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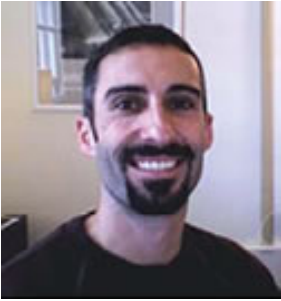
The New Rules of Copyright

By Judy Salpeter

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Complying with, and teaching young people about, copyright in an educational setting often feels burdensome. That's because copyright laws were not designed to facilitate the sort of sharing and collaborating that has become widespread in the digital age. The innovative nonprofit organization Creative Commons turns the process around, making the concept of protecting and sharing work online not onerous, but positive. We asked Ahrash Bissell, Executive Director of Creative Commons' ccLearn division, for a primer:

Q: Why should educators care about the Creative Commons label?

A: Creative Commons licenses legalize the sharing of content—something we do on the Internet every day whether we're aware of it or not. Instead of reserving all rights to one's work, which is the default in copyright law, Creative Commons licensing makes it easy for an owner to reserve some rights while making the work available for others to use and enhance. The creativecommons.org Web site offers free, easily understandable, machine-readable licenses. By putting a CC license on your work, you are allowing people to share it easily with others and, at the same time, outlining the ways in which you want to be given credit. You are saying, "I would like acknowledgment but I am offering this to the world to help others. If you find a way to make it better, feel free to do so." It's a very different take on copyright, and makes so much more sense today.

Q: What is ccLearn?

A: [ccLearn](http://creativecommons.org/cclearn) is a division of Creative Commons focused on minimizing the legal, technical, and social barriers to sharing and reuse of educational materials. We are dedicated to supporting open learning and "open educational resources" (OER) and changing the culture of education so that teacher practices (pedagogies) become more transparent and effective.

One project we are working on is an education-specific search tool. Traditional education sites feature sets of educational tools pulled together in one place online—a silo. The alternative is to label educational objects located all over the Internet with a set of shared attributes and allow them all to be accessed through a customized search engine. It's a much more powerful way to do it and opens up a world of possibilities. We already have many examples on the Internet of tagging using key words. Creative Commons takes it one step further, avoiding language barriers with machine-readable code that makes it easy for search tools to locate resources sharing a particular license. Now we want to add more information to those machine-readable labels—information of particular interest to educators. For example, we're encouraging the creators

of open educational materials to label them by grade level, subject area, language in which the material is written, and so forth.

Q: How focused are you on younger learners and the concerns K-12 schools have about protecting students from inappropriate materials?

A: About 1/3 of the educators interested in ccLearn today are involved in K-12 education. Although we're not prescreening or hand-selecting specific sites, in order to be found by our search engine, education materials need to be "curated"—meaning they need to have a company or organization vouching for them. The information about any curator is highly visible and, in searching, you have the ability to include only curators you know and trust or exclude those you don't trust. Ideally you might end up with a situation where a given school could have its own entryway to the archive, with a customized interface and a filter that selected certain age levels or state standards.



Q: If all educational materials in the future are open and free, how will educational content providers be reimbursed for their expertise and their work?

A: Many people mistakenly accuse CC of being antibusiness, based on the fact that we make it legally possible for people to do the things that the Internet enables, rather than making criminals of us all. Fortunately, there are many businesses that realize that times are changing and they had better start thinking of ways to adapt and take advantage of the new opportunities.

John Seely Brown has said that, rather than operating an economy based on presumptions of scarcity, we need to build economies based on presumptions of abundance.

If the actual monetization component of a business model comes down to facilitating distribution, under the premise that organizations and individuals would not otherwise get the materials and are therefore willing to pay for access, then they are in trouble. The Internet will continue to eat away at the logic of the distribution businesses.

But I believe that there are ways in which educational providers can evolve to meet their bottom lines while still delivering high-quality content for educational contexts. In the case of an open textbook, for example, government grant funding might go into the creation of the resource. Then companies might charge for value-added services such as study aids for students or professional development or supplementary video.

Copyright Do's and Don'ts for Schools

By Carol Simpson

DO make sure that all AV material shown to students directly relates to the curriculum.

DON'T show films or videos for reinforcement or reward. You may rent movies for such performances, paying a minimal public performance fee, from suppliers such as Movie Licensing USA. Video rental stores cannot authorize you to give public performances.

DO ask your faculty to sign a copyright compliance agreement.

DON'T loan VCRs or DVD-Rs with patch cords. Watch for questionable situations: why would a teacher need two recorders except to copy programs?

DO write the record date on all videos you record.

DON'T copy commercial computer software, except to make an archival (one that isn't used) copy.

DO keep receipts and purchase orders for all videos and computer software. Keep the catalog (or pertinent pages) to verify purchase of public performance rights.

DON'T copy cartoon or TV or film characters for decorations, bulletin boards, or handouts.

DO require teachers to verify recording date and source for all homerecorded videos. Fair use guidelines say that programs must be used for classroom instruction within 10 days of taping.

DO write for permission to retain recordings of useful programs. The worst a copyright holder can do is say no.

DO remember that the person who pushes the button is also liable. So is the principal who knows copyright is being violated.

DO keep a link to Cable in the Classroom Online (www.ciconline.org) to verify taping rights from the various networks.

DON'T apologize for obeying federal law. If you would like a free copy of the law, visit the Copyright Office Web site for a copy of Circular 92.

Carol Simpson is a professor, lawyer, and the author of Copyright for Administrators (Linworth Publishing, 2008).

Creative Commons At a Glance

Creative Commons licensing allows students and educators to determine what rights they are willing to share when they post original images, graphics, audio, text or multimedia works online. It also makes it easier to locate work by others that can legally be incorporated into remixes or other derivative products. Here are some basics for schools that are just getting going with Creative Commons.

CHOOSING A LICENSE

The first step in applying CC licensing to your work is to select the license that suits your preferences. The choices, described in more detail at <http://creativecommons.org/>, include:



You let others copy, distribute, display, and perform your copyrighted work—and derivative works based upon it—but only if they give credit the way you request.



You let others copy, distribute, display, and perform your work—and derivative works based upon it—but for noncommercial purposes only.



You let others copy, distribute, display, and perform only verbatim copies of your work, not derivative works based upon it.



You allow others to distribute derivative works only under a license identical to the license that governs your work.

These licenses can be combined in various ways. For example, an Attribution Non-Commercial license lets others remix, tweak, and build upon your work non-commercially, but the works they create must acknowledge you and be non-commercial.

In addition, there is a Public Domain Dedication that lets you free works from copyright completely, offering them to the public domain.

APPLYING THE LICENSE

Once you have selected your license, the Creative Commons Web site shows you

how to include the html code with your work. This code will automatically generate the "Some Rights Reserved" button and a statement that your work is licensed under a Creative Commons license, or a "No Rights Reserved" button if you choose to dedicate your work to the public domain. The button will link back to the Commons Deed where the license terms are explained. Your license choice is expressed in three ways:

- Commons Deed: A plain-language summary of the license for users of your work, complete with the relevant icons.
- Legal Code: The fine print that you need to be sure the license will stand up in court.
- Digital Code: A machine-readable translation of the license that helps search engines and other applications identify your work by its terms of use.

FINDING CC-LICENSED MATERIALS

An increasing number of Web 2.0 tools and search engines (including Google, Yahoo! and Flickr) are making it possible to locate materials online that have Creative Commons licenses. A good jumping-off point for locating such materials is [CCSearch](#).

WHERE TO LEARN MORE ABOUT CREATIVE COMMONS

THE CREATIVE COMMONS WEB SITE

<http://creativecommons.org>

Includes videos, FAQ, tools, tutorials, and links to CC divisions including ccLearn.

CREATIVE COMMONS AND OPEN CONTENT: WHAT K-12 SCHOOLS NEED TO KNOW

www.cosn.org/resources/compendium/index.cfm

A ten-page article from the 2008 CoSN Compendium.

K12 OPEN ED

www.k12opened.com

A wiki and blog by Karen Fasimpaur of K12 Handhelds.

7 THINGS YOU SHOULD KNOW ABOUT CREATIVE COMMONS

www.educause.edu/ir/library/pdf/ELI7023.pdf

A two-page PDF from the higher education association Educause.

CREATIVE COMMONS IN K-12 EDUCATION

www.wtvi.com/teks/05_06_articles/creative-commons.html

An introduction by Wes Fryer.

CREATIVE COMMONS RESOURCES FOR SCHOOLS

www.smartcopying.edu.au/docs/creativecommons-resources.pdf

From the National Copyright Unit of the Australian Schools Resourcing Network.

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