



REGULAR MEETING AGENDA ITEM

TAB 9

June 17, 2010

Discussion Action (Resolution 10-06-30)

Topic

Open Licensing on Competitive Grants

Description

SBCTC Policy Proposal: All digital software, educational resources and knowledge produced through competitive grants, offered through and/or managed by the SBCTC, will carry a Creative Commons Attribution License.

- begins July 1, 2010
- applies to all funding sources (state, federal, foundation and other) that flow through SBCTC as a competitive grant to any party
- is not retroactive to past grants
- does not apply to state or federal formula driven funding

All 34 Colleges will benefit by having access to digital software, educational resources (e.g., courses, textbooks and journals) and knowledge funded through competitive funding. Digital products from competitive grants will be shared in online repositories for easy access to high quality educational resources.

This policy will allow system colleges to realize the educational impact from the substantial investments the state, the federal government, and foundations have made (and will continue to make) in digital software, educational resources and knowledge.

This open licensing policy supports the Innovation goals of the Board's Strategic Direction to use "technology, collaboration and innovation to meet the demands of the economy and improve student success."

Key Questions

- Is this policy consistent with the system Strategic Technology Plan?
- Will this policy encourage sharing digital educational resources, software and knowledge among and between Washington's Community and Technical Colleges, and between our system colleges and our global higher education partners?

Analysis

This policy proposal was endorsed by the Instruction Commission on May 20, 2010, and was endorsed in a unanimous vote by the WACTC Technology Committee on May 27, 2010.

The system Strategic Technology Plan is about sharing enterprise technologies and sharing digital content. Principle 7 in the plan reads: “We will cultivate the culture and practice of using and contributing to open educational resources.” The plan goes on to say:

- “Using open educational resources – and contributing to them – requires significant change in the culture of higher education. It requires thinking about content as a common resource that raises all boats when shared. It requires replacing our “not invented here” attitude with a “proudly borrowed from there” orientation. And it requires a new willingness to share and distribute the best of our own course content...” (p. 11)

The Open Course Library, part of the Gates Foundation supported Washington Student Completion Initiative, is redesigning the system’s 81 highest enrolled courses. All 81 courses will be openly licensed so all Washington colleges and universities, and our educational partners in other states can freely modify and use these commonly taught courses.

The United States Government is adopting new rules (see: Federal Research Access Act of 2009) that will require sharing all digital knowledge created with competitive federal grant funding (e.g., National Institutes of Health, National Science Foundation, etc.). The idea is to increase public access to academic research that is funded by the federal government.

The Southern Regional Educational Board (SREB) recently published a policy document titled: “An Expectation of Sharing: Guidelines for Effective Policies to Respect, Protect and Increase the Use of Digital Educational Resources.” It recommends openly licensing digital educational resources in order to maximize potential sharing both within and outside the SREB consortia of states.

Private foundations including: Gates, Hewlett, Lumina, Sloan and others are adopting similar open licensing rules in their grant giving... as they want their grant products to be adopted and used widely.

- Open Education "...is the simple and powerful idea that the world’s knowledge is a public good and that technology in general and the Web in particular provide an extraordinary opportunity for everyone to share, use, and reuse knowledge."

— [Hewlett Foundation](#)

[The following three paragraphs were modified from the Southern Regional Education Board “An Expectation of Sharing” report.]

Most digital educational resources created by faculty and technology specialists in our system cannot be used outside the narrow groups for which they were originally developed. This is not because these resources are too sophisticated for others to use, because they require elaborate equipment, or because the other faculty who might want to use them need special training. It is simply because the resources were created without explicit licensing policies giving others permission to use them — policies that clearly assign “terms of use” in advance. Without such policies, potential users must assume the copyright holder who owns the material reserves all rights to its use — a default position that the creator of the material may not have desired or intended.

How serious is this problem? It currently freezes thousands of electronic educational resources, created using competitive grant funding, from use because they are not sharable. As the digital resources that SBCTC funds through competitive grants continue to grow, significant potential savings will continue to be lost because these resources are not widely shared among all students, faculty, staff who might benefit from them. The dollars spent on development and the potential for savings already reach into the millions of dollars.

Getting copyright (ownership) and licensing (sharing) rights from the beginning of a project is essential to ensure the greatest return on investment for our system and the state. Attention to both copyright and licensing at the time materials are developed can ensure that the owner's copyright is not infringed while permitting widespread sharing. SBCTC should require that digital educational resources created with competitive grant funding be licensed to provide as high a level of potential for sharing as possible, both within and outside the system.

While there are no financial considerations (open licensing is freely available through Creative Commons), the system will need to decide how to most effectively share its digital resources to make it easy for all students, faculty and staff to find, adopt, modify and use these resources. SBCTC eLearning is already working with the eLearning Council and Instruction Commission to use the ANGEL learning object repository to share digital learning resources.

Background Information

Sample Competitive Grant Text

SBCTC requires that all digital software, educational resources and knowledge produced as part of this competitive grant be placed under the Attribution license from Creative Commons. This license allows others to use, distribute, and create derivative works based upon the digital works, while still allowing authors to receive credit for their efforts. Please take the time to read the license and check the "I agree" box below.

I hereby allow SBCTC to distribute the digital software, educational resources and knowledge I create through this competitive grant under the terms of the Creative Commons Attribution License available at <http://creativecommons.org/licenses/by/3.0>

About Creative Commons

Creative Commons (CC) is a nonprofit corporation dedicated to making it easier for people to share and build upon the educational and scientific work of others, consistent with the rules of copyright.

Recommendation/Outcomes

Staff recommends approval of Resolution 10-06-30, approving the open licensing policy on all SBCTC competitive grants starting July 1, 2010.

Prepared by: Cable Green, 360-704-4334, cgreen@sbctc.edu

STATE OF WASHINGTON
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES
RESOLUTION 10-06-30

A resolution relating to Open Licensing on Competitive Grants.

WHEREAS, openly licensing and sharing digital educational resources, software and knowledge among and between Washington's Community and Technical Colleges, and between system colleges and our global higher education partners is consistent with the system Strategic Technology Plan,

THEREFORE BE IT RESOLVED that the State Board for Community and Technical Colleges (SBCTC) delegates authority to the Executive Director to implement an open licensing policy such that: all digital software, educational resources and knowledge produced through competitive grants, offered through and/or managed by the SBCTC, will carry a Creative Commons attribution license; and

BE IT FURTHER RESOLVED that the open licensing policy: begins July 1, 2010, applies to all funding sources (state, federal, foundation and/or other fund sources) that flow through SBCTC as a competitive grant to any party, is not retroactive to past grants, and does not apply to state or federal formula driven funding.

BE IT FURTHER RESOLVED that the State Board for Community and Technical Colleges grants the Executive Director authority to make adjustments to the policy as open licensing standards and best practices evolve.

APPROVED AND ADOPTED on June 17, 2010.

J.A. Bricker, Chair

ATTEST:

Charles N. Earl, Secretary