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Share the wealth

Creative Commons licenses for library learning objects

Efficiency, openness, sharing, and value: these are the bywords driving higher education today, as evidenced by academia's increasing focus on online instruction methods ranging from course management sites to MOOCs. Academic libraries are no exception, and we continue to face new questions about how we can make our online instructional tools more useful and accessible. To that end, the University of California (UC) Libraries Heads of Public Services (HOPS) recently charged a taskforce to establish recommendations for assigning clear reuse permissions to UC Libraries' learning objects; specifically, should the libraries adopt Creative Commons (CC) licenses, and if so, which one(s)?

In order to make informed recommendations, the HOPS taskforce compiled information on:

- the types of works that would be considered learning objects, and therefore covered by this recommendation, and what their chief purposes were;
- what practices UC libraries and peer institutions had adopted around reuse policies for similar objects; and
- what options—specifically, which CC license terms—were available and what were the implications of their implementation at individual libraries and UC-wide.

Library learning objects

Library learning objects potentially encompasses a broad range of works. For our purposes, we considered the term to include any work published online by a library.[1] Examples might include tutorials, text from a LibGuide, or a page on how to write an annotated bibliography. Creators of these works often look at examples from other libraries before and during the writing of their own materials, and sometimes adapt them for reuse at their own institution.

Creative Commons license considerations

Creative Commons[2] is a global nonprofit organization that provides a set of standard licenses to enable and enhance sharing and reuse of creative works.[3] Users choosing a CC license can select from these terms:

- **Attribution (BY):** You let others copy, distribute, and display your copyrighted work, but only if they give you appropriate credit. All Creative Commons licenses have this requirement, which does not exist independently in US copyright law.
- **Noncommercial (NC):** You let others copy, distribute, and display (and possibly adapt) your work but for noncommercial purposes only.

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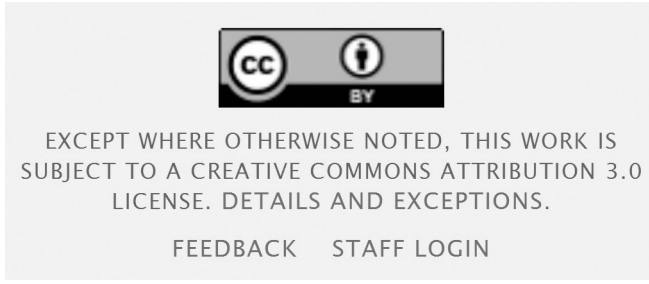
• **NoDerivs (ND):** You let others copy, distribute, and display only identical copies of your work, not translations or other derivative works based upon it.

• **ShareAlike (SA):** You allow others to distribute adaptations, translations, or other derivative works, but only under a license identical to the license that you chose for your work.

The college or university where a library is situated generally owns the copyright in learning objects created by regular library employees in the course of their usual work. This means that the institution (or the library, with the institution's approval) can choose to apply CC licenses to any online text or media that was created by library staff, but any such license would not include any content that was not created within the library (e.g., images from external sources, database content, etc.). A license grants permission for reuse, but does not change copyright ownership; the institution would maintain ownership of the copyright for library-created content regardless of which license is chosen.



License details from the footer of the UC Santa Cruz Library pages: http://library.ucsc.edu.

Existing practices

Four UC libraries were already using Creative Commons licenses for at least some library content. The licenses in use were:

• UCLA: Attribution-NonCommercial-ShareAlike (CC BY-NC-SA)

• UC-Berkeley and UC-San Diego: Attribution-NonCommercial (CC BY-NC)

• UC-Santa Cruz: Attribution (CC BY)

The UC Libraries Begin Research tutorial,[4] hosted by UC-Irvine and used at a number of campuses, also had an Attribution-NonCommercial-ShareAlike license (CC BY-NC-SA). The UC tutorial and UC-Santa Cruz both included the CC logo and a brief description of the license in their footers, along with a link to a full page describing the license in greater depth.

UCLA included a text link to "Creative Commons License" in the footer of its website directing users to a page describing the license.

With the exception of UCLA and UC-Santa Cruz, campus libraries applied their licenses inconsistently across their web content. UC-Berkeley and UC-San Diego used the CC license on specific tutorials, but not on others, and it wasn't present on the majority of their library web pages.

An additional review of 11 peer libraries outside the UC system revealed no consistent best practices regarding the copyright and licensing of their creative works. For example, libraries might license some learning objects but not all, or use different licenses on different works. Links to author attribution information or explanations of licensing practices could be incomplete or missing on some sites and applied inconsistently on others.

The University of Michigan, University of Florida, and Colorado State University libraries reflected the clearest labeling and most consistent use of the CC license for their library learning objects. The rationale for their choice of license type was generally predicated on encouraging broader use of educational resources, removing restrictions on using, repurposing and changing content, and leading the way toward open access in scholarship.

These examples each incorporated the following key elements:

• copyright/CC license statements were on the learning object page indicating that

the work was subject and/or licensed under a Creative Commons attribution;

- included an image, usually the CC logo;
- linked directly to copyright/CC site; and
- used a single license for all content.

need to respond, freeing up time for higher-level work. We found no cause to draw any distinction in the application of licenses for sharing content between UC libraries and other Association of Research Libraries, state, or international peers.

Institution	Sample Learning Object	License/Copyright Information
University of Michigan	http://www.lib.umich.edu/library-tutorials	http://www.lib.umich.edu/library-administration/library-copyright-statement
University of Florida	http://guides.uflib.ufl.edu/fyf	http://www.uflib.ufl.edu/copyright.html
Colorado State University	http://lib.colostate.edu/tutorials/	http://lib.colostate.edu/tutorials/share/

Sample uses of CC licenses on library learning objects.

The University of Florida and Colorado State chose an Attribution-ShareAlike license. The University of Michigan chose Attribution-NonCommercial but removed the NonCommercial restriction in 2010 in an effort to share their work more widely.

Recommendations

CC licenses are a good fit for our values as libraries, making it easier for people to access and use information. In alignment with the vision that the "UC libraries will be leaders in providing the broadest access to the world's knowledge and developing innovative services, strategies, and technological systems that promote discovery and preserve knowledge,"[5] the Working Group recommended that the UC Libraries adopt CC licenses for its online content.[6]

License details from the footer of the University of Michigan Library pages: www.lib.umich.edu/.

Along with promoting greater sharing and reuse of library content, CC licenses require that users give proper credit, potentially increasing library visibility and reputation. Libraries often receive and grant requests to reuse their online content. Granting a blanket permission via a CC license reduces the number of direct requests to which library staff

The Working Group specifically recommended the use of the Creative Commons Attribution License (CC BY).[7] CC BY is the most accommodating of the licenses available and would therefore encourage maximum dissemination and use of library-created content. For those libraries with reservations about using a license as open as CC BY, the Working Group recommended as an alternative using the Creative Commons Attribution–NonCommercial License (CC BY-NC). There is, however, some confusion and disagreement about whether certain uses are allowed by the noncommercial restriction.[8] Librarians at private or for-profit colleges may not feel confident in their ability to reuse learning objects with this restriction, for instance.

Further, the Working Group felt that the likelihood of a commercial party making remunerative use of UC Libraries' content that is freely available online is low, and seems counterbalanced by the fact that even if this were to occur, it would still be a greater dissemination of the libraries' work, with due credit. There will be cases, however, when

the noncommercial restriction will provide a better fit for libraries with more stringent permissions requirements.

SA licenses, which require that derivative works use the same license, were not recommended. There are two different SA licenses, which can lead to problems with compatibility. For example, if a librarian at Starfleet Academy wanted to create a new learning object that reused content from both Unseen University, which uses a CC BY-SA license, and UC-Sunnydale, which uses a CC BY-NC-SA license. The Starfleet librarian would be unable to comply with the requirements of both licenses. While the goal of encouraging others to adopt reuse-friendly licenses is an admirable one, the Working Group thought it best to let others choose a license based on their own needs.

Finally, the Working Group did not recommend using ND licenses, which require that a work be reused as-is. Given that most likely reuse of library learning objects is by other libraries that will often need to adapt it in some way to reflect the needs of their own institutions, ND licenses are counter-productive for the purposes of increasing sharing and reuse.

Conclusion

HOPS accepted the Creative Commons License Working Group report with appreciation in May 2013, adopting it as a recommended Best Practice.[9] Each of the ten campus libraries in the UC system operates with a great deal of independence, and so while implementation is decided locally, we expect that this report will help librarians and staff at UC libraries create more cohesive licensing tools for their online content.

Insofar as the vision of the UC libraries—to promote discovery and access to the world's knowledge—is shared by academic and public libraries worldwide, this report may serve as a model. Especially where common tools such as LibGuides already provide the technological means for creating and sharing content among libraries, adopting the Creative Commons Attribution License could greatly simplify the process by which librarians collaborate and build upon one another's work, regardless of institutional affiliations. In a similar vein, libraries implementing the CC BY license will enable library users worldwide to more easily (and legally) share important library lessons beyond the digital walls of the library.

Notes

1. Some libraries have used CC licences for online content that is not specifically instructional, though that content fell outside of our scope. For example, Harvard used the Creative Commons Public Domain dedication to share its catalog records. Michael Kelley, and Meredith Schwartz, "Harvard Making Catalog Records Open Access," *Library Journal* 137, no. 9: 16-18.

2. CC, http://creativecommons.org.

3. For more about CC licenses and the benefits of using them in academic settings, see Molly Kleinman, "The beauty of 'Some Rights Reserved': Introducing Creative Commons to librarians, faculty, and students," *C&RL News* 69, no. 10: 594–97.

4. www.lib.uci.edu/uc-research-tutorial

5. University of California Libraries: Vision and Priorities, http://libraries.universityofcalifornia.edu/about/vision-and-priorities.

6. For further discussion of the benefits of open educational resources over textbooks which must be purchased, see C. Jeffrey Belliston, "Open Educational Resources: Creating the instruction commons," *C&RL News* 70, no. 5: 284–303.

7. CC released version 4.0 of its licenses in November 2013. Further information on the current version of the CC BY license can be found at http://creativecommons.org/licenses/by/4.0/

8. Laura Gordon-Murnane, "Creative Commons: Copyright Tools for the 21st Century," *Online* 34, no. 1: 18–21.

9. Creative Commons License Working Group Final Report, http://libraries.universityofcalifornia.edu/groups/files/sag1/docs/Creative_Commons_License_WG_Report_Final.pdf.