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MELO 3D Training
June 14, 2011

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Last updated June 13, 2011

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Presentation Goals

This presentation is designed to introduce the option of using openly licensed work in teaching and learning resources produced by those at the University of Michigan and elsewhere.

Participants should be able to:

- Recognize copyrighted material in learning resources
- Understand what Open Educational Resources are
- Understand how OER fits into the Learning Objects and MERLOT framework
- Find and use openly licensed material in learning resources
- Clear and publish resources at Open Educational Resources

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Open Educational Resources

Open Educational Resources (OER) are learning materials that are **available for free and openly licensed to be used, adapted and redistributed** in local contexts.

OER includes syllabi, lecture slides, assignments, academic image libraries, instructional videos and comprehensive, integrated electronic mini-courses. They are referred to as open educational resources because they are designed for teaching and learning and do not have to be associated with a specific course.

Source: http://open.umich.edu/education

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There are two principles on which Open.Michigan is founded:

1) Public universities have a **responsibility to share** the knowledge and resources they create with the public they serve.

2) We are dedicated to **increasing knowledge dissemination** across the higher education community through **encouraging a culture of sharing**.

PD-GOV

knowledge

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This slide is inserted as the first slide/page of all published materials.

Author

License Name

Year

Author(s): John Doe, MD; Jane Doe, PhD, 2009

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Medical Disclaimer

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Use + Share + Adapt

{ Content the copyright holder, author, or law permits you to use, share and adapt. }

PD-GOV **Public Domain – Government**: Works that are produced by the U.S. Government. (USC 17 § 105)

PD-EXP **Public Domain – Expired**: Works that are no longer protected due to an expired copyright term.

PD-SELF **Public Domain – Self Dedicated**: Works that a copyright holder has dedicated to the public domain.

ZERO **Creative Commons – Zero Waiver**

BY **Creative Commons – Attribution License**

BY-SA **Creative Commons – Attribution Share Alike License**

BY-NC **Creative Commons – Attribution Noncommercial License**

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This slide is inserted as the second slide/ page of all published materials. This shows Open.Michigan's analysis of the content objects in the material. Knowing this may assist downstream users (especially those in other countries) in how they can and cannot use a particular object within the resource.

Make Your Own Assessment

{ Content Open.Michigan believes can be used, shared, and adapted because it is ineligible for copyright. }

PD-INEL **Public Domain – Ineligible**: Works that are ineligible for copyright protection in the U.S. (USC 17 § 102(b)) *laws in your jurisdiction may differ

{ Content Open.Michigan has used under a Fair Use determination. }

FAIR USE **Fair Use**: Use of works that is determined to be Fair consistent with the U.S. Copyright Act. (USC 17 § 107) *laws in your jurisdiction may differ

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To use this content you should **do your own independent analysis** to determine whether or not your use will be Fair.

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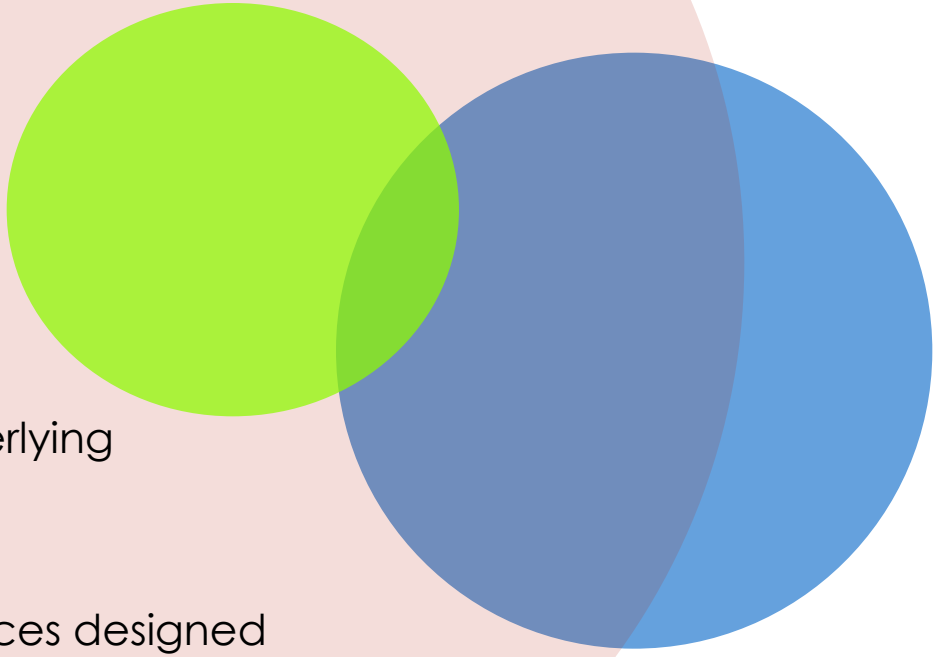
The difference between LOs and OER

OA: Open Access

LOs: Learning Objects

OER: Open Educational Resources



OA focuses on sharing content, but no underlying licensing requirement.

Learning Objects are interactive web resources designed to support a learning objective and include such things as animations, simulations, tutorials, case studies and games.

OER includes any educational content that is shared under an open license, whether or not it is a part of a course.

2.0 Acceptable Use

MERLOT is a free and open resource designed primarily for faculty and students of higher education. MERLOT is built on the collaboration of its partners, community members, registered members, and users. In that spirit, **MERLOT allows access to its site and the materials therein for personal and non-commercial uses as set forth in this policy.** Links to online learning materials are catalogued in MERLOT, along with other items such as peer reviews and assignments. MERLOT is committed to improving the effectiveness of teaching and learning by expanding access to high quality teaching and learning materials that can be easily incorporated into faculty-designed courses.

By using MERLOT, you agree to the terms of MERLOT'S AUP and promise to **use any content found on the MERLOT website, whether in whole or in part, for personal, non-commercial, and educational purposes** only as described in this policy. You also agree to comply with prevailing United States laws regarding copyright and the Digital Millennium Copyright Act of 1998.

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http://taste.merlot.org/acceptableuserpolicy.html

TYPE	CREATOR	OWNER	CC LICENSE DESCRIPTION	LICENSE
MERLOT About Us documents	Staff	MERLOT	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa
MERLOT public website content & images	Staff	MERLOT	Attribution, Non Commercial, No Derivative	by-nc-nd
MERLOT portal content	Partner	MERLOT	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa
Peer reviews	Partner	MERLOT	Attribution, Non Commercial, No-Derivative	by-nc-nd
Learning material metadata	Member	Member	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa
Assignments	Member	Member	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa
Member Comments	Member	Member	Attribution, Non Commercial, No-Derivative	by-nc-nd
Snapshots	Member	Member	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa
Personal Collections	Member	Member	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa
Discussion Board Creation/submission	Anyone	MERLOT	Attribution, Non Commercial, No Derivative	by-nc-nd
MERLOT International Conference submission/postings	Anyone	MERLOT	Attribution, Non Commercial, Derivative, Share-Alike	by-nc-sa

Table 2: Creative Commons Licenses for MERLOT Website-resident Content

http://taste.merlot.org/acceptableuserpolicy.html

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You + LOs + OER = Open Learning

You
Your collections are licensed CC: BY-NC-SA

LOs
You can choose how you license your Jing wrappers*

OER
Open.Michigan can host these collections and wrappers on our site

BY-NC-SA David A LaSapina "Resting by Farmhouse"

*Note that the content you are reviewing may be licensed in other ways or copyrighted all rights reserved.

Take a break!

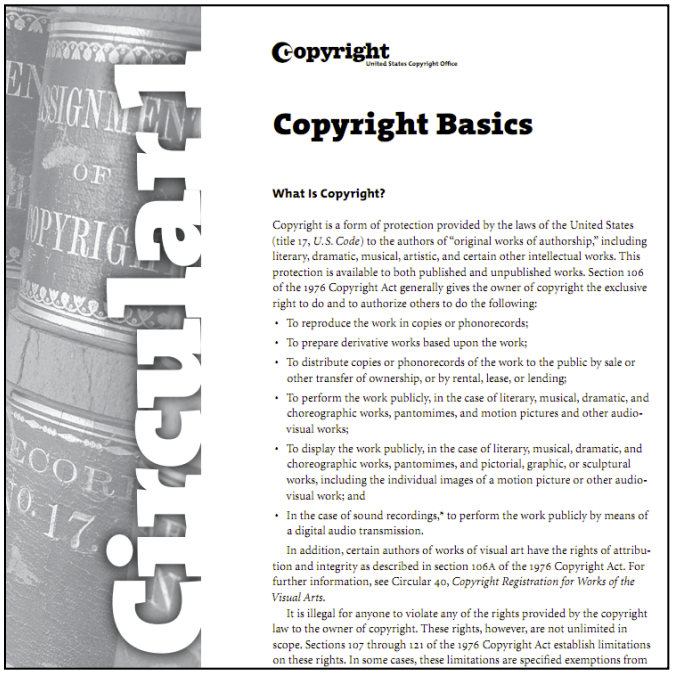
BY-NC Doug McAbee "Taking a break"

Breakout Session One:

Find an example of an openly licensed Learning Object in MERLOT that is in your discipline. Add it to your collection.

Copyright Basics

Copyright is a form of protection provided by the laws of the United States (title 17, U.S.Code) to the authors of "original works of authorship," including literary, dramatic, musical, artistic, and certain other **intellectual works**. This protection is available to both published and unpublished works.



http://www.copyright.gov/circs/circ1.pdf

PD-GOV

Copyright: All Rights Reserved

Copyright covers:

- Maps
- Dramatic works
- Paintings
- Photographs
- Sound recordings
- Motion pictures
- Computer programs
- and more…

It is designed to protect the **expression** of ideas but not the ideas themselves, nor does it protect effort.

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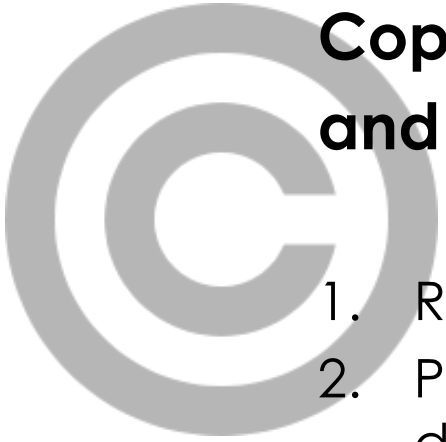

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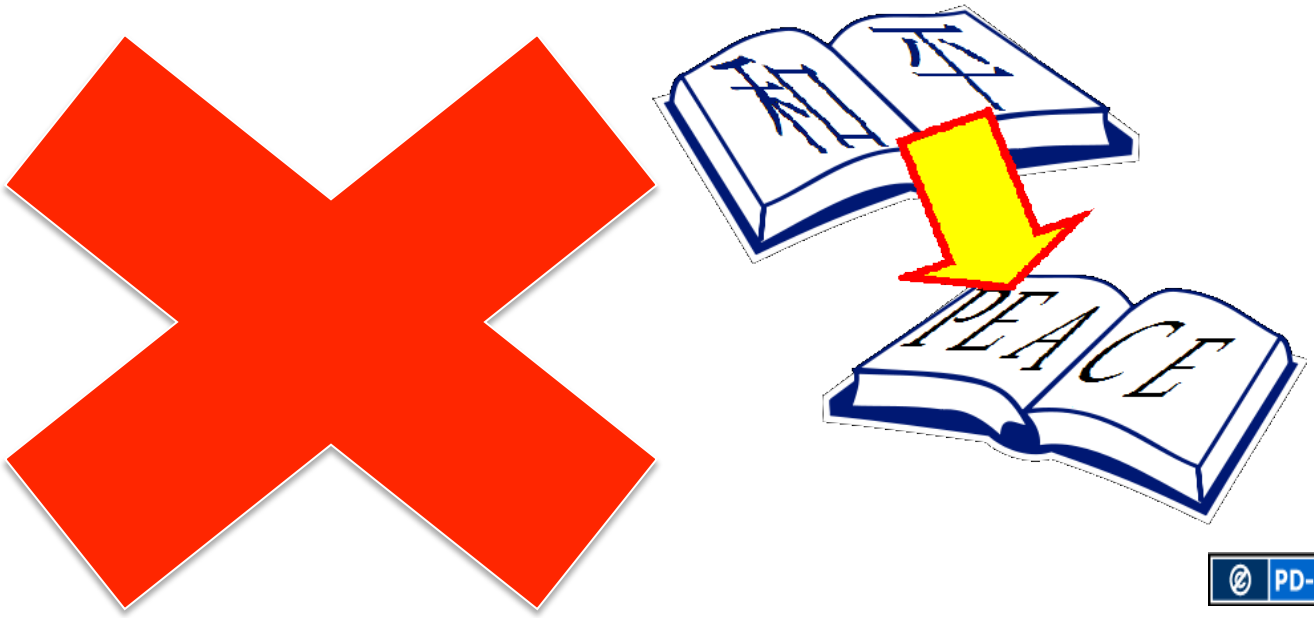
3. Distribute copies of the work by sale, gift, rental, or loan
4. Publicly perform the work
5. Publicly display the work

US Copyright Act of 1976, Section 106

PD-GOV

Under © it is illegal to:

- Translate works (derivative)
- Use someone else's photo, slide, quote (without permission)
- Dramatize a work (derivative)
- Reproduce in whole or in part (without permission)
- Make copies of a work (distribution)



PD-SELF

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Teach Act, 2002

Goal: Address digital use of copyrighted materials in distance education settings.

"When educators use any of these works in their teaching, they are using copyright-protected materials. Among the rights of copyright owners are rights to make copies and rights to make public performances and public displays of the works. An assembled-or even dispersed-group of students may well constitute the "public" under the law. Consequently, **educators frequently incur possible violations of owners' rights whenever they copy materials as handouts, upload works to websites, "display" slides or other still images, or "perform" music, videos, and other works."**

cc BY-NC

Responsibilities of Instructors:

- Performances of some (not dramatic) works
- Can't use commercial educational materials
- Supervision required
- Contextually relevant and integrated into curriculum
- Fair use still applies

http://bit.ly/alateachact

Artwork

More info: open.umich.edu/wiki/Casebook

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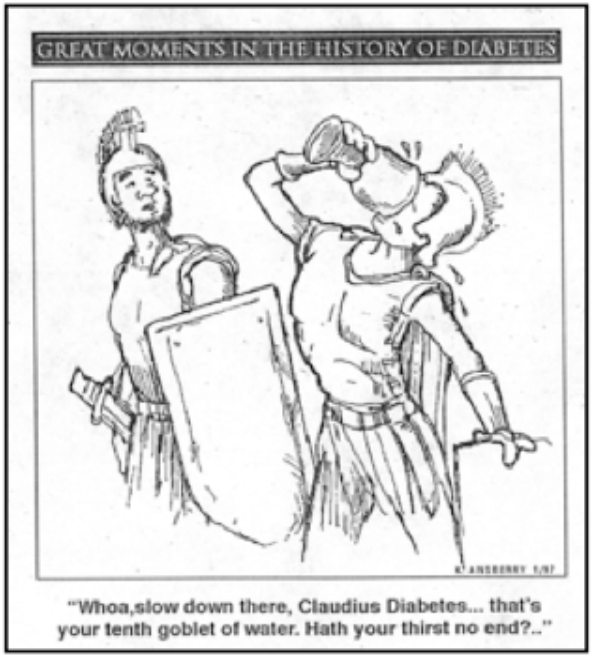
Illustrations: Cartoons



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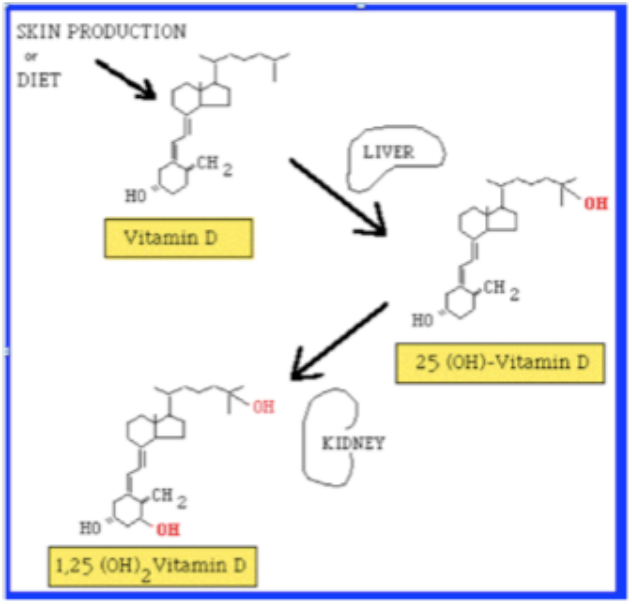
Illustrations: Chemical Representations



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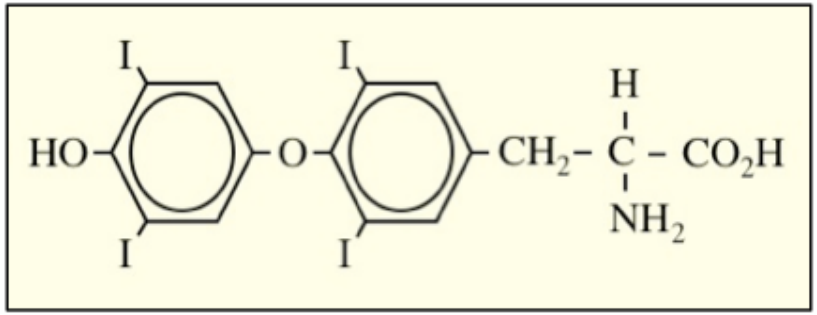
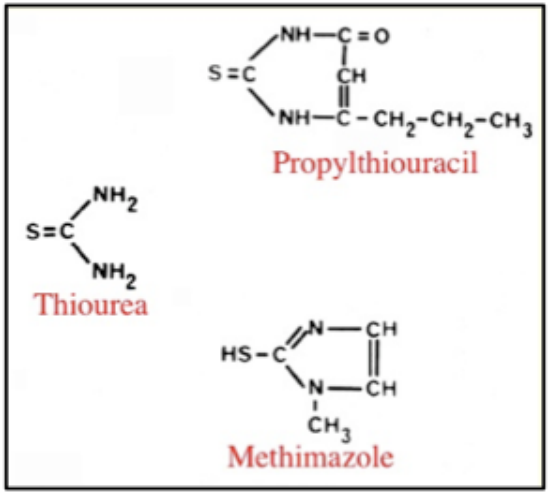
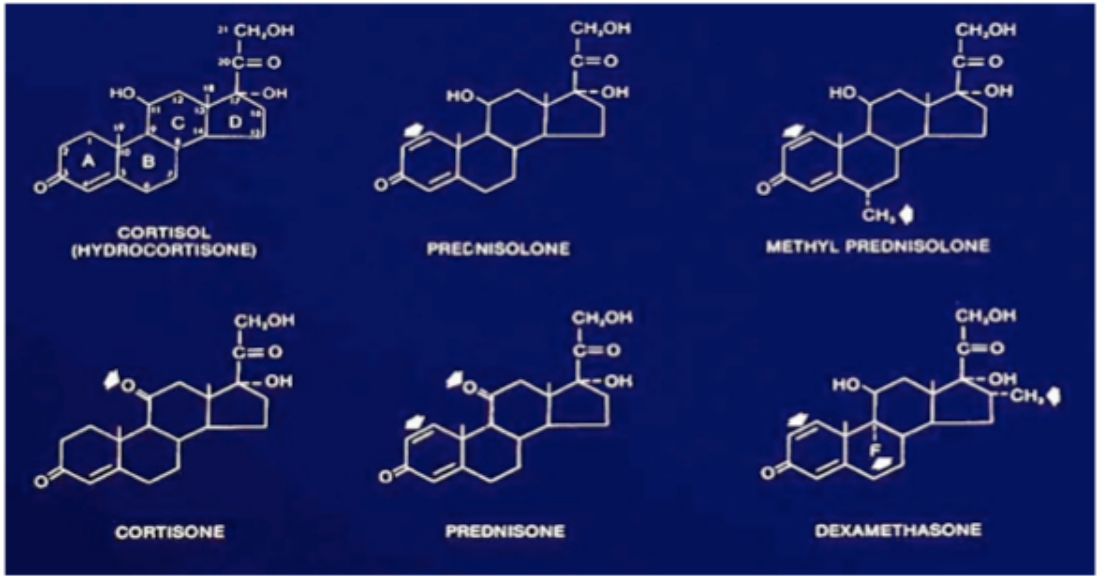
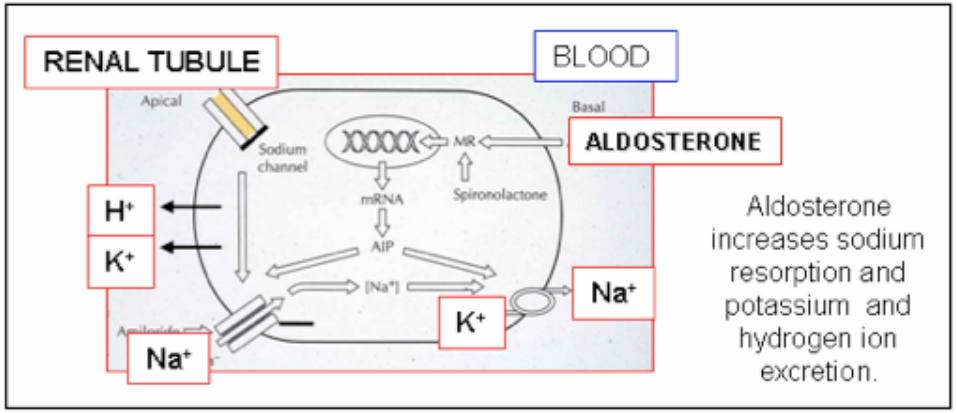
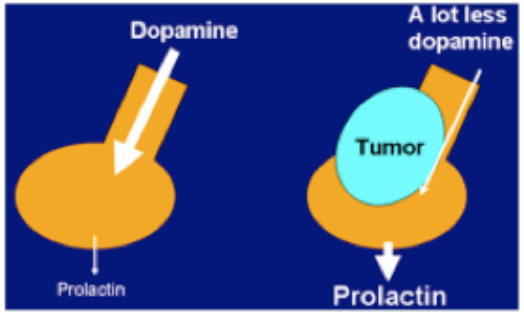


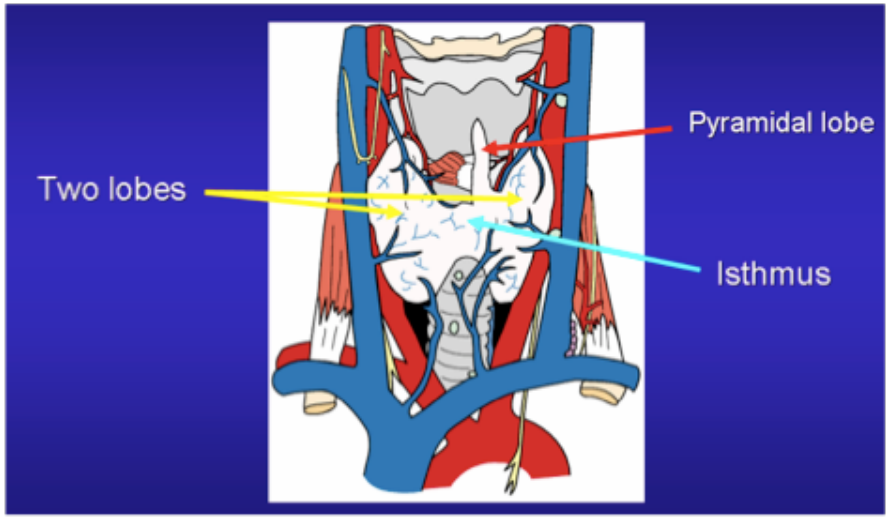


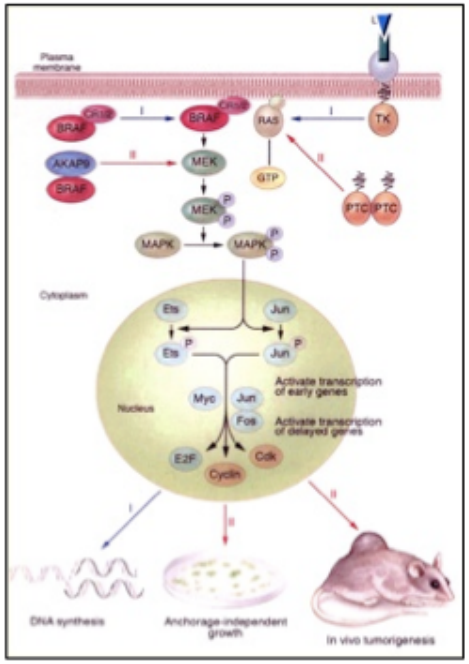


Drawings and Diagrams









Andreas Vesalius (1543)
Book Five of De Corporis Humani Fabrica in 1543

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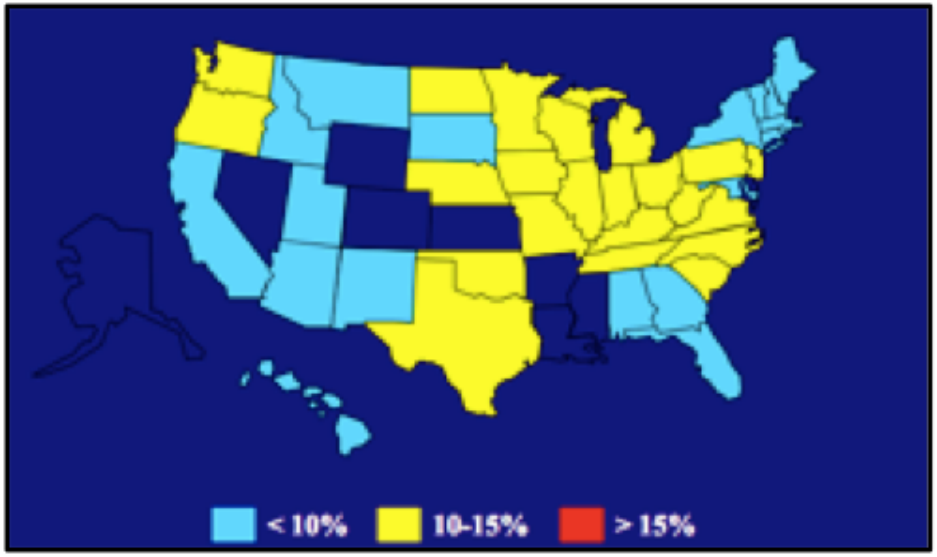
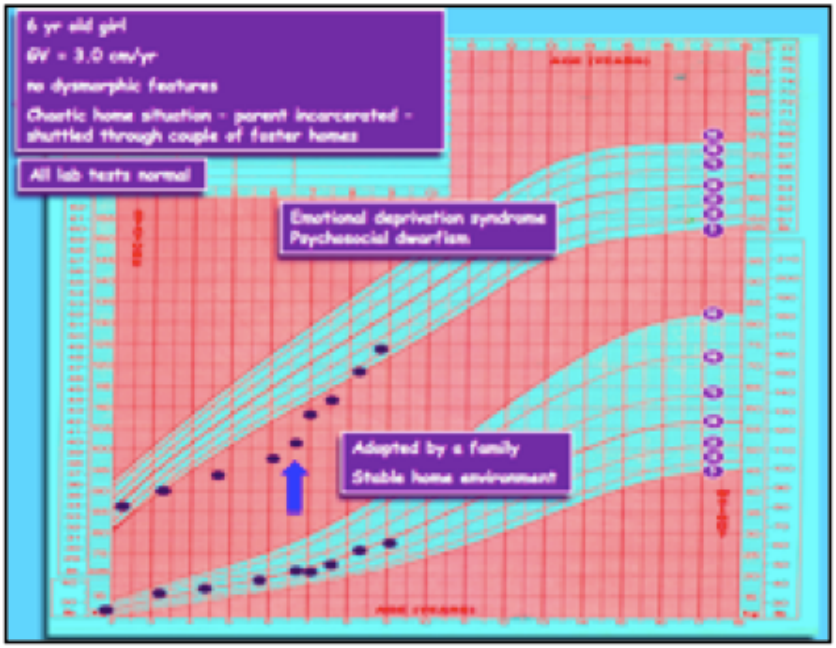
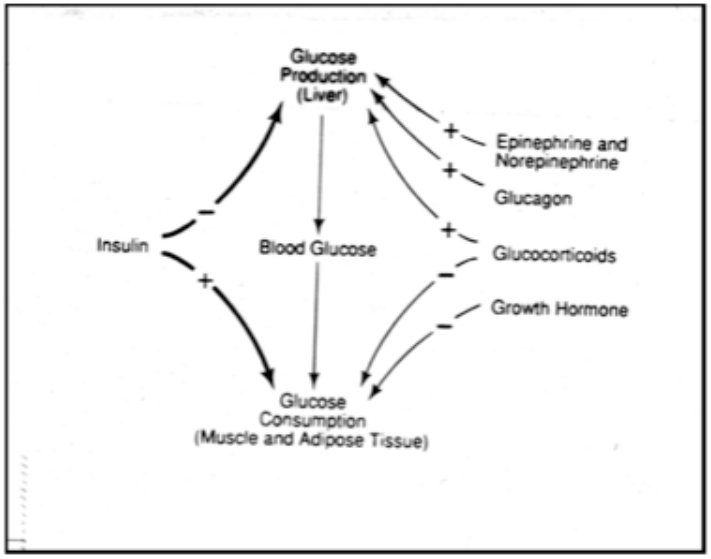
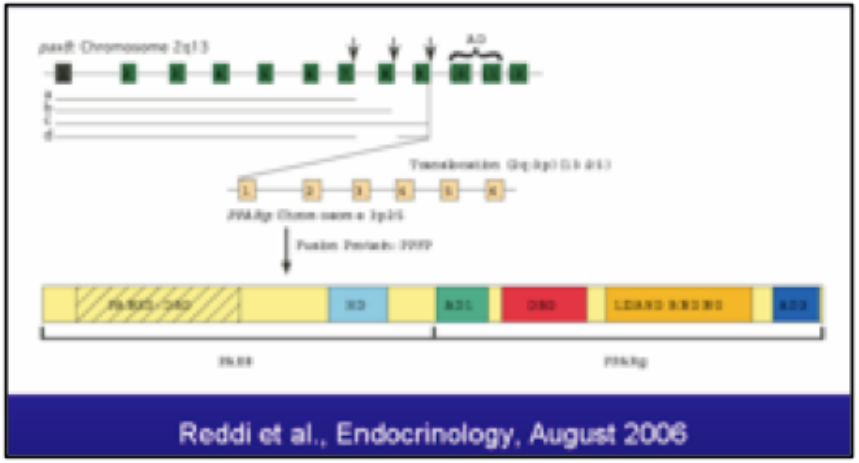
Charts









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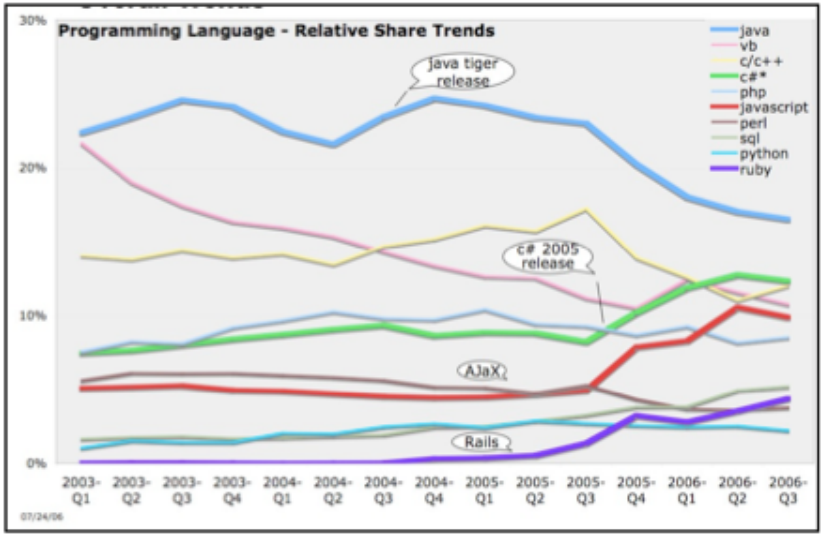
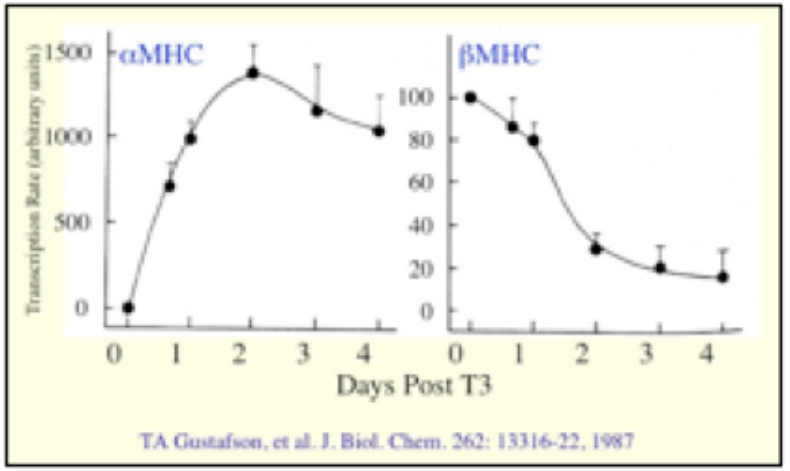
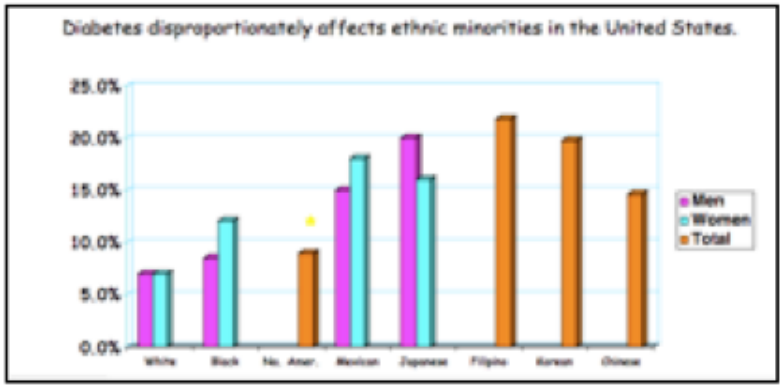
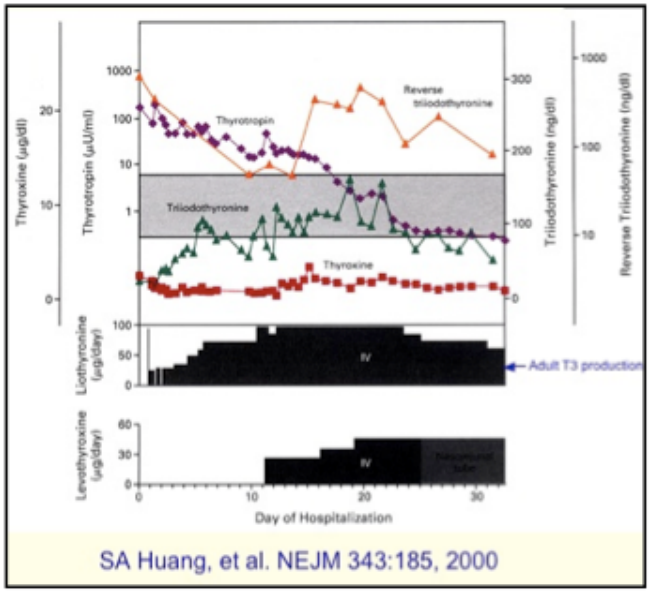
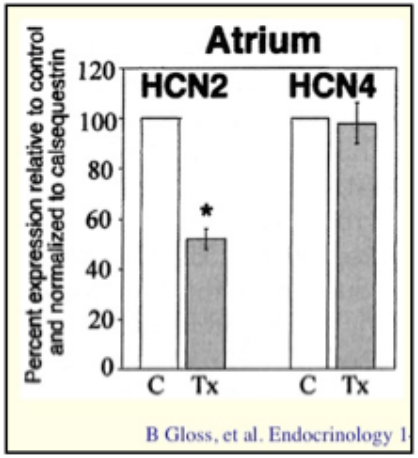
Graphs







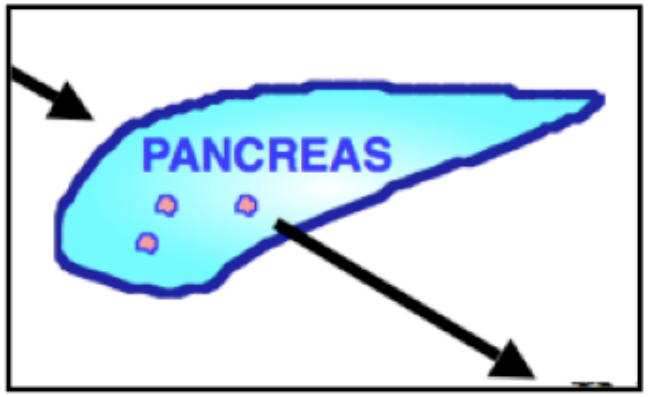




More info: open.umich.edu/wiki/Casebook

Graphics

More info: open.umich.edu/wiki/Casebook



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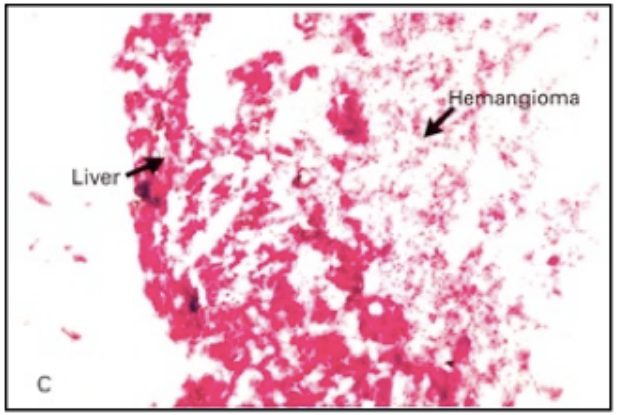
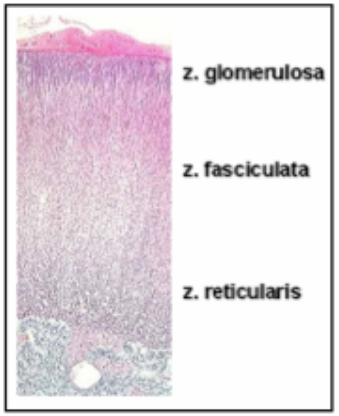
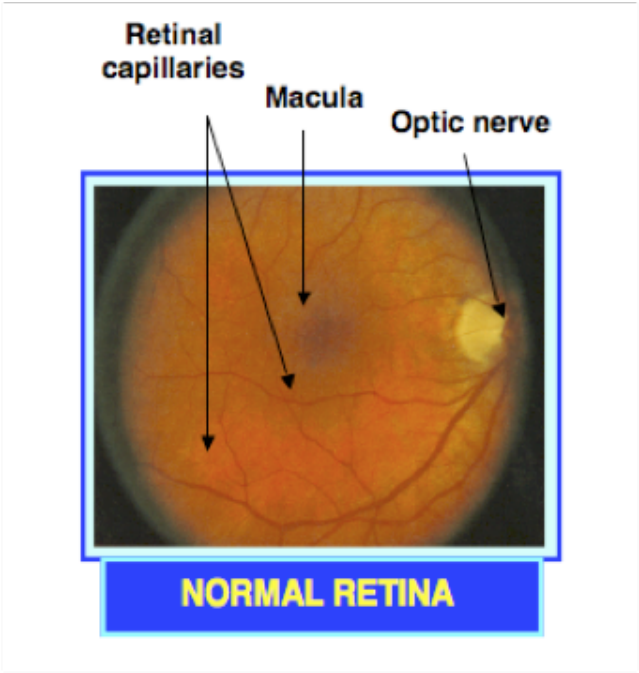
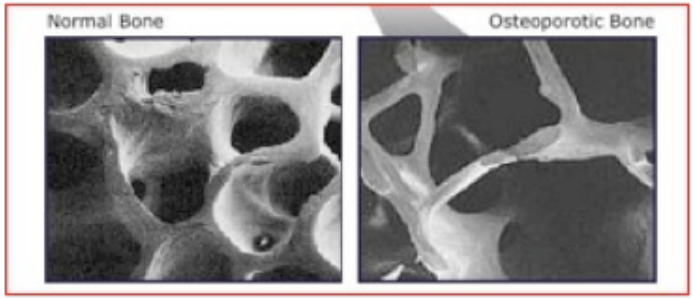
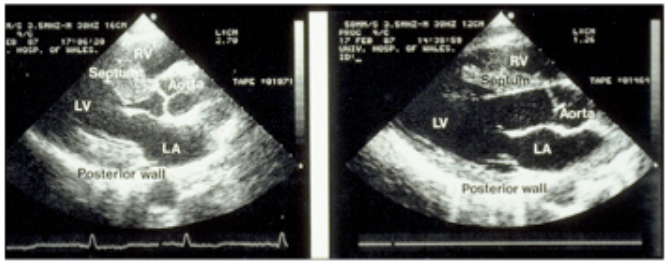
Scientific Images



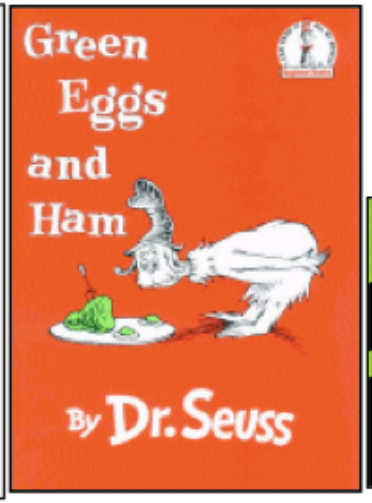








Ads, CD/Book/Movie Covers, Screenshots



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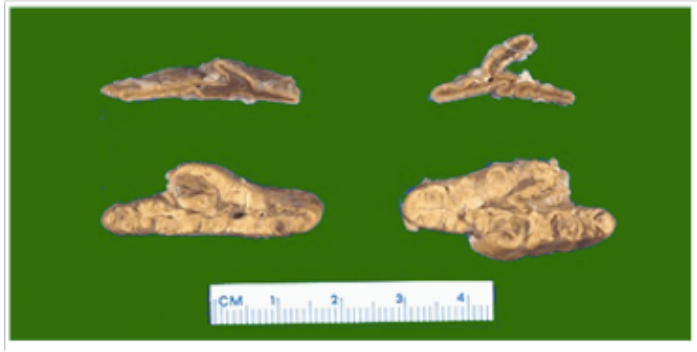

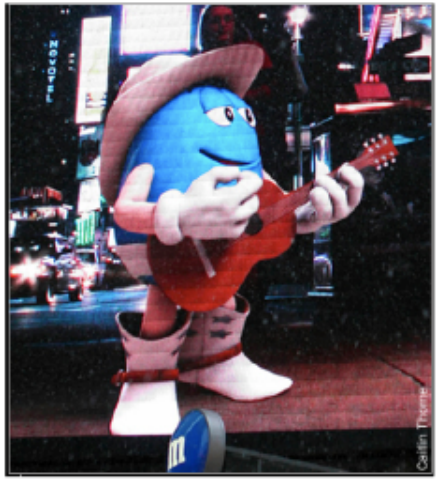

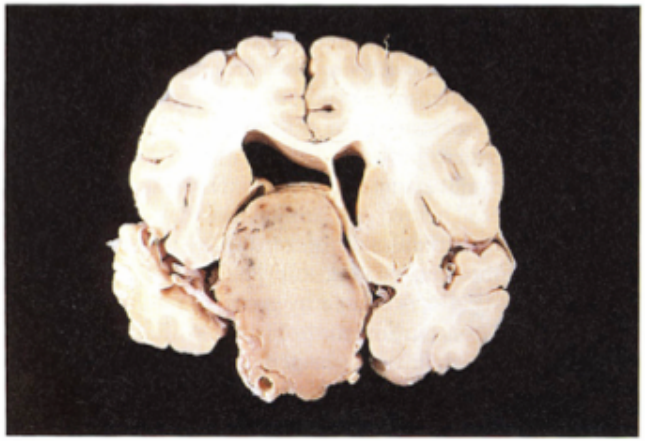

FIGURE 24–4 Pituitary adenoma. This massive, nonfunctional adenoma has grown far beyond the confines of the sella turcica and has distorted the overlying brain. Nonfunctional adenomas tend to be larger at the time of diagnosis than those that secrete a hormone.

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Text: Quotes, Passages, Poems

"…performing certain functions to obtain the effective acquisition, function, allocating, and utilization of human efforts and physical resources for the purpose of accomplishing some goal." – Daniel Wren, 1979

The Mesh
We have come to the cross-roads
And I must either leave or come with you.
I lingered over the choice
But in the darkness of my doubts
You lifted the lamp of love
And I saw in your face
The road that I should take.

- Kwesi Brew

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least restrictive most restrictive

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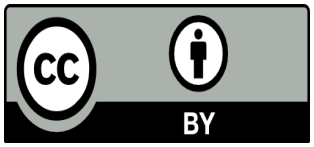
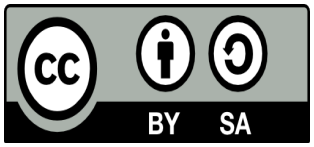
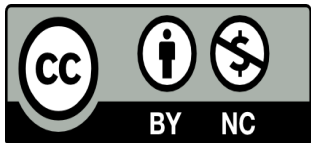


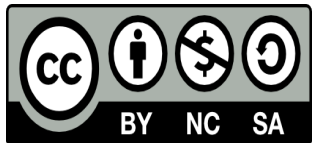
Credit you for the original creation.



Credit you **and license their new creations under the identical terms**.



Credit you and use your work or derivatives of your work for **non-commercial purposes.**



Credit you and **license their new creations under the identical terms.**

Adaptability means…

Translation
Localization
Innovation
Collaboration

Author, title, source, license

Angraecum viguieri GNU free documentation orchi (wikipedia)

Phalaenopsis audreyjm529

orchis galilaea CC:BY-SA judy_breck (flickr) http://creativecommons.org/licenses/by-sa/2.0/deed.en

Attributions page

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Slide 3 http://www.newvideo.com/productdetail.html?productid=NV-AAE-71919

Slide 4 Public Domain: http://en.wikipedia.org/wiki/File:Hummer-H3..JPG

Slide 5 Source: Undetermined from a variety of searches on Monster Truck Documentary

Slide 6 Source: Mega-RC.com http://www.mega-rc.com/MRCImages/Asscd_Mnstr_GT_ShockOPT.jpg

Slide 7 CC:BY-NC GregRob (flickr) http://www.flickr.com/photos/gregrob/2139442260/ | http://creativecommons.org/licenses/by-nc/2.0/deed.en

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Take a break!

(cc) BY-NC Doug McAbee "Taking a break"

Breakout Session Two:

Find an example of OER on the open web that can be used as an LO. What steps do you take to make it a Learning Object? How would you make sure you can use and adapt this material in different contexts?

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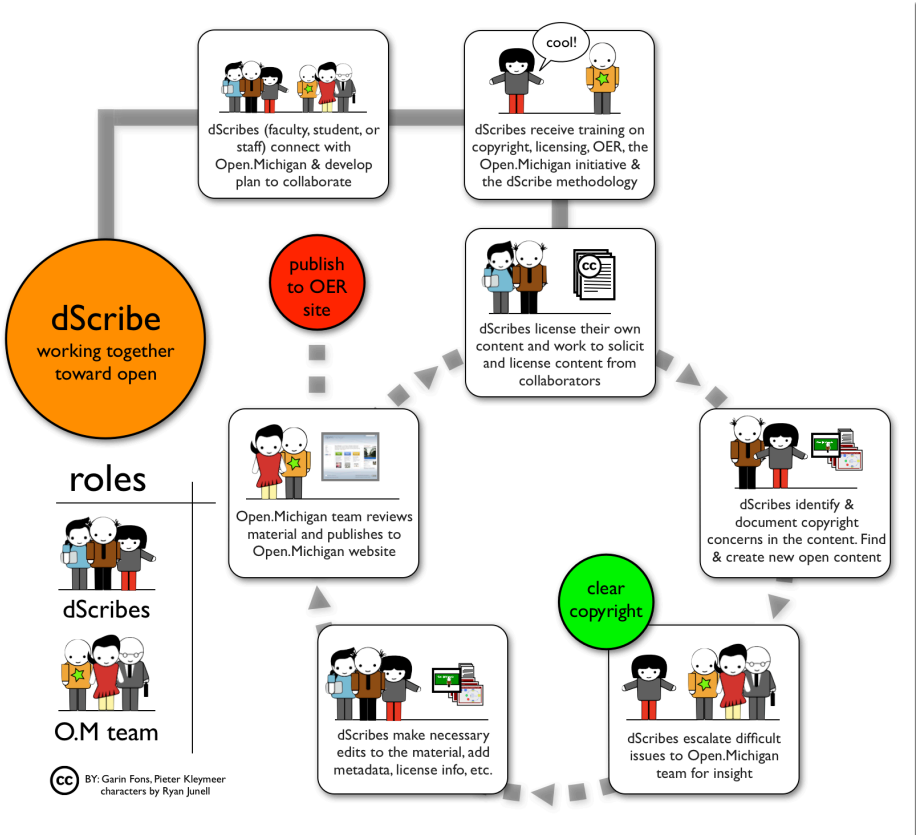
Clearance Process

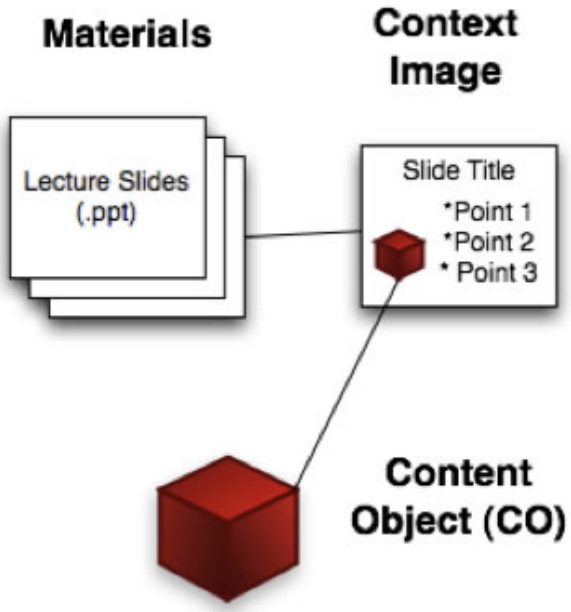
Faculty members working independently to clear their current (not new) learning materials of third party, copyrighted content can expect to spend a few hours of their time assessing and clearing this content. We also call this process "dScribe" and train volunteers to clear U-M content.



Assess and Clear

You must analyze the learning materials to determine if there are any objects that merit concern in regard to :

- Copyright
- Privacy
- Endorsement



Some Definitions

Learning materials include **lecture slides and other multimedia presentations, posters, handouts, readings, quizzes, class notes,** and a host of other associated educational material used for instruction and learning.

A **content object** refers to individual media items like **photos, illustrations, recordings, text, equations, screenshots, and other such media** that appear within learning materials.

Every content object has corresponding **context**, i.e. a single page or slide in a learning material, may contain one or more 'content objects' and surrounding text.

Assess and Clear

This is the heart of the clearance process. During this step, you will choose an action for each content object embedded in your learning materials:

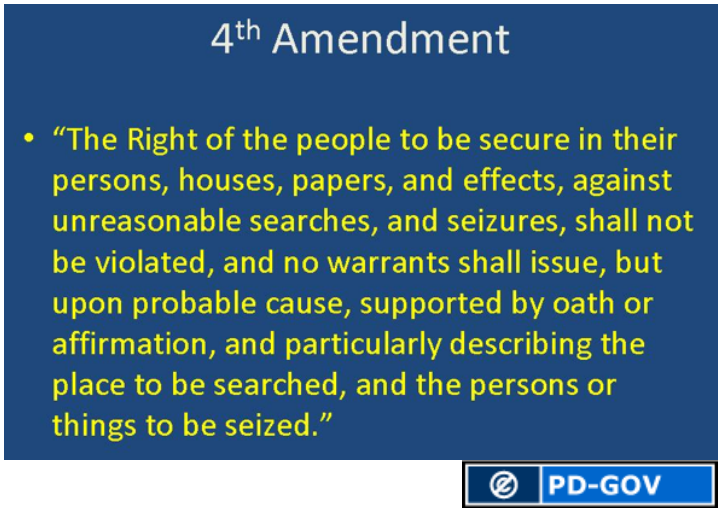
- Retain
- Replace
- Remove and Annotate (If you feel the object in question cannot be legally used in your materials but you would like it to be accessible to future learners.)

Retain: Public Domain

Keep objects when it is clearly indicated or known that the content object is in the public domain. For example, a book published in the U.S. before 1923, such as Gray's Anatomy, is the public domain.

Relevant citation tags:

PD-GOV PD-EXP PD-SELF



Retain: Permission

Recommend this action when you have been given expressed permission to use the object. This action is appropriate when the object is licensed under Creative Commons or the the object was created by someone else who gave special permission for it to be used.

- Relevant citation tags:

CC ZERO | CC BY | CC BY-SA | CC BY-NC | CC BY-NC-SA

GNU-FDL

CC: BY-SA, by opensourceway,
http://www.flickr.com/photos/opensourceway/4371000710/in/set-72157623343017387/

Retain: Copyright Analysis

Public Domain b/c Ineligible for © OR Fair Use Determination

Recommend this action when you come across an object for copyright status or permission is unknown, but you have reason to believe that it is legally acceptable to use it anyway. For example, if the object is something that is ineligible for copyright, e.g. a table of facts is not protected by copyright in the U.S., or it is a short excerpt of a much larger copyrighted work, then you would select this action.

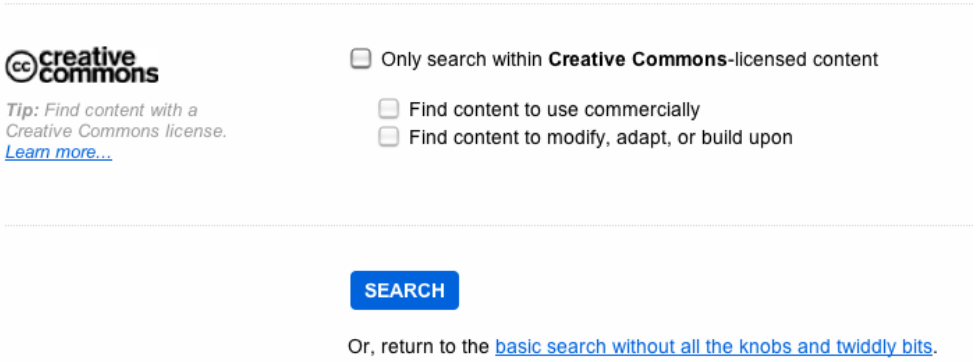
Since the category of what's eligible for copyright, particularly in regard to data and scientific images differs across countries, OER producers should refrain from doing this sort of copyright analysis unless that have a deep understanding of copyright law in their country and/or are able to consult copyright attorneys trained in their jurisdiction.

Relevant citation tags:

Replace: Search

Recommend this action when it is easy search for Creative Commons (CC) or public domain replacements. Ones open search engines that Open.Michigan staff uses regularly is CC Search http://search.creativecommons.org/, which searches CC-licensed media on Wikimedia Commons (the media from Wikipedia), Flickr, and Google Images.

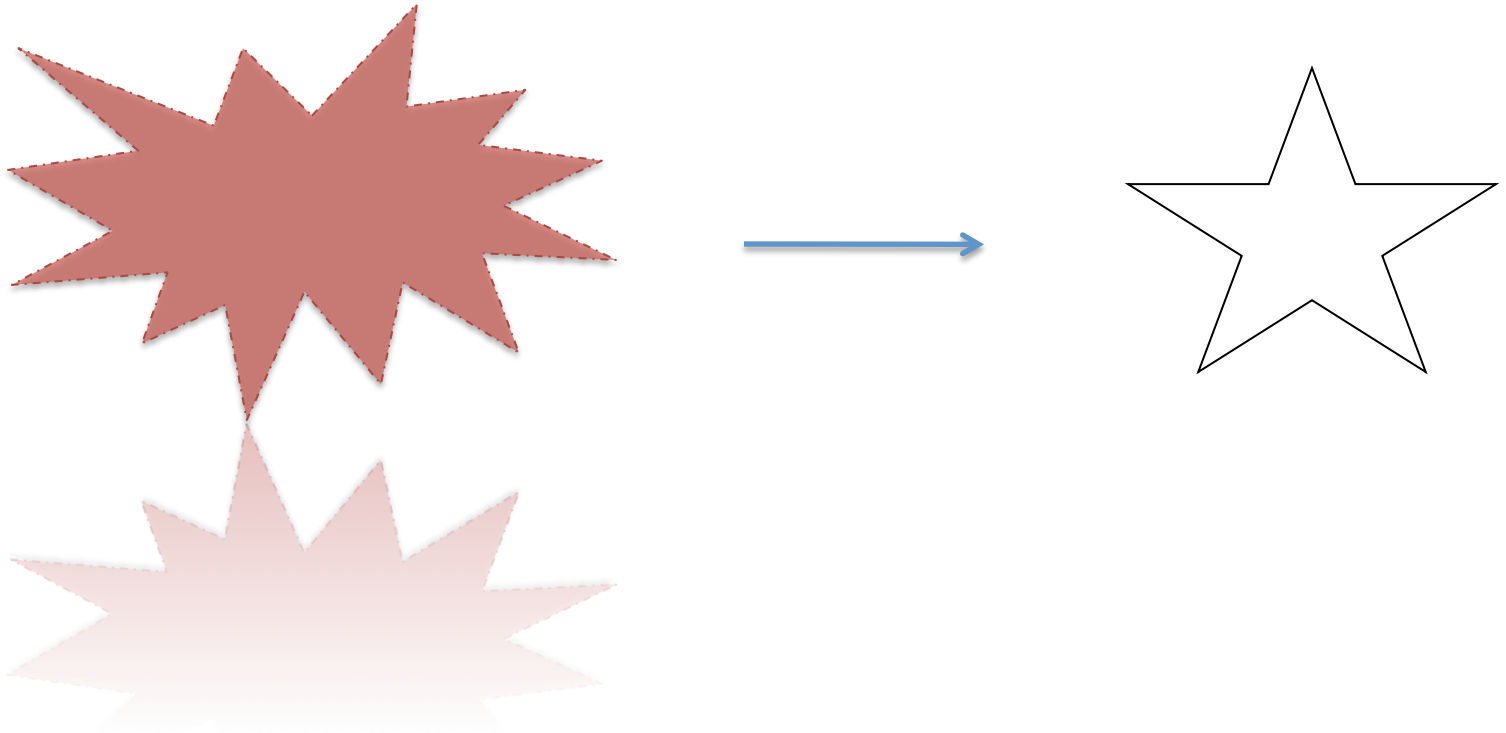
For more options see https://open.umich.edu/wiki/Open_Content_Search



Source: http://www.flickr.com/search/advanced/?

Replace: Create

Recommend this action if you would like to create a content object with a **different expression but the same meaning** as the original copyrighted third party object.



Remove & Annotate

Chose this action when a content object is too difficult to replace or it is unnecessary. If the object is useful, then you can add an annotation which will lead the learner back to the copyrighted original, either by URL or bibliographic citation for print material.

Electronic Visualization Lab

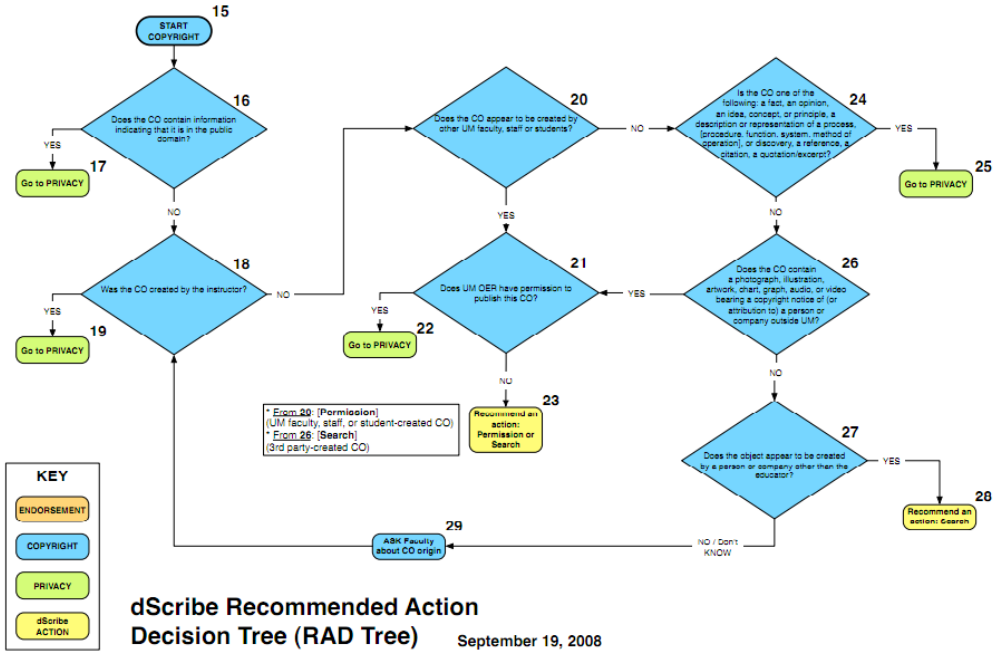
Removed photographs of the Lab.

Source: CC: BY-SA-NC Paul Conway, SI 615: Seminar on Digital Libraries, Week 08: Cyberinfrastructure, Winter 2008.

Recommended Action Tree

In order to assist choices toward taking the appropriate action, the U-M OER team has developed a workflow questionnaire and a casebook.

N.B. These resources were developed for U.S. law.



Source: Recommended Action Decision Tree

Edit Materials

To cite a CC Licensed object in your edited materials, you use the following:

1. Author
2. Source
3. License Abbreviation (e.g. CC BY)
4. License URL

See: Disclaimer_Citation_Key presentation for examples of how to cite materials.

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Publish

When you license your resources you can publish them in different ways and in different places:

- Publish through Open.Michigan
  - Staff can review your content, package it and host it on our site: http://open.umich.edu/education
- Slideshare: http://www.slideshare.net/
  - Make sure you choose the open license you would like on your work when uploading content.
- Your own or your department or personal website. Open.Michigan can still direct traffic to your site from our educational resources page.

Take a break!

BY-NC Doug McAbee "Taking a break"

Breakout Session Three:

Examine the LO you presented at the beginning of today's session. What steps would you take to publish this as an open educational resource?

We're here to help! If you have questions about this process or need clarification on this presentation, feel free to email us at open.michigan@umich.edu or visit our wiki for resources: http://open.umich.edu/education