

Open Education Licensing

Exploring effective open licensing policy and practice for Australian universities

What is the case study about?

This is a joint project between Swinburne University of Technology and the University of Tasmania, supported by the Australian Government Office for Learning and Teaching. The project aims to clarify copyright and licensing issues around Open Educational Resources (OER), MOOCs and other open online resources in the Australian higher education sector.

Year 1: Data collection and analysis

In the first stage of the project (August 2014 to May 2015) the team developed and piloted a survey instrument and obtained ethics clearance for data collection. Between 16 June and 18 July 2015 the team distributed the OEL survey to 389 selected individuals from 38 Australian universities who are currently involved with open online education. The survey was also sent to 6 peak industry bodies (ASCILITE, ACODE, ODLAA, HERDSA, CAUDIT, CADAD) asking for input from their members. The aim of the survey was to assist with understanding current and planned policies and practices around the delivery of OER by Australian universities and to find out what practical copyright and licensing tools and information were needed to improve how OER are delivered. Survey recipients were drawn from three main categories: managers and policy makers; educators and developers and information professionals. There were 166 responses to the survey (132 from the initial 389 individuals targeted, 34 from peak body lists). The survey was conducted online using Opinio software and the results are currently being analysed. Respondents to the survey were asked if they would be prepared to undertake a short interview to provide further details about their 'open' activities, and 66 agreed to do so. A small number of interviews will be conducted over the next few months and if enough information is available some case studies will be prepared to contribute to the data analysis.

Year 2: Toolkit content development, dissemination and reporting

Following completion of the data collection and analysis, the team will develop and disseminate practical online licensing resources to assist universities and educational professionals incorporate open

practices and licensing decisions into their strategic and business plans. The analysed data will be used to determine the needs of the sector and develop an online Open Education Licensing toolkit. The team will also further extend the concept of a 'continuum of openness' that includes not only issues of licensing but also technical and accessibility www.oel.edu.au/research/. A national series of workshops / seminars will be held in 2016 to disseminate the project results and engage stakeholders with the toolkit.

Provisional OEL data results

Although the results of the OEL data collection phase are not yet fully analysed, it is clear that the majority of Australian higher education institutions are offering some form of open online educational courses or content. Most are offering MOOCs and videos, a small number are publishing open textbooks. When asked about what factors were important when deciding to participate in open educational activities issues that ranked highly included: exploring new pedagogical practices and enhancing the global profile of the institution.

The majority of respondents had considered issues around the complexity of copyright and licensing and the copyright ownership of material on the internet when deciding to participate in open education initiatives. Respondents noted a number of impediments to sharing educational material online. These included not only copyright, but also the lack of dissemination and storage facilities, the time taken to prepare resources and understanding the underlying rights of material included.

Recommendations from OpenEdOz

Two of the key initial draft recommendations from the OpenEdOz project are:

- reform of intellectual property and use of creative commons licensing and
- standards that take account of access to open educational content

In Australia, the reform of intellectual property is subject to ongoing discussion. In 2014 the Australian Law Reform Commission (ALRC) released the Final Report on their review of Copyright and the Digital Economy <http://www.alrc.gov.au/publications/copyright-report-122> It will be important that those involved with open education in the higher education sector contribute to the debate following Government response to this report.

The OEL Toolkit will include information that will help to address the following issues / recommendations from the OpenEdOz case studies:

- Ready access to advice on licencing and copyright was extremely valuable;
- Review of the current Australian copyright law is clearly a priority as use of OEP increases in the sector;
- The use of content in ebooks, readings in closed journal databases and textbooks also had a significant impact on being able to re-use existing course content for open courses;
- Recommend use of CC licencing within HE Institutions and establish an authoritative source within institutions;
- Ensure university copyright officers have a current knowledge of OEP and open licencing ;
- Ownership of copyright, intellectual property and licensing of material at both an Institution and National level also requires investigation.



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