Slide 2
What we'll be reviewing in roughly five sections throughout this afternoon's training

Slide 3
- OER are openly licensed materials that are free to use across educational settings, both formal and informal.
- Use these when you are not teaching inside of a classroom, if you're a librarian or you work in a company.
- Makes materials easier to share and adapt across institutions if you have partnerships with others.
- OER can be used in the open web in a legal capacity, whereas non-licensed educational materials cannot.
- Makes sharing and adaptation easier to "downstream" users.

Slide 4

Primary objectives:
- Building communities of OER producers and users
  - training, connections, collaboration
- Consulting and Outreach Services to facilitate OER production
  - help organizations like MERLOT understand how to create and use OER effectively
- Development of Processes and Software to support OER production and publishing
  - create processes, tools and resources for others to use to create OER (eg. the content clearance process we'll go through later today

Slide 5

- When we publish OER (that can be course-based or resource based) we include a few pieces of information to teach others how to use the materials within the OER.

- Title slide shows who created the work, what it is licensed under and that it came from U-M.

Slide 6

- Citation Key provides information about the individual open content that may have different licenses applied to it.
- Some content still relies on Fair Use and our own Public Domain, ineligible for copyright.
- These still require the user to determine how they might be applied in a specific setting.

Slide 7
- There are a lot of similar activities that overlap but may still be copyrighted all rights reserved.
- LOs fit somewhere in between the open access world where content is free and accessible but not always adaptable and OER where content is free, accessible and adaptable.

Slide 8

- MERLOT is a great example of a mixed-scenario that has openly licensed content and traditional all rights reserved content.
- The overall site constitutes open access.
- The OER is dependent on the content creator.
- They've adopted a CC: BY-NC-SA license for member-contributed information and for most of their content.

Slide 9

- Your collections on MERLOT actually constitute as OER from Open.Michigan's perspective.
- But it does get confusing because the objects you are reviewing may or may not be openly licensed.
- The content created by MERLOT may or may not be openly licensed.
- Very important to look at the metadata fields to find out quickly what you could use in a different setting and what you would have to get permission to use.

Slide 10
- This all relates to you because you're
  - Creating OER in this project
  - Have an opportunity to generate even more OER by licensing your wrappers
  - Together, we can create a large U-M created collection of resources that can be used by U-M and others who may or may not be familiar with MERLOT.

Slide 11
- Take a few minutes to search through MERLOT (hint: advanced search) to find material that has been openly licensed.
- What did you find? What does the license say you can do with it?

Slide 12
- Now we'll get into some details about copyright so you will understand better how this relates to you in your various capacities as a student and a teacher.
- Copyright protects the intellectual expression of an idea, it doesn't protect the idea itself or factual information.
- Basis of it was in the Constitution to protect creators of the "useful arts"

from publishers and encourage innovation.

Slide 13
- These days copyright happens automatically when you put something in a fixed medium.
- Blog posts, photos, music, videos, journal articles, grocery lists, etc. are all copyrighted and unless you do something about it, these items are all rights reserved.

Slide 14
- This means people must get your permission to do any of these things with your work unless they are using your work in a specific educational setting.
- The open internet does not qualify as an educational setting right now—which means we need to find a way to share and use educational resources with each other legally if we want these things to be accessible to others outside our institutions.

Slide 15
- These are examples of what you cannot do to someone's work if you don't have explicit permission to use their stuff.
- The internet makes it easy to share.
- It also makes it easy to infringe because people don't always give credit for the work they use online.

Slide 16
- MERLOT specifically tries to address the opportunities set forth in the TEACH act but this act is increasingly outdated (2002!).
- Today online learning happens not just in distance education but face to face, asynchronously, formally and informally.
- Fair use can also be hard to justify if you publish something openly on the

web and use other folks' content in it (eg. photos).

Slide 17
- Here are some examples of how to determine what is copyrighted and what isn't.
- Art: anything before 1923 is in the public domain and you can use it without permission.
- Anything after is generally going to be all rights reserved unless someone explicitly applies an open license to it.

Slide 18
- Same with cartoons. The 1923 rule applies and generally cartoons are ©

Slide 19
- Factual information cannot be copyrighted.
- If there is a standardized way of drawing/writing something down (like equations, chemical compounds, etc.) then you can't copyright this. There may be patents associated with it but that's another story.

Slide 20
- Drawings and diagrams: it depends on the level of interpretation and creativity: if something was done with simple tools that another person can easily reproduce or if there is a standard way of representing a heart (for example), these images are not usually protected under copyright.
- If artistic license or training is involved in the representation, these are usually protected under copyright and you will have to seek permission to use them.

Slide 21
- Today's charts are usually not protected unless they are very artistic.

These days especially with computer programs to create charts, copyright protection does not always apply.

Slide 22
- Graphs are usually not protected unless they are very artistic. These days especially with computer programs to create graphs, copyright protection does not always apply.

Slide 23
- Graphics need interpretation. Again if someone else can easily reproduce what you've created, it probably isn't copyrighted.
- Little icons you find in MS Word or other programs may be copyrighted because an artist created them.
- Complex diagrams and graphics may also be copyrighted.

Slide 24
- Scientific images that are taken by a machine are also usually not copyrighted because the machine does not make a decision to creatively express the fact or idea embedded in the medium.

Slide 25
- Often covers can be very creative and are commercially copyrighted.
- Screenshots illustrating a website are generally not copyrighted unless they contain an image or a lot of text that is copyright.
- These can be very context-specific to the course or resource for which it illustrates a point or a concept.

Slide 26
- Most photographs are copyrighted unless they are purely informational, like the brain or the bone images.

Slide 27
- Under fair use terms, you can use a small amount of text in you resources

but you can't copy the whole thing or most of it, like a poem.

Slide 28
- This is all where open licenses come in!
- Remember we talked about getting permission from the copyright holder.
- Open licenses work alongside copyright.
- You still own your copyright but you are giving advanced permission for people to use your work in certain ways.
- They fit the gap between public domain work and copyrighted work and allow materials to be shared on the open web legally.

Slide 29

- They are like smart codes because they not only work legally, they are written in plain language and machine-readable language.
- That means search engines can find your resources better if you include the full URL of the license in your citation.

Slide 30

- Creative Commons allows for several license types but Open.Michigan prefers the licenses that all you to adapt the resources to suit your specific teaching context.
- These are the four we use when we publish U-M folks' materials.
- You can see that the more terms you set, the less flexibility the downstream user has to use your work.

- Adaptation means that people can translate your work, adapt it to make sense in their classroom (formal or informal) and it also means people can create more, better, faster content together if they don't have to track down permissions all the time.

Slide 31
- When you use open content, make sure you always include: author, title, source, license
- You can attribute these things in a few different ways, as long as you include this basic information.
- If you don't want to attach this information directly to the open content you're adapting, you can also include an attributions page (like a works cited page).
- This is also like adding metadata to your resources that make it easier for others to see what they can or can't easily use.

Slide 32
- Now let's take a break!
- Look at your handout for two oer-specific collections of materials.

Slide 33
- What if you have content you've already created, that you want to post online but you might have used other people's photos, text or information in your work?
- We've developed a content clearance process for others to use to recognize and clear material to be published as OER.
- 8 steps: connect with open.michigan; training; gather resources; license; assess and clear; edit; review; publish

Slide 34
- We talk about these things in specific ways and here are some examples.

Slide 35

- When clearing content for OER publication you want to assess and prepare copyrighted content for which you don't hold the copyright
- Make sure you don't accidentally expose personal information.
- Make sure you don't look like you're endorsing a product or a service in an educational setting.

Slide 36
- When you assess the materials you are making a few decisions that we'll go over.
- Whether you want to retain, replace or remove content from the material.

Slide 37
- You would retain anything that was created by the federal government (not state!0, that is in the public domain because of its age or that someone else dedicated to the public domain.

Slide 38
- You can retain open content you've used in your work as long as you follow the original creator's license terms.

Slide 39
- If you've determined something is ineligible for copyright (like we discussed earlier) or if it must be kept because it falls under fair use, you can also keep the images.
- This one gets tricky because jurisdictions across the world are different with regard to what is fair use and what is protected.
- We try not to use these too loosely in our published OER because it puts the copyright analysis back on the downstream user.

Slide 40
- We can often find openly licensed replacement content for images, animations, graphics and other information if we search for it.

Slide 41
- Sometimes it's also easier to recreate a simple version of a concept, illustration or activity rather than seeking permission for a copyrighted work.

Slide 42
- Sometimes we just can't keep content in a resource we want to publish as OER because we can't get permission.
- In this case we try to remove the content and annotate it where possible with a stable link.
- This happens most of the time with journal articles or quotes and we can link to the article itself.

Slide 43
- We've created some tools you can use to get help if you have questions about these things, including the Recommended Action Tree and an extensive casebook with examples and legal history (that I've provided links for in the pages earlier).

Slide 44
- When you go to edit materials, you must make sure you include these four features on all the content that the original creator didn't make themselves.

Slide 45
- Then you can publish this on Open.Michigan, slideshare, flickr, etc. etc.

Slide 46
- Now that you've received an introduction to OER, copyright and how to create OER, let's talk about how it relates to the LO you've worked with.