the work needs **attribution** for the creator

Components of Creative Commons licenses



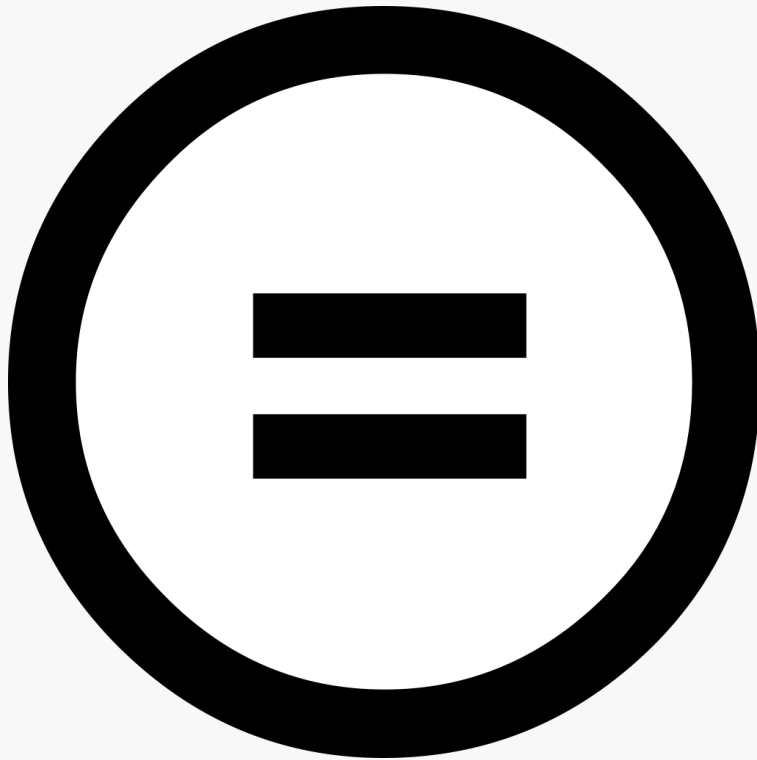
- Non-Commerical
- The work and any derivatives cannot be used for any purpose that is for financial gain
- Applies to the **use** not the **user**

Components of Creative Commons licenses





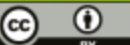













- Share alike
- Adaptations of this work need to be shared under a compatible license of the original

Components of Creative Commons licenses

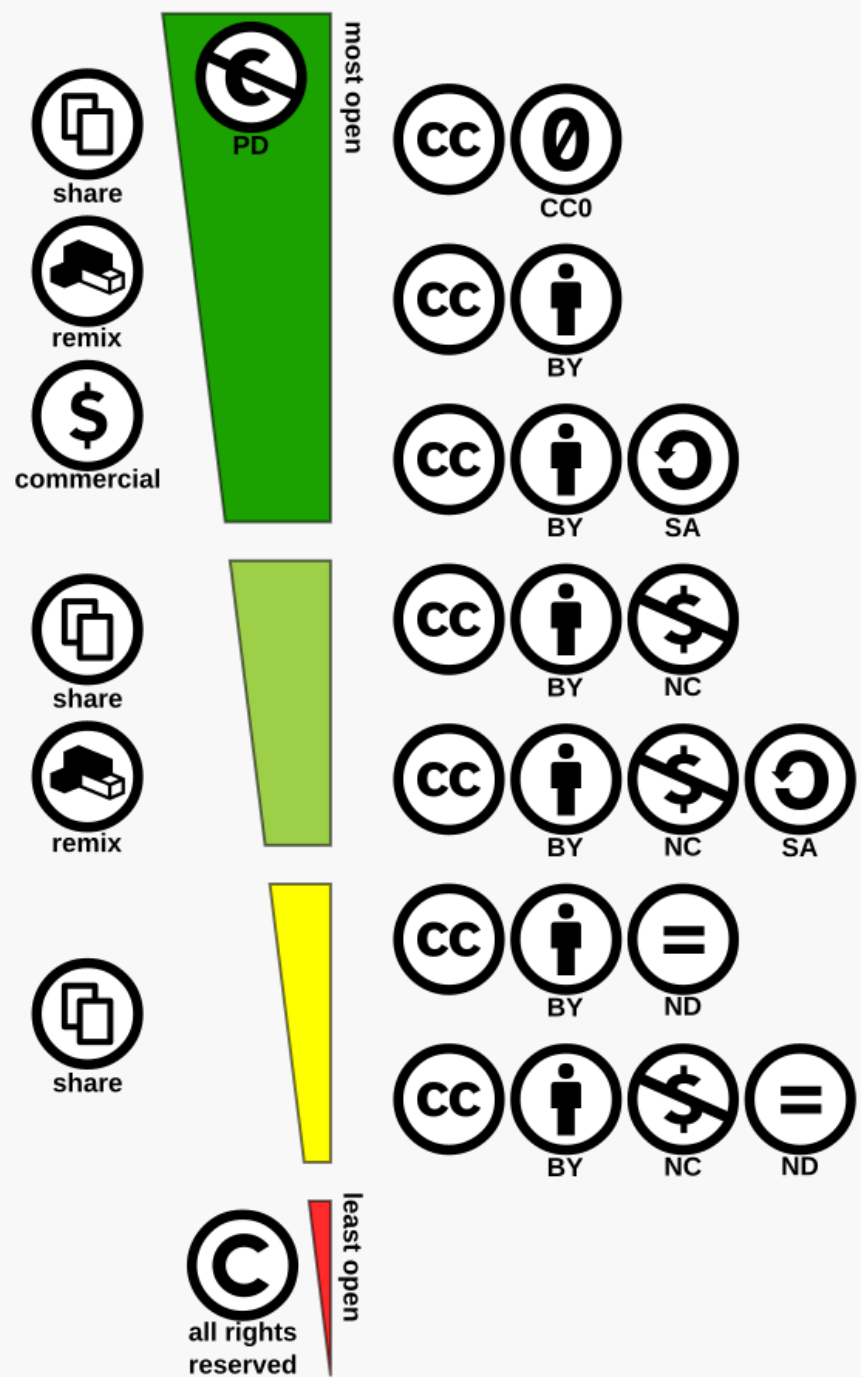


- No derivatives
- Forbids sharing adaptations of the work with the wider world

Compatible Creative Commons Licenses

	 PUBLIC DOMAIN	 PUBLIC DOMAIN	 BY	 BY SA	 BY NC	 BY ND	 BY NC SA	 BY NC ND
 PUBLIC DOMAIN	✓	✓	✓	✓	✓	✗	✓	✗
 PUBLIC DOMAIN	✓	✓	✓	✓	✓	✗	✓	✗
 BY	✓	✓	✓	✓	✓	✗	✓	✗
 BY SA	✓	✓	✓	✓	✗	✗	✗	✗
 BY NC	✓	✓	✓	✗	✓	✗	✓	✗
 BY ND	✗	✗	✗	✗	✗	✗	✗	✗
 BY NC SA	✓	✓	✓	✗	✓	✗	✓	✗
 BY NC ND	✗	✗	✗	✗	✗	✗	✗	✗

"License Compatibility Chart" by [Creative Commons Wiki](#) is licensed under a [CC BY 4.0 Int License](#).



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license spectrum.svg"
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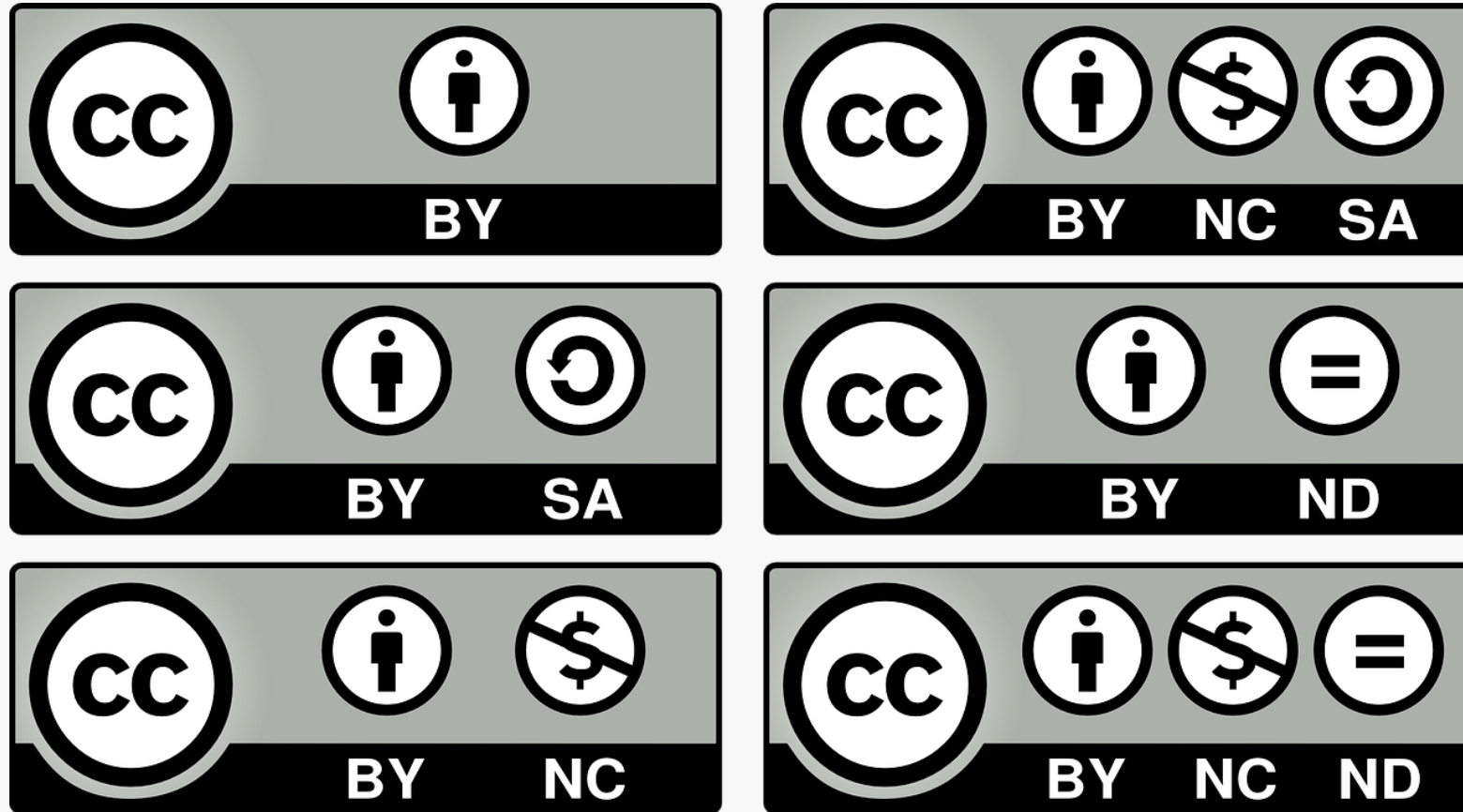
Components of Creative Commons licenses



- Creative Commons mark used to indicate works **already** in the public domain



- Creative Commons mark used to indicate works **released** into the public domain by creator



"Creative Commons Icons" by [Creative Commons](#), [CC BY 4.0](#).

ATtribution & LICENSING IN PRACTICE



How to attribute CC Licensed Work?

- Remember TASL

- T: Title
- A: Author
- S: Source
- L: License

- Link to everything you can!

"Creative commons
license spectrum.svg"
by Shaddim & Creative
Commons, CC BY 4.0

How to make a CC License for your own work

- Decide how you'd like your work to be available
- License chooser from Creative Commons can write it for you
- Example for this presentation:

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Attribution: Adapting & Remixing Work

- License compatibility
 - Example
- Attribution statements
 - Front matter
 - Footnotes/Endnotes
 - Compiled list of sources
 - Each section/webpage/chapter
- Example: Writing III Google Site
- Attribution vs citation: Critical Health Psychology

Using OER ethically: Why does understanding licensing matter?

- Open education movement is about unrestricting access to information and learning
- But we want to acknowledge work and expertise—even more so when creators are allowing it to be out there and used for free!
- Good faith & honor system
- Avoid tricky copyright and fair use issues
- Participation is important!

FACULTY FAQs ON OER



Where do I find OER?

- There's no "one-stop-shop"--it's a process
 - LibGuides
 - OpenStax
 - Open Textbook Network
 - Mason Metafinder
 - Merlot
 - *BC Open Textbook Project*
 - CALI
 - Open Oregon
 - OER Commons

Why am I not finding any course materials?

- OER course conversion is a journey
- There are wonderful materials out there, but the more specific/higher level your course is, the less chance of finding one wholistic thing to suit needs
- OER as your course materials is sometimes just a big pile
- There's no one-stop shop
- Growing forward

I created this OER, where should I put it?

- Machine readable license
- Open repositories (OASIS, MERLOT, etc.)
- Auraria institutional repository

More information

- [Stanford Libraries Copyright and Fair Use Center](#)
- [Creative Commons Certificate](#)
- [Creative Commons](#)
 - [License generator](#)
 - [Creative Commons FAQ](#)
 - [Understanding CC and AI](#)
- [CDHE OER Newsletter](#)

ACTIVITY



Breakout Room Attribution Activity

- Within your group, pretend you are using the OER listed for your group to create a chapter of an OER textbook that you plan to release under a Creative Commons license of your choosing. The book chapter will have content from these 2 sources remixed with your original content.
 - *Write a combined attribution statement that would go at the end of the chapter. It will need to include:*
 - A TASL attribution statement for your own work
 - TASL attributions for the 2 OERs
 - Attribution and License Picker Activity