

Choices by Design, a Primer: Finding and Using Openly Licensed Resources

October 20, 2014

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(I am not an attorney. This presentation does not constitute legal advice.)





Hello
my name is

Anita Walz

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arwalz@vt.edu

An **invitation** to learn about:

1. **Copyright** basics
2. What's does **openly-licensed** mean?
3. **Citing** others' work (aka “attribution”)
4. **Finding** openly-licensed works



Can it be copyrighted?

Yes

- Literary works, musical, and dramatic works
- Choreographical & pantomime & works
- Pictorial, graphic and sculptural works
- Sound recordings
- Motion pictures and other audiovisual works
- Computer programs
- Architectural works

No

- Ideas, procedures, and methods
- Titles, names, slogans (may be trademarked)
- Facts, news, and research data
- Works in the **public domain**
<http://librarycopyright.net/resources/digitalslider>
- Unrecorded, unwritten, un“fixed” works

Copyright Basics

Copyright holder's **exclusive** rights (life + 70 years)

- Reproduce
- Distribute
- Publically perform
- Publically display . . . the work
- Publically perform sound recordings by means of a digital audio transmission
- Create derivative works



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Copyright Exemptions

Chapter 17 of U.S. Code

Also valuable (but not an exemption):
Documentation of how you arrived at the exemption you used – **that you acted “in good faith”**

- Section 107: **Fair use**
- Section 108: Library copying
- Section 109(a): First sale doctrine
- Section 109(c): Exemption for public displays
- Section 110(1): **Displays/performances in face to face teaching**
- Section 110(2): **Displays/performances in distance learning**
- Section 117: Computer software
- Section 120: Architectural works
- Section 121: Special formats for persons who are blind or have other disabilities

Case Law

- **Transformative** use

You **may want to** (legally) ...

- Reproduce
- Distribute
- Publically perform
- Publically display
- Publically perform by means of a digital audio transmission, and/or
- Create derivations of . . .



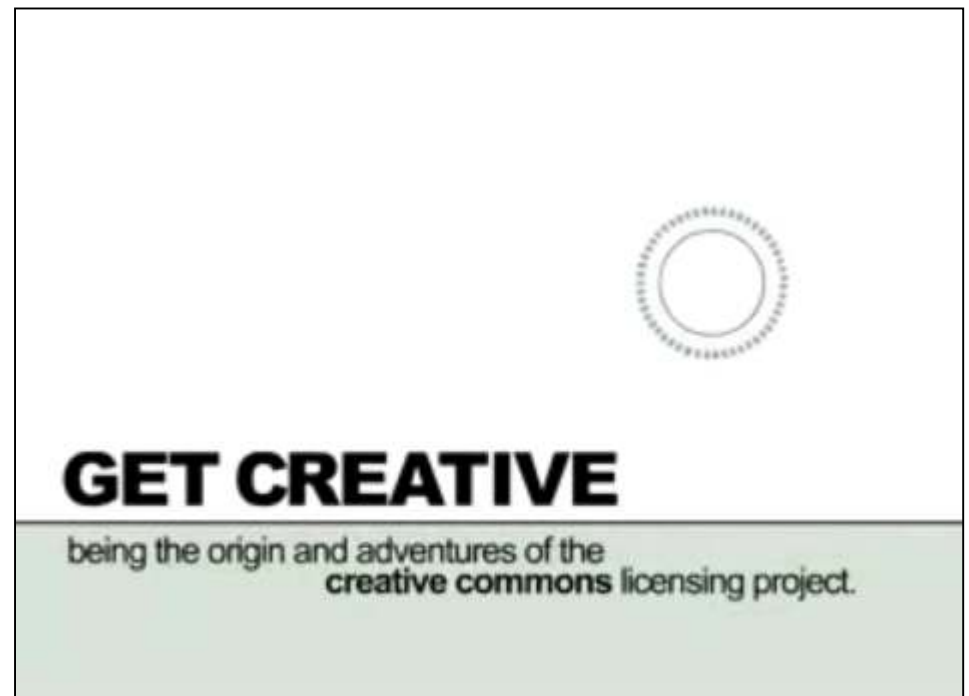
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. . . **works for which someone else owns copyright**

4 Ways to (legally) respond:

- 1) Obtain permission/license rights
- 2) Identify an exempt or fair use in U.S. Copyright law
- 3) Link to a website, library website, library reserves & eReserves
- 4) **Use openly licensed materials or** materials from the public domain

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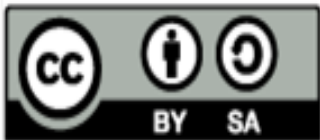
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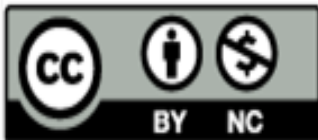
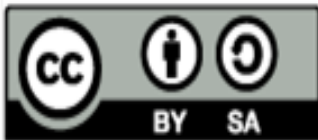
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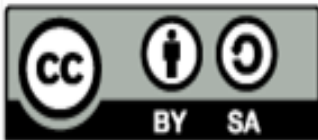


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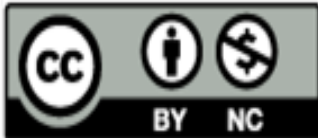
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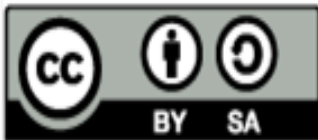


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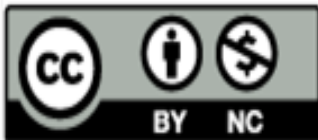
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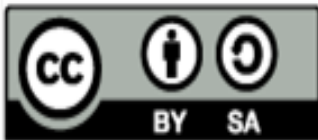


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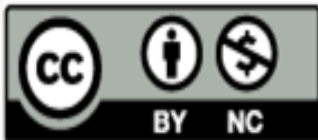
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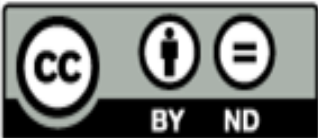
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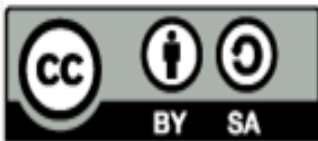


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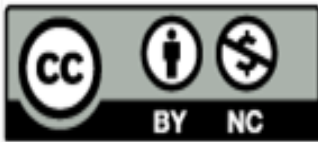
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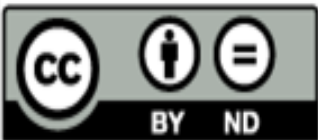
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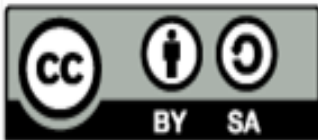


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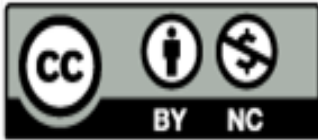
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How to attribute **openly licensed** works

- Credit the **author** or other parties (as they specify)
- List the **title** & **URL** of the work (if available)
- Identify the **license** & **URL** of the license

(See also https://wiki.creativecommons.org/Best_practices_for_attribution and making notices machine readable: https://wiki.creativecommons.org/Marking_Works_Technical)

How to attribute **openly licensed** works

Use of **ANY** and **ALL** Creative Commons licensed works **requires attribution**

- Credit the author or other parties (as they specify)
- indicate the title & URL of the work (if available)
- Indicate the license & URL of the license



Examples:

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(See also https://wiki.creativecommons.org/Best_practices_for_attribution and making notices machine readable: https://wiki.creativecommons.org/Marking_Works_Technical)

Finding openly-licensed works

The screenshot shows the CC Search website. At the top is a green header with the Creative Commons logo and navigation links: About, Licenses, Public Domain, Support CC, Projects, and News. Below the header is a large green search box with the CC Search logo and the text "Find content you can share, use and reuse". To the right of the search box is a search input field and two checkboxes: "I want something that I can..." with options "use for commercial purposes" (unchecked) and "modify, adapt, or build upon" (checked). Below the search box is a section titled "Search using:" with a grid of buttons for various search engines: Europeana (Media), Flickr (Image), Fotopedia (Image), Google (Web), Google Images (Image), Jamendo (Music), Open Clip Art Library (Image), SpinXpress (Media), Wikimedia Commons (Media), YouTube (Video), Pixabay (Image), and ccMixter (Music). A SoundCloud (Music) button is also present. Below the grid is a disclaimer: "Please note that search.creativecommons.org is not a search engine, but rather offers convenient access to search services provided by other independent organizations. CC has no control over the results that are returned. Do not assume that the results displayed in this search portal are under a CC license. You should always verify that the work is actually under a CC license by following the link. Since there is no registration to use a CC license, CC has no way to determine what has and hasn't been placed under the terms of a CC license. If you are in doubt you should contact the copyright holder directly, or try to contact the site where you found the content." To the right of the disclaimer is a yellow box with the text "Add CC Search to your browser. Learn how to switch to or from CC Search in your Firefox search bar." Below this is a language selector set to "English" and a "Help Translate" link. At the bottom is a green footer with social media icons for Facebook, Twitter, and YouTube, and the Creative Commons logo.

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
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
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Pitcairnia xanthocalyx Mart. 




Quesnelia Gaudich. 




Hechtia Klotzsch 




Billbergia Thunb. 




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3088 1

Molybdenum trisulfide
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2997 0

firole jaugé 2 niveaux
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2338 0

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3251 0

balloon
by silius
14.01.2011
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becher
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5750 0

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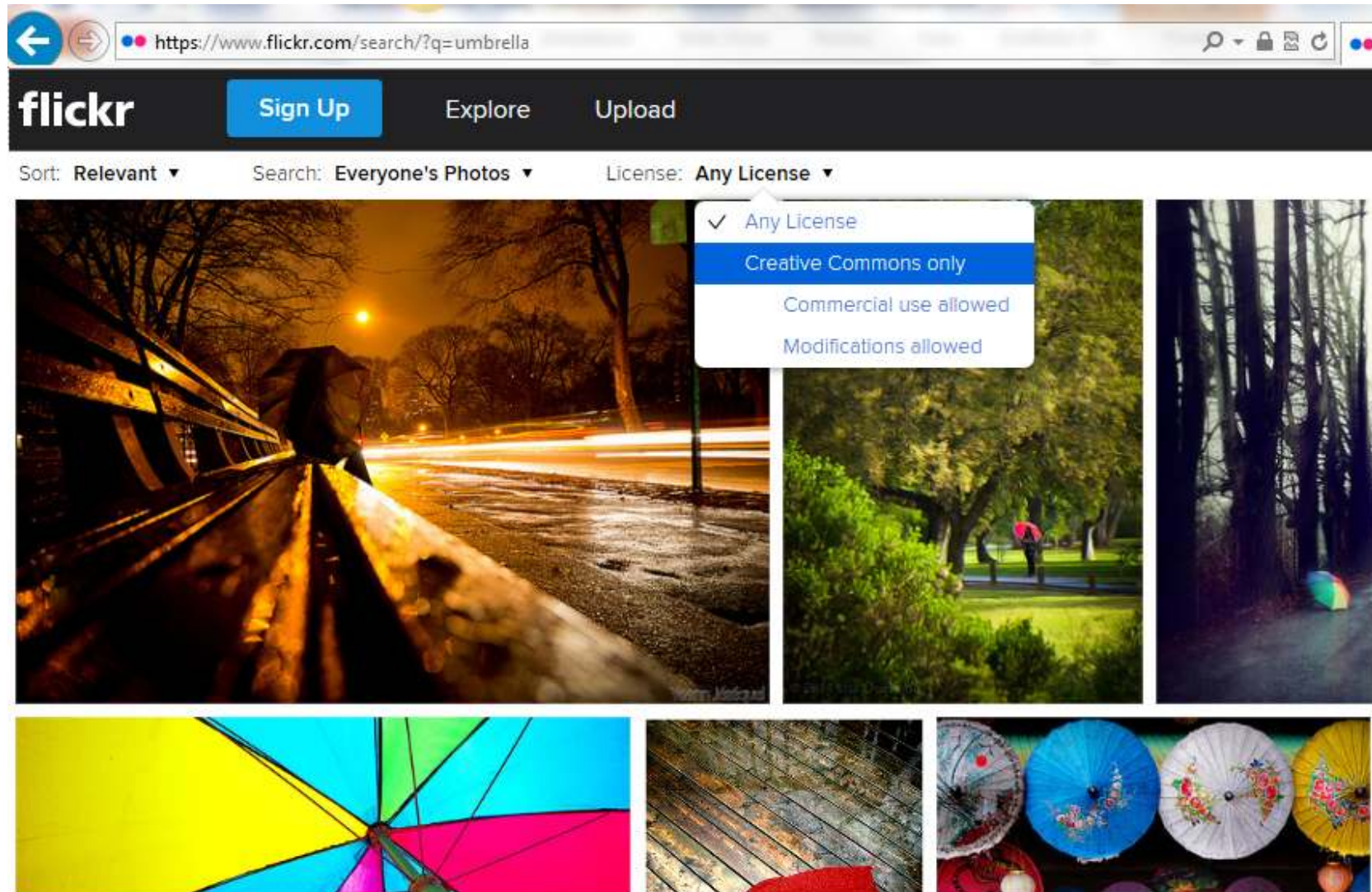
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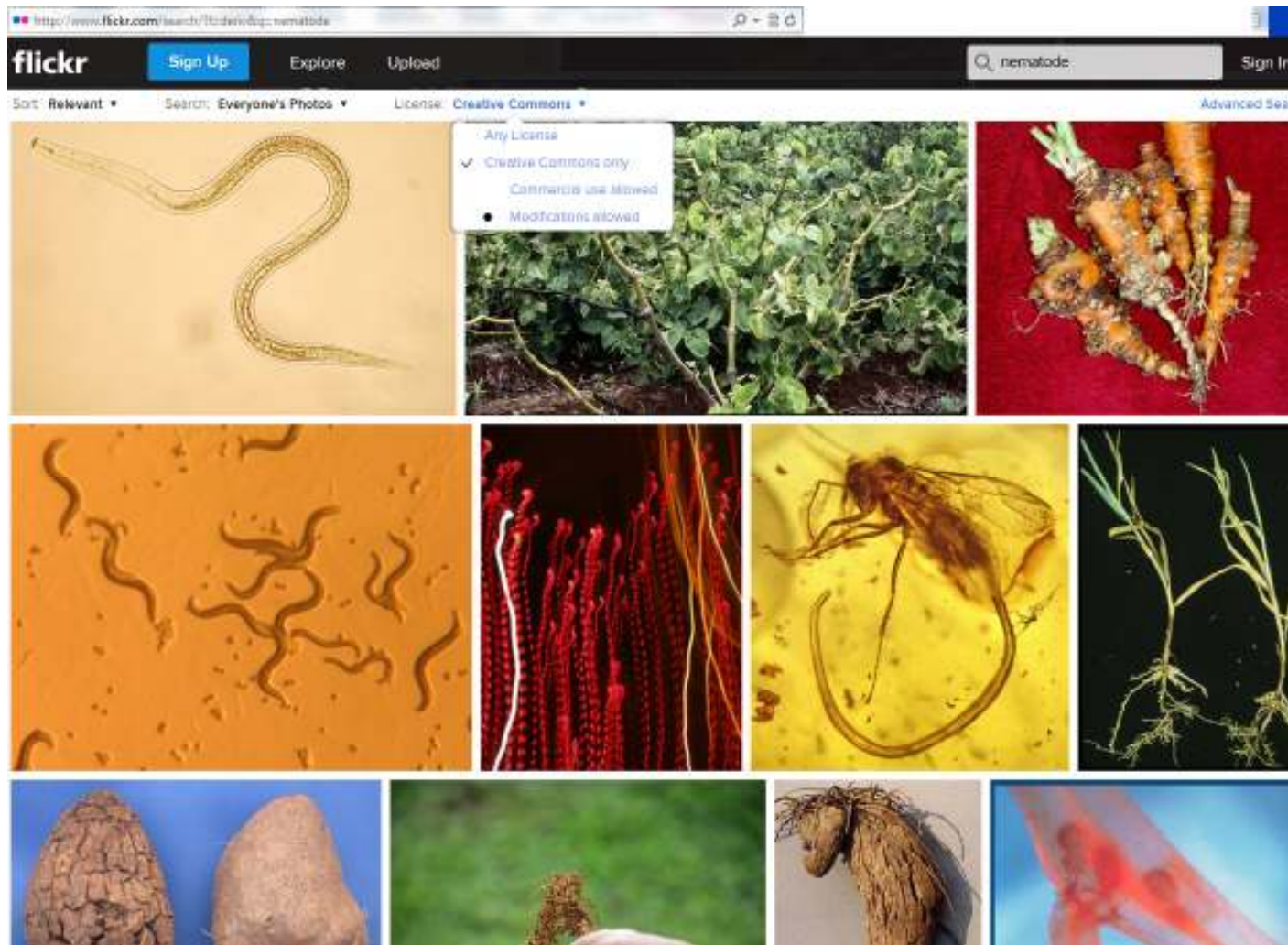
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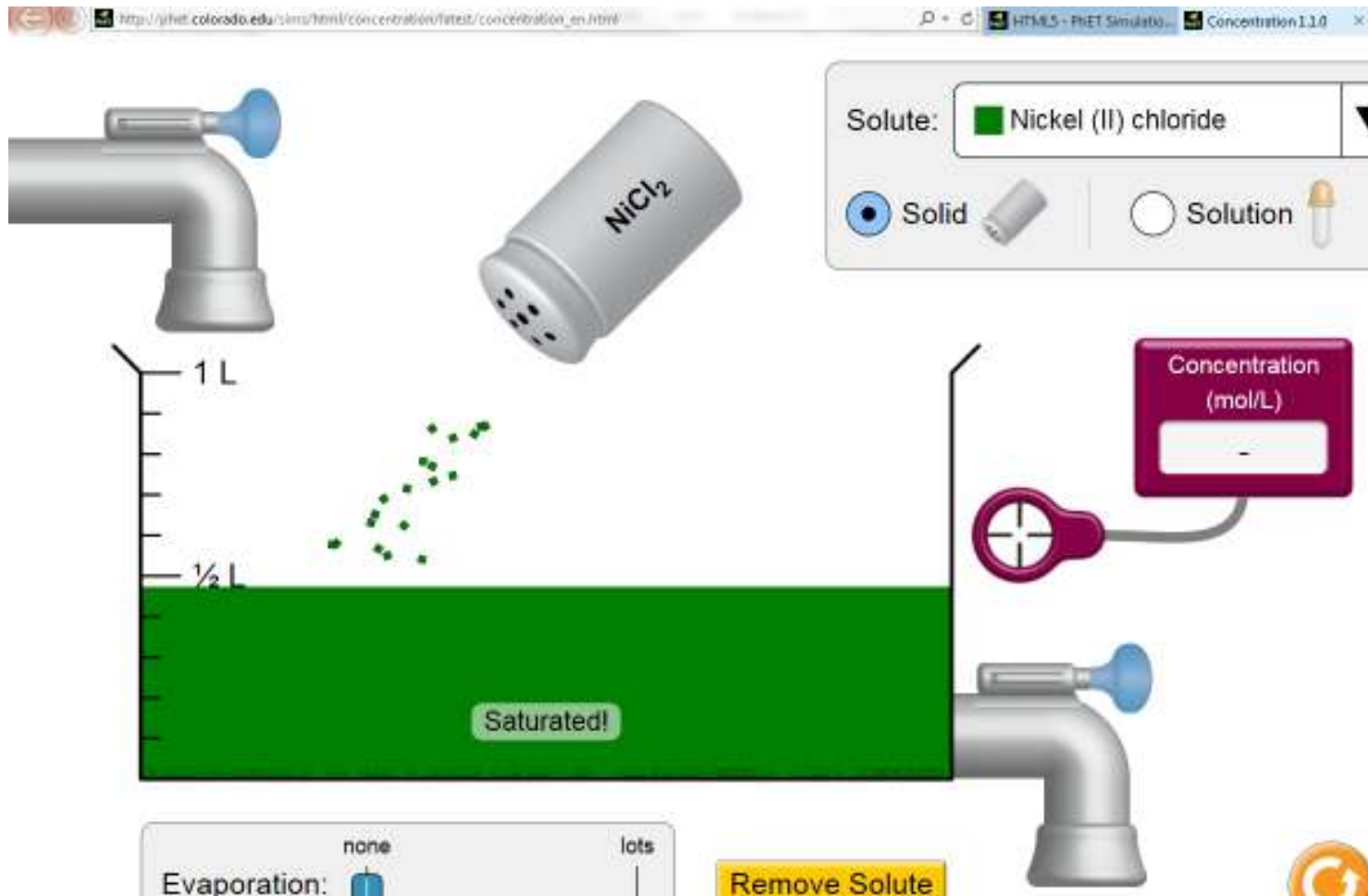
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pyne sp. (root knot nematodes) | Location: Hawaii

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The screenshot shows the SoundCloud website interface. The browser address bar displays the URL: https://soundcloud.com/search/sounds?q=flamenco&filter.license=to_share. The website header includes the SoundCloud logo, navigation links for Home and Explore, a search bar, and a 'Sign in or' button. The main content area is titled 'Search' and shows '500+ tracks found' for the search term 'flamenco'. On the left sidebar, there are filters for 'Everything', 'Tracks' (selected), 'Playlists', 'People', and 'Groups'. Below these are 'Filter Results' for 'Added any time', 'Any length', and 'To share'. A 'Popular Tags' section lists various music genres like #Flamenco, #Acoustic, #World music, #Latin, #Jazz, #World, #House, #Instrumental, and #Pop. The main track list displays three results: 1. 'Ahmad A. Mageed' with the track 'Raneet Ya Kaas (Sufi Flamenco) - Ahmed El Tuni / احمد التوني - كاس (فلامنكو صوفي)', featuring a photo of a man singing. 2. 'William Wilson, Guitarist' with the track 'Soleares - Traditional Flamenco', featuring a photo of a couple in traditional dress. 3. 'Jaki' with the track 'Jaki - Flamenco beating', featuring a cartoon drawing of a creature. Each track entry includes a waveform, a play button, and interaction buttons like 'Like', 'Repost', 'Add to playlist', 'Share', and 'Download'.

Search results for "flamenco" (500+ tracks found):

- Ahmad A. Mageed**
Raneet Ya Kaas (Sufi Flamenco) - Ahmed El Tuni / احمد التوني - كاس (فلامنكو صوفي)
- William Wilson, Guitarist**
Soleares - Traditional Flamenco
- Jaki**
Jaki - Flamenco beating

<https://soundcloud.com>

Finding openly-licensed works

The screenshot shows the MIT OpenCourseWare website for the 'Introduction to Algorithms' course. The URL in the browser is <http://ocw.mit.edu/courses/electrical-engineering-and-computer-science/6-006-introduction-to-algorithms-fall-2011/>. The page features a navigation bar with 'Courses', 'About', 'Donate', and 'Featured Sites' menus. A sidebar on the left lists course components: 'COURSE HOME', 'SYLLABUS', 'CALENDAR', 'READINGS', 'LECTURE VIDEOS', 'RECITATION VIDEOS', 'ASSIGNMENTS', 'EXAMS', 'RELATED RESOURCES', and 'DOWNLOAD COURSE MATERIALS'. The 'LECTURE VIDEOS', 'RECITATION VIDEOS', and 'ASSIGNMENTS' links are circled in red. The main content area displays the course title 'Introduction to Algorithms' with a Rubik's Cube graphic. It lists the instructors as Prof. Erik Demaine and Prof. Brian Deavadas, the MIT Course Number as 6.006, and the level as 'Undergraduate'. A 'CITE THIS COURSE' button is visible. The footer includes logos for MIT, the Open Education Consortium, and various corporate supporters like Dow, Ab Initio, MathWorks, and Accenture.

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ASSIGNMENTS

EXAMS

RELATED RESOURCES

DOWNLOAD COURSE MATERIALS

Instructor(s)
Prof. Erik Demaine
Prof. Brian Deavadas

MIT Course Number
6.006

As Taught In
Fall 2011

Level
Undergraduate

CITE THIS COURSE

In Problem Set 6, students develop algorithms for solving the 2Dx2 Rubik's Cube

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Course Description Related Content

Course Features

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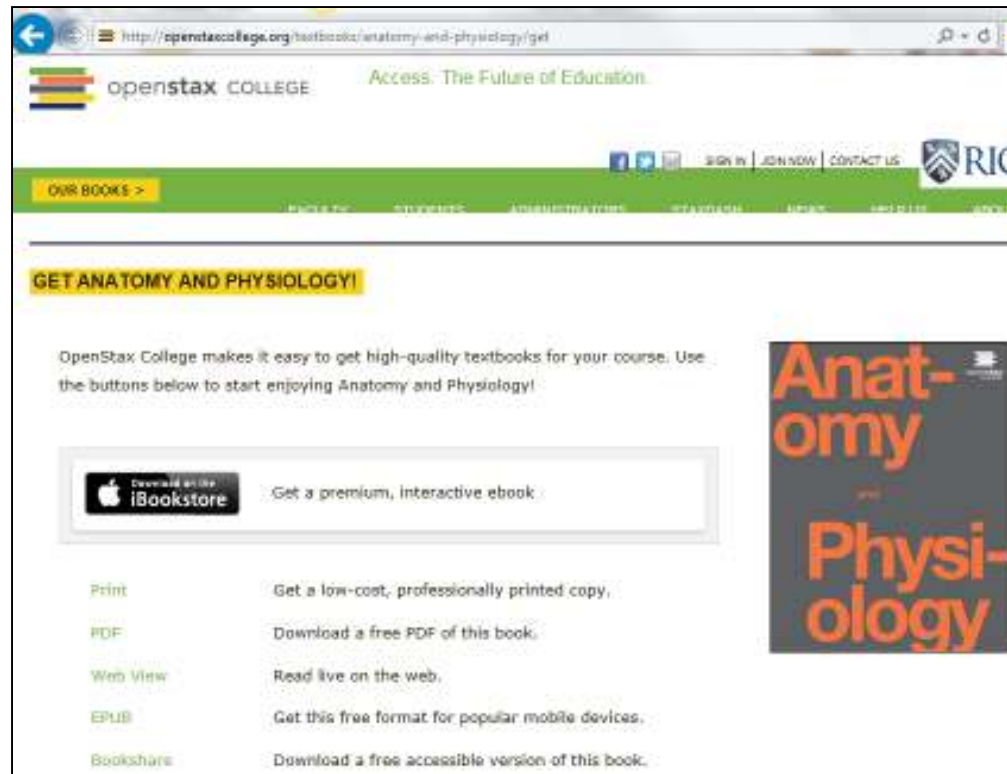
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8:19 HD

Yellowstone geysers & hot springs (part 10) (HD)
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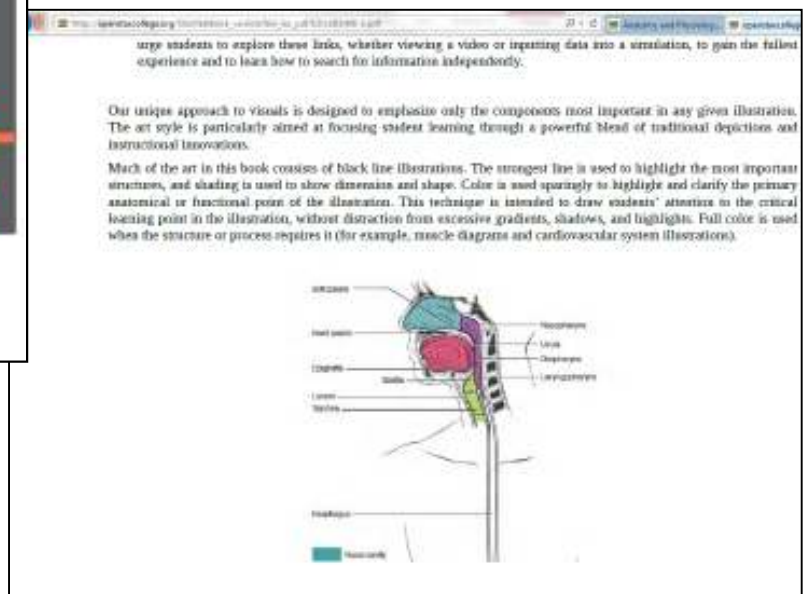
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The screenshot shows the OpenStax College website. The header includes the OpenStax logo and the tagline "Access. The Future of Education." Below the header, there is a navigation bar with links like "OUR BOOKS >". The main content area features a yellow banner that says "GET ANATOMY AND PHYSIOLOGY!". Below this, a paragraph states: "OpenStax College makes it easy to get high-quality textbooks for your course. Use the buttons below to start enjoying Anatomy and Physiology!". To the right of this text is a large image of the "Anatomy and Physiology" textbook cover. Below the paragraph, there are several options for accessing the book:

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<http://openstaxcollege.org>



The screenshot shows a page from the OpenStax Anatomy and Physiology textbook. The page contains text and a detailed anatomical diagram of the human head and neck. The text includes:

urge students to explore these links, whether viewing a video or ingesting data into a simulation, to gain the fullest experience and to learn how to search for information independently.

Our unique approach to visuals is designed to emphasize only the components most important in any given illustration. The art style is particularly aimed at focusing student learning through a powerful blend of traditional depictions and instructional innovations.

Much of the art in this book consists of black line illustrations. The strongest line is used to highlight the most important structures, and shading is used to show dimensions and shape. Color is used sparingly to highlight and clarify the primary anatomical or functional point of the illustration. This technique is intended to draw students' attention to the critical learning point in the illustration, without distraction from excessive gradients, shadows, and highlights. Full color is used when the structure or process requires it (for example, muscle diagrams and cardiovascular system illustrations).

The diagram is a sagittal section of the human head and neck, showing the internal structures of the mouth, throat, and larynx. Labels include: Larynx, Trachea, Esophagus, Pharynx, Uvula, Soft palate, Hard palate, Tongue, Epiglottis, and Thyroid cartilage. A legend at the bottom left indicates that the color blue represents the respiratory system.

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<http://www.merlot.org/merlot/index.htm>



The image shows the homepage of MERLOT II, a Multimedia Educational Resource for Learning and Online Teaching. The header includes the MERLOT II logo and a navigation bar with links: Home, Search, Communities, My MERLOT, Membership, Add to Collection, Create Materials, News & Info, and About. Below the header, a banner states: "MERLOT is a free and open peer reviewed collection of online teaching and learning materials and faculty developed services contributed and used by an international education community." The main content area features a large search button labeled "SEARCH MERLOT" with a downward arrow, and a section titled "MY MERLOT" with a "MEMBERSHIP" link. There are also images of people and a "MERLOT COMMUNITIES" section at the bottom.

<http://www.merlot.org>



The image shows the homepage of OER Commons, an Open Educational Resources platform. The header includes the OER Commons logo and a navigation bar with links: Home, Browse All, My OER, Connect, and Contribute. Below the header, a banner states: "Browse Materials (439)". The main content area features a search bar with a "search all" dropdown, a "Clear Search" button, and a "View Report" button. There are also filters for "Subject Area" and "Education Level". The "selected filters" section shows "Information Visualization". The "Browse Materials" section lists two items: "Learning Math: Data Analysis" and "Data Analysis".

<http://www.oercommons.org>



The image shows the homepage of Jorum, a digital library. The header includes the Jorum logo and a navigation bar with links: Home, Find, Share, Powered, Blog, Stats, Developers, Support, and About. Below the header, a banner states: "You are here: Home". The main content area features a search bar with a "search all" dropdown, a "Clear Search" button, and a "View Report" button. There are also filters for "Community", "Institution / Publisher", "Author", "Keywords", "File Format", "Licence", "HE Subject (JACS)", "FE Subject (LearnDirect)", and "Resource Type". The "Browse Materials" section lists two items: "Learning Math: Data Analysis" and "Data Analysis".

<http://www.jorum.ac.uk>

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- Advanced Google search (filter by rights) https://www.google.com/advanced_search
- MIT OpenCourseWare <http://ocw.mit.edu>

Simulations

- PhET-Physics, chemistry, biology, earth science (University of Colorado) <http://phet.colorado.edu>

Short Video

KHAN Academy <http://www.khanacademy.org>

Vimeo <http://www.vimeo.com>

TED Talks <https://www.ted.com/about/our-organization/our-policies-terms/ted-talks-usage-policy>

Open Textbooks (full text, no cost, online)

- OpenStaxCollege (Rice University) <http://openstaxcollege.org/books>
- Open Textbook Library (University of MN) <http://open.umn.edu/opentextbooks>
- MERLOT II (California State University) <http://www.merlot.org/merlot/index.htm>
(select Material Type: "Open textbook")

Virginia Tech Library's Guide to Finding OER <http://guides.lib.vt.edu/oer>



Anita Walz

Contact: arwalz@vt.edu

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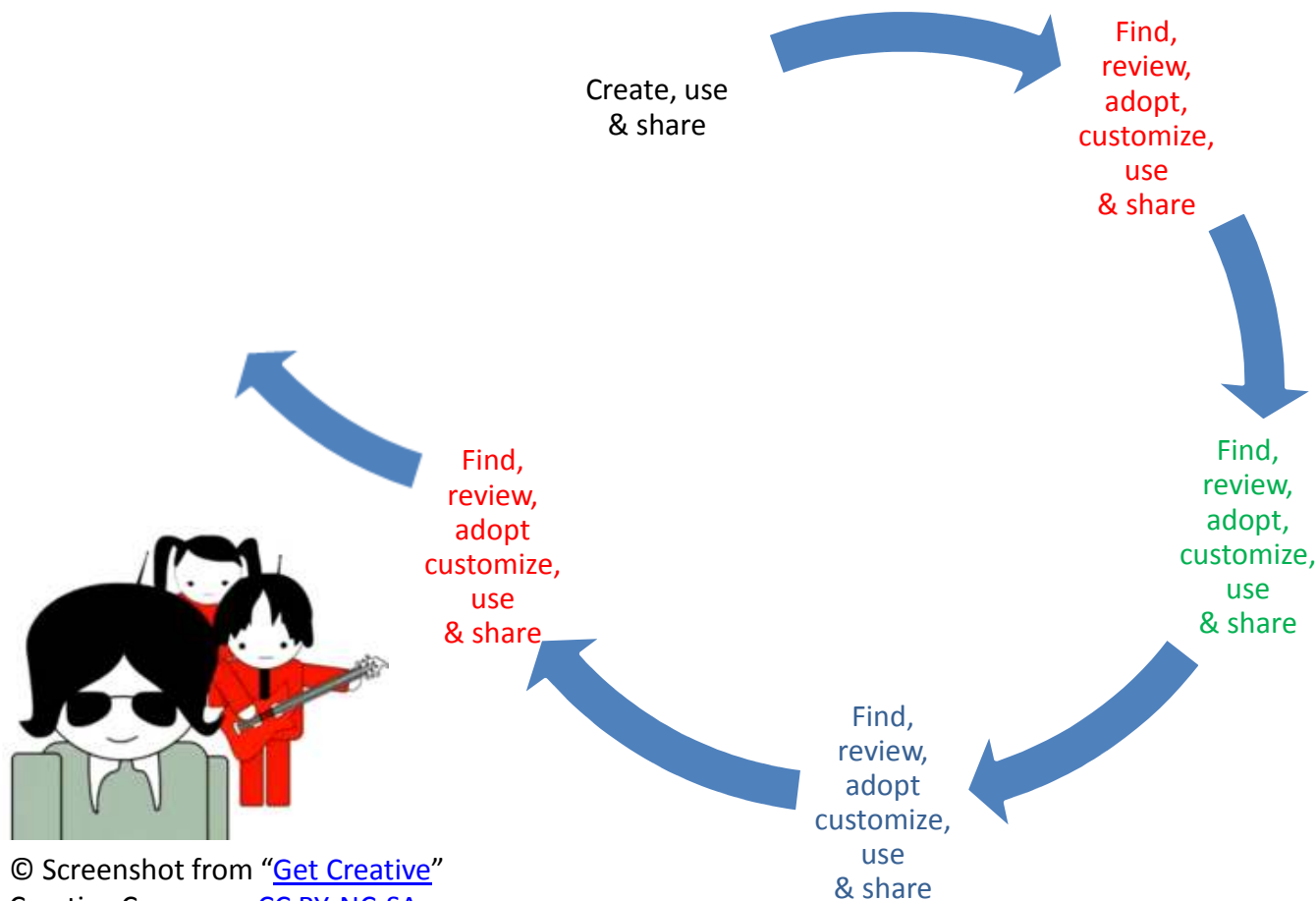
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THINGS YOU SHOULD KNOW ABOUT... OPEN EDUCATIONAL RESOURCES

Scenario

Dr. Bartlett is at the factory floor at a small, private institution, when his analytics work focuses on U.S. labor relations and the civil rights movement. For several years he has cultivated his interest in the labor movement in the United States, and he has been aware of students that they would like to take a course on that topic. Unsure whether he has the time or expertise to put together a curriculum on such a course, Bartlett turns to educational resources online. Among the materials that he finds is a full course on labor relations that actually looks like everything he will need to teach the course at his university. It is available for free. It includes readings, a bibliography of supporting sources, assessments, and sample projects, and it comes from a respected institution.

As he digs deeper into the materials and thinks about the specifics of the course he wants to teach, he starts to see gaps in the resources from the open course. He begins to add related resources and begins to search through collections in related disciplines. Of course, materials from history programs are important, but Bartlett also discovers free educational resources from political science, economics, and sociology departments that fill out the outline of the course as he develops it. Much of the historical context for the labor movement parallels that of the civil rights movement, but Bartlett starts seeing his own specialty from a somewhat different perspective, based on the research he does for his new course.

In a relatively short time, and at no cost other than his time, Bartlett not only constructs a syllabus and coursework for the course on labor, he also incorporates some of the open resources that he came across into his course on race. Some of the resources he finds allow users to modify them and repost them online, and Bartlett takes advantage of this option for some of the materials he uses. The students who take his new course on labor relations tell him how much they like the course, and he also hears compliments about the new materials included in his civil rights class.

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EDUCATION INITIATIVE

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The Commonwealth of Learning (COL) is an intergovernmental organization created by Commonwealth Heads of Government to encourage the development and sharing of open learning and distance education knowledge, resources and technologies.

COMMONWEALTH OF LEARNING AND ATHABASCA UNIVERSITY, 2013

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Thank you! (and Questions?)

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