



Open Licensing of Primary Grade Reading Materials: Considerations and Recommendations

A Global Reading Network Resource



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October 2019

This paper was made possible by the support of the American people through the United States Agency for International Development (USAID). The paper was prepared for USAID's Building Evidence and Supporting Innovation to Improve Primary Grade Reading Assistance for the Office of Education (E3/ED), University Research Co., LLC, Contract No. AID-OAA-M-14-00001, MOBIS#: GS-10F-0182T.

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A Global Reading Network Resource

Sofia Cozzolino, Reading within Reach
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October 2019

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Suggested citation: Sofia Cozzolino and Cable Green (2019). Open licensing of primary grade reading materials: Considerations and recommendations. A Global Reading Network Resource. Prepared by University Research Co., LLC. (URC) under the Reading within Reach (REACH) initiative. Washington, D.C.: USAID. Available at www.globalreadingnetwork.net License: [CC BY 4.0](https://creativecommons.org/licenses/by/4.0/)

Acknowledgments

This resource was prepared by Reading within REACH (REACH), a five-year initiative funded by the U.S. Agency for International Development (USAID) and implemented by University Research Co., LLC (URC). The purpose of REACH is to support those designing and implementing primary grade reading initiatives in low- and middle-income contexts by providing resources and professional development opportunities; supporting innovations in primary grade reading programming; and supporting the Global Reading Network, a community of practice that brings together practitioners, government and non-governmental organizations, civil society groups and other stakeholders.

This resource is one of several focused on consolidating research and experiences about best practices in primary grade reading with the intention of supporting all stakeholders involved in designing, implementing or managing literacy programs. The information included draws from several previously developed documents on the topic, including the following sources:

- *Open Licensing Made Plain: A Primer on Concepts, Challenges, and Opportunities for African Publishers*, Neil Butcher, Lisbeth Levey, and Kirsty von Gogh. This work is licensed under the Creative Commons Attribution 4.0 International License. It can be found at <http://www.earlyliteracynetwork.org/content/open-licensing-made-plain-primer-concepts-challenges-and-opportunities-publishers>.
- *Concept Paper on Open Licensing for Ministries of Education in Low- and Middle-Income Countries*, Ana Robledo, prepared by RTI International for the U.S. Agency for International Development, Early Grade Reading Program in Nepal, Contract No. AID-367-TO-15-00002. It can be found at <https://shared.rti.org/content/concept-paper-open-licensing-ministries-education-low-and-middle-income-countries>.
- Creative Commons (CC) informational notes accessed on [CreativeCommons.org](https://creativecommons.org).¹

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Several individuals provided valuable input and technical review of this guidance note. Special appreciation goes to Ana Robledo of RTI International, and Neil Butcher, Lisbeth Levey and Kirsty von Gogh of Neil Butcher and Associates for their contributions in terms of technical review and content; to Linda Hiebert and Brooke Estes of Global Book Alliance, Rebecca Rhodes of USAID and Jennifer Bowser Gerst of Reading within Reach for consolidation of expert technical input into this final product.

¹ <https://creativecommons.org>

² <https://creativecommons.org/licenses/by/4.0>

Acronyms and Abbreviations

CC	Creative Commons
EGR	Early grade reading
GDL	Global Digital Library
GPE	Global Partnership for Education
GRN	Global Reading Network
IP	Intellectual property
LMICs	Low- and middle-income countries
MOE	Ministry of Education
NGO	Non-governmental organization
OER	Open Educational Resources
REACH	Reading within Reach
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development
USG	United States Government

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I. Introduction

The objective of this paper is to provide information on copyright and open licensing to the diverse stakeholders involved in reading improvement programs, particularly those supported by USAID. The resource answers common questions and provides specific recommendations for host-country governments, donor staff, implementing partners, publishers, and others so that they can collaborate in the use of Creative Commons licenses.

Over the last several decades, the world has made steady progress towards improving children’s access to education. However, educational quality continues to lag in many contexts, leading to what UNESCO and others have termed a “global learning crisis.” It is estimated that 387 million children around the world are currently not learning to read.³ Many of them have little or no access to textbooks and reading materials.⁴ The dearth of reading materials in homes and classrooms, especially in languages that are familiar to children, makes it very difficult to address the critical deficit of basic reading skills. Restrictive copyrights can limit how likely reading resources are to be used, shared or repurposed, which significantly diminishes the potential impact of the materials.

At the same time, the ever-increasing collection of Open Educational Resources (OER) has created fertile ground for improving learning worldwide, especially where funding for learning materials is scarce. In this digital era, openly licensed educational materials can now contribute to making education more accessible across the globe. New and increasingly numerous modalities for using open licenses enable increased production and sharing of copyrighted educational materials, based on the fundamental belief in the freedom to share knowledge and promote equity in learning. The *2007 Cape Town Open Education Declaration* and the *2012 Paris OER Declaration* demonstrate the degree to which international consensus supporting the use of open licensing to create open educational resources has grown.⁵

Donors and international organizations are increasingly investing in such approaches, as they are interested in ensuring that the educational materials they fund reach

“To meet modern day education challenges, we can’t use the traditional way. In remote and developing areas, particularly for girls and women, OER are a crucial, crucial means to reach SDGs. OER are the key.”

- Qian Tang, UNESCO Assistant
Director for Education

³ UNESCO. Teaching and learning: Achieving quality for all. EFA Global Monitoring Report (2014a).

⁴ Ibid.

⁵ For more information, see the 2007 Cape Town Open Education Declaration:

<https://www.capetowndeclaration.org> and 2012 Paris OER Declaration:

http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/Events/English_Paris_OER_Declaration.pdf.

the greatest possible number of learners. They are also eager to guarantee that broad access to materials is not compromised at the conclusion of programs they fund. As openly licensed resources provide tools for advancing these objectives, many donors, such as the U.S. Agency for International Development (USAID), now often require implementing partners to issue all learning materials developed with their funds under Creative Commons licenses, the global standard for openly licensing educational materials and other copyrighted content. In addition, USAID has increasingly prioritized uploading openly licensed primary grade reading materials to digital library platforms such as the Global Digital Library, as a means of assuring continued access after funding ends.

Yet, as the concept of open licensing is still not widely understood, coordinated efforts are needed to leverage support for OER, particularly from governments wary of lifting restrictions on curricular materials. Additionally, cooperation with the publishing sector must be strategically planned for and delivered, in order to harness the talent of professional content creators and to support a sustainable culture of reading.⁶

This paper addresses some of the most recurrent issues in openly licensing materials in developing country contexts and presents potential strategies for successfully resolving them. Interested stakeholders are encouraged to review the list of resources for further learning at the end of this document, as well as consult the Creative Commons' website,⁷ which includes numerous comprehensive resources for users and prospective sharers of content.

⁶ For more information on this topic, see N. Butcher, L. Levey, and K. von Gogh, *Good Stories Don't Grow on Trees: A Guide to effective costing of storybooks in the Global South* at <http://www.earlyliteracynetwork.org/content/good-stories-dont-grow-trees-guide-effective-costing-storybooks-global-south>.

⁷ <https://creativecommons.org>

II. Glossary

All Rights Reserved Copyright: Copyright term most often used by people, organizations or publishers whose priority is to control where and how the work is adapted and distributed, and by whom. Many national governments have had a tendency to use “All rights reserved” copyrights, as a way of maintaining control over curriculum materials.

Creative Commons (CC): Creative Commons is a global non-profit organization offering free open licenses and public domain tools, consistent with the rules of copyright, that make it easy for people to share their work and build on the work of others.

Creative Commons licenses: CC licenses let people easily change their copyright terms from the default of “all rights reserved” to “some rights reserved.” Copyright holders retain their copyright and add one of six CC licenses to share some permissions with the public to reuse and redistribute their work. See: <http://creativecommons.org/licenses>

Copyright Exceptions and Limitations: Provisions contained in copyright law or established by international treaty that allow for copyrighted works to be used without a license from the copyright holder.

Intellectual property: A work or invention that is the result of creativity, such as a manuscript or a design, to which the creator/s have rights and for which one may potentially apply for a patent, copyright⁸ and/or trademark.

Licensing terms: The conditions under which the copyright holder grants permission to reuse, adapt and/or distribute the work to interested third parties. Licensing terms often require payment to the copyright owner.

Open licensing: Open licensing of materials expands on the concept of copyright by allowing the public to access and use, copy, and distribute materials at no cost, under the terms of the open license. Creative Commons licenses are examples of open licenses.

Open Educational Resources: Teaching, learning and research materials in any medium that reside in the public domain or have been released under an open license that permits no-cost access, adaptation, and redistribution by others.⁹

Underserved languages: Languages without sufficient textbooks, teachers’ guides or reading books available to support the achievement of early literacy and learning outcomes.¹⁰

⁸ Copyright is automatic – one does not need to apply for copyright to receive copyright once their work is in a fixed tangible medium of expression.

⁹ <https://creativecommons.org/about/program-areas/education-oer/>

¹⁰ Global Book Fund. Global Book Fund Feasibility Study: Final Report (2016).

III. Overview of Copyright and Open Licensing

Copyright terminology can often deter non-legal professionals from understanding and applying associated rights. This section explains some of the key concepts and terms necessary for understanding open licensing of educational materials.

In simple terms, a **copyright** safeguards the ownership of intellectual property. In the context of primary grade reading programming, this property is usually a book or written work. Typically, **the first owner of copyright** in any created work – a novel, a biography, a letter, a drawing, a photograph, a song– is the person who created it.¹¹ Copyright is automatic – one does not need to apply for copyright to receive copyright once their work is in a fixed tangible medium of expression.

An author who holds copyright to a primary grade reading book automatically would have the following rights related to that book: the right to reproduce it, the right to create derivative works from it, the ability to control the manner in which the work, or a copy of the work, is transferred to others, and the ability to control the manner in which excerpts of the book could be publicly performed.¹² Absent an applicable Copyright Exception or Limitation that allows the public to reuse a copyrighted work without permission, a copyright license must be obtained to avoid copyright infringement.

Licensing is the procedure by which an author grants to others permission to use their copyrighted work. A license contains the terms and conditions of the permissions granted. Often, an author will sell certain rights to a book, for example, to a publisher, and the publisher will then be authorized to reproduce that book and earn profits from the sale of those reproductions. An author can also **grant** a license to give some of those rights to others, without those third parties having to purchase those rights. “The term ‘open content’ describes any copyrightable work [...] that is licensed in a manner that provides users with free and perpetual permission to draw on the material.”¹³ Open Educational Resources are one type of open content.¹⁴

¹¹ World Intellectual Property Organization (WIPO), Managing Intellectual Property in the Book Publishing Industry. Retrieved from: https://www.wipo.int/edocs/pubdocs/en/copyright/868/wipo_pub_868.pdf.

¹² https://copyrightalliance.org/ca_faq_post/rights-copyright-owners-ata/

¹³ <http://opencontent.org/definition/>

¹⁴ UNESCO’s draft recommendations on open licensing, see www.oercongress.org/wp-content/uploads/2018/04/Draft-OER-Recommendation-Version-Draft-18-April-2018-text-for-online-consultation-ENG.pdf.

According to UNESCO's most recent "Recommendation on Open Educational Resources (OER)," the application of open licenses to educational materials introduces significant opportunities for more cost-effective creation, use, adaptation, and quality assurance of those materials (including translation, adaptation to different learning and cultural contexts, development of gender-sensitive materials, and creation of alternative and accessible formats of materials for learners with special educational needs).

"Open Educational Resources (OERs) are defined as "teaching, learning and research materials in any medium – digital or otherwise – that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions."

- 2019 UNESCO Draft Recommendations on Open Educational Resources

The open license is the key difference between an OER and any other educational resource. **OER have an open license that facilitates reuse, adaptation, and distribution without first requesting permission from the copyright holder.**¹⁵ The open license indicates the conditions under which the copyright holder grants permission to reuse, adapt and distribute the work to interested third parties. Open licensing terms are applicable only to works that are eligible for copyright protection. For example, works in the public domain are already freely available, adaptable and sharable and do not require an open license. The copyright holder must make open licensing terms explicit and include them in the work; in the case of printed materials, usually on the copyright notice page.

Prior to the advent of open licensing, most educational resources (e.g., textbooks, decodable and leveled readers) were under **All Rights Reserved Copyright terms**, which dictated how the works are adapted and distributed. Publishers, individuals or organizations use All Rights Reserved Copyright terms in order to retain the exclusive right to sell, or to otherwise protect the work absent an applicable Copyright Exception or Limitation. When All Rights are Reserved, in the absence of an applicable Copyright Exception or Limitation all third parties interested in reusing, copying and/or distributing the copyrighted content must have explicit written authorization from the copyright holder, a process which can easily be denied or can necessitate a fee for issuing a license for reuse, adaptation or distribution.

According to David Wiley¹⁶, the permissions granted by an open license allow the public to potentially use OER in the following ways (depending on the type of open license adopted):¹⁷

¹⁵ Ibid.

¹⁶As of initial publication, David Wiley is Chief Academic Officer at Lumen Learning, which provides OER materials for professors and students to access to support higher education.

¹⁷ D. Wiley (n.d.). Defining the open in open content. <http://opencontent.org/definition/>

RETAIN

The right to make, own and control copies of the content (e.g. download, duplicate, store and manage)

REUSE

The right to use the content in a wide range of ways (e.g., in a class, in a study group, on a website or in a video)

REVISE

The right to adapt, adjust, modify or alter the content itself (e.g., translate the content into another language)

REMIX

The right to combine the original or revised content with other open content to create something new (e.g., incorporate the content into a mashup)

REDISTRIBUTE

The right to share copies of the original content, your revisions or your remixes with others (e.g., give a copy of the content to a friend)

IV. Benefits of Openly Licensed Primary Grade Reading Materials

Open Educational Resources (OER) have great potential to support education systems to improve learning and literacy outcomes. There are several potential benefits to adopting OER approaches to supporting primary grade reading, including:

- ***Increase access and equity*** – Achieving equitable learning outcomes requires an increase in the supply of early reading materials in low- and middle-income countries, especially in those with high linguistic diversity and which possess a policy that supports the use in schools of languages that children speak and understand.¹⁸ OER offers the possibility of adapting, translating and reusing existing content as a means of supplying reading materials in underserved languages otherwise experiencing a dearth of children’s books. There is an urgent need to measure the impact of OER on access and equity, compared to that of more restrictively licensed material, as studies on this topic are few and far between.
- ***Shift book-related expenses*** – The terms of use of openly licensed educational resources may allow governments and others to maintain quality, up-to-date materials through continuous updates. Because OER can be freely adapted and remixed, over the long term, this may reduce the monetary investment required to develop high-quality early reading materials from scratch. That said, open licensing will not produce high-quality materials without significant up-front investments in creation, and in the short term this may mean shifting expenses from the end user to the commissioner of the materials (often a ministry of education or donor agency). Additional data is needed on any potential reduction in cost.
- ***Empower teachers to improve instruction*** – Openly licensed educational resources allow teachers to draw on growing repositories of teaching materials in order to supplement their lesson planning and instruction. OER from around the world can be adapted and customized to meet the needs of individual learners. In many places, curricular reading materials are limited to a single textbook or short collection of levelled texts. Openly licensed material may be housed online or -- where digital access is limited -- circulated in print copy. This may offer a potential business model for local print shops, who benefit from free access to materials that could be printed and sold for a fee. Teachers are also benefiting from openly licensed materials to support improvement of pedagogic practices through self-study or mediated by teacher educators. If a struggling reader required additional practice to master a specific skill, a teacher could access, print/reproduce and share openly licensed leveled texts for the student to practice in school or at home with parents. While this level of connectivity

¹⁸ A. Robledo. Concept Paper on Open Licensing for Ministries of Education in Low- and Middle-Income Countries, prepared by RTI International for the U.S. Agency for International Development, Early Grade Reading Program in Nepal, Contract No. AID-367-TO-15-00002 (2018).

does not yet exist in many of the contexts served by USAID and other education donors, the rapid global advancements in technology and access may mean significant increases in the ways that openly licensed materials are accessed and used.

- ***Continuously adapt materials*** – OER also represents an opportunity for educational materials to be adapted to new contexts and educational needs. By allowing material to be modified by other educators around the world, open licenses create the opportunity for a work to be made relevant to broader range of stakeholders. OER materials also create multiple opportunities to innovate in teaching and learning.¹⁹

OER advancing Teacher Education

TESS-India, led by *The Open University and Save The Children India* and funded by UK Aid, provides freely available and adaptable open education resources to support development of pedagogic practices in relation to Language and Literacy, Science, Maths, and English. See <http://www.tess-india.edu.in/>.

TESSA (Africa) is a network of teachers and teacher educators stretching across Sub-Saharan Africa. At the heart of the network is a bank of OER, linked to the school curriculum, and designed to support teachers and teacher educators in developing active approaches to learning. This network is also coordinated by *The Open University* in the UK. See <http://www.tessafrica.net/>.

In short, openly licensing primary grade reading materials has the potential to dramatically increase the availability of and access to children’s books in appropriate languages. It opens up opportunities for such materials to be continuously enhanced and more widely distributed to meet the urgent need for high quality primary grade reading instruction.

For these reasons, countries around the world, as well as international organizations, are increasingly adopting open publishing models to support OER. There are policies in place at the World Bank, UNESCO and OECD to ensure that publications and data are “openly licensed.” In June 2012, the Paris OER Declaration was issued with the singular objective of encouraging governments to embrace the use of OER and to develop strategies and policies to integrate OER into their respective education systems.²⁰ Many USAID missions around the world have encouraged their implementing partners in education to work with ministries of education to include open licenses on USAID-funded reading materials. At present, twenty-five countries

¹⁹ N. Butcher. A Basic Guide to Open Educational Resources (OER). Paris and Vancouver: UNESCO and Commonwealth of Learning (2015). See <http://unesdoc.unesco.org/images/0021/002158/215804e.pdf>.

²⁰ UNESCO. 2012 Paris OER Declaration (2012). See http://www.unesco.org/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/Events/Paris%20OER%20Declaration_01.pdf.

have, or are developing, OER policies while several other countries have OER policies embedded in their education sector strategic plans, such as Romania, Morocco and China.²¹

V. USAID's Policy on Open Licensing

The U.S. Government (USG) strongly supports open licensing of educational resources as a means to make a significant, sustainable and socially responsible contribution to the quality of learning and teaching that children receive across the globe. The 2017 National Education Technology Plan from the United States Department of Education asserts this priority by stating: "We believe that educational opportunities should be available to all learners. Creating an open education ecosystem involves making learning materials, data and educational opportunities available without restrictions imposed by copyright laws, access barriers or exclusive proprietary systems that lack interoperability and limit the free exchange of information."²²

According to USAID, there are multiple benefits of requiring open licenses on publicly funded resources, including:

- "Government increases the impact, reach and scalability of its grants,
- Government creates conditions for maximum potential value created from all resources it funds, more efficiency and better stewardship of public funds,
- Public has access to the education, research and data resources it funded,
- Innovative and entrepreneurial uses of openly licensed materials are enabled,
- Resources are available for reuse and value-add by anyone, including individual citizens, educators, scientists, public sector employees, entrepreneurs and commercial businesses."²³

In line with the USG's vision, USAID recommends that publicly funded resources be freely available and openly licensed. Since 2015, the majority of USAID primary grade reading programs have required implementing partners to work towards using the Creative Commons Attribution 4.0 International License (CC BY 4.0).²⁴

²¹ These countries include: *Argentina, Australia, Brazil, Canada, Colombia, France, Ghana, India, Indonesia, Kenya, Lithuania, Mauritius, Mexico, Netherlands, New Zealand, Poland, Romania, Scotland, Slovak Republic, Slovenia, South Africa, Spain, United Kingdom, United States of America, and Wales.* See A. Robledo, Concept Paper on Open Licensing for Ministries of Education in Low- and Middle-Income Countries, prepared by RTI International for the U.S. Agency for International Development, Early Grade Reading Program in Nepal, Contract No. AID-367-TO-15-00002 (2018).

²² National Technology Plan, United States Department of Education. (2017). Retrieved September 15 from <https://tech.ed.gov/netp/>.

²³ https://www.usaid.gov/sites/default/files/documents/1865/NW2-CCBY-HO4-Open_Licensing_Policy_Rationale.pdf.

²⁴ Ibid.

VI. Creative Commons and Creative Commons Licenses

Creative Commons (CC) is a non-profit organization that provides a set of freely available legal tools for open licensing. The CC licenses were developed in 2001 in response to changes in the way that content is produced and shared on the Internet and offline. CC provides a well-known suite of open licenses that have become the global standard used by governments, foundations, companies, institutions and individuals across culture, education, science and more to promote digital collaboration and innovation.

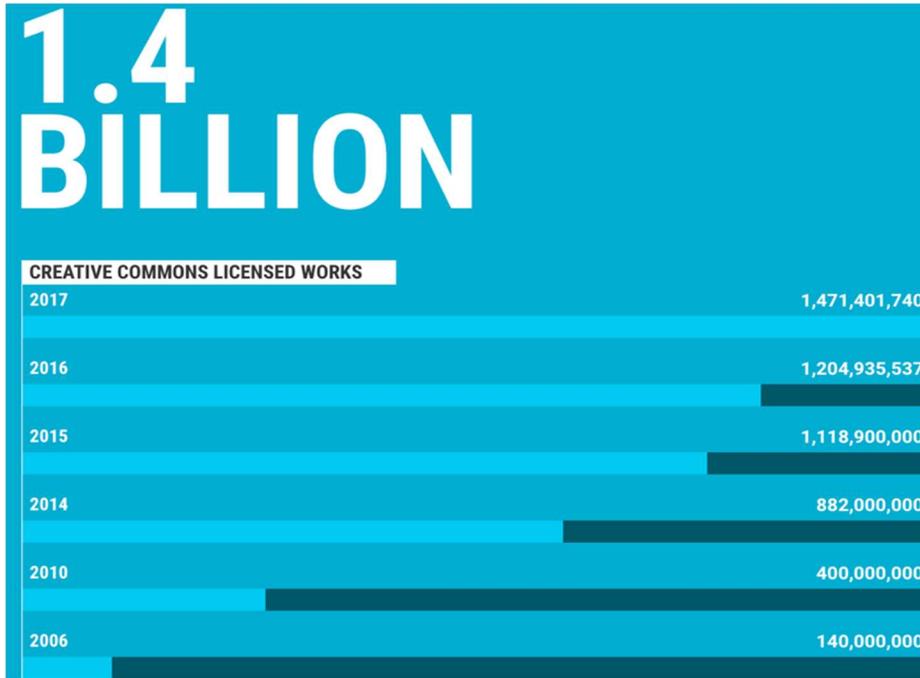


Figure 1: The global increase in CC licenses from 2006 to 2017.

The CC licenses are growing rapidly in number – over 1.4 billion CC licenses are in use across 9 million websites²⁵ – making it easy for anyone to use and re-use content. CC collaborates with copyright experts all around the world to ensure that the CC licenses work globally. While most Creative Commons licenses have been issued in the global north, the aspiration exists to increase their use in the global south, particularly as a means of increasing children’s access to reading materials in appropriate languages. A 2017 State of the Commons report notes that CC licenses make up 30% of resources published in the Asia-Pacific region, 16% in Latin America, 7% in the Africa region, and 6% in the Arab world. The most popular languages using CC licenses

²⁵ Statistics are updated at <https://stateof.creativecommons.org>. These statistics are from the 2017 State of the Commons report.

are English, Spanish, Portuguese, German and French. CC open licenses are translated into 39 languages²⁶

Creative Commons licenses are not an alternative to copyright. CC licenses respect and sit on top of copyright, so creators can modify copyright terms to best suit their needs. The licenses do not replace copyright. CC licenses last for the same length of term as applicable copyright and permit certain re-uses, enabling the creator to specify the conditions of re-use while ensuring that the work is credited.

USAID recommends the CC licenses because: 1) they are already the most frequently used open licenses, 2) they are easy to use and information about them is readily available on the CC website, and 3) CC increasingly provides tailored and mission-specific support to assist in selecting and applying CC licenses.

A. Choosing a Creative Commons License

Creative Commons licenses allow copyright holders of a work to be precise about how others may, and may not, use their work. The licenses are flexible and offer creators and users of educational resources clear and legal options for defining to what extent a given written work can be reused, repurposed, or re-versioned. Therefore, when choosing a Creative Commons license, the copyright holder will need to weigh the importance of retaining control over future adaptations of the work, over commercial use of the work, and over how the work is shared as adaptations occur.

There are different options for Creative Commons licenses, which all allow or disallow varying levels of restriction. The six Creative Commons licenses available are ²⁷:



Attribution (CC BY): This license allows others to distribute, remix, modify and build upon work, even commercially, as long as they credit the original creation. This is the most accommodating of licenses offered. It is recommended for maximum dissemination and use of licensed materials.



Attribution-ShareAlike (CC BY-SA): This license lets others remix, modify and build upon work, even for commercial purposes, as long as they credit the original creator and license their new

²⁶ CC open licenses are translated into 39 languages as of September 18, 2019. CC continuously adds new CC license translations.

²⁷ <https://creativecommons.org/licenses>

creations under the identical terms. This license is often compared to “copyleft” free and open source software license arrangements whereby software or artistic work may be used, modified and distributed freely on the condition that anything derived from it is bound by the same terms. Therefore, in CC BY-SA, all new works based on the original will carry the same license, so any derivatives will also allow commercial use.



Attribution-NonCommercial (CC BY-NC): This license lets others remix, modify and build upon the work non-commercially. Although the new works must also acknowledge the original creator and be non-commercial, the derivative works do not have to be licensed on the same terms.



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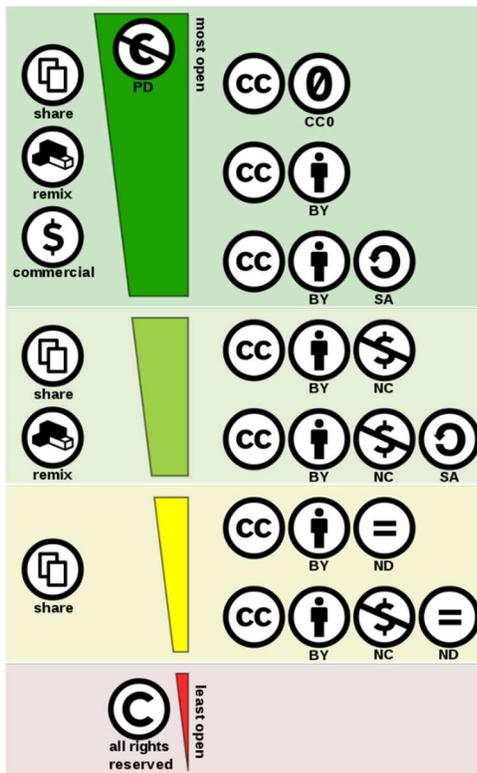
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Attribution-NonCommercial-NoDerivs (CC BY-NC-ND): This license is the most restrictive of the six CC licenses, only allowing others to download the works and share them with others as long as they credit the original creator. Users cannot create adaptations or use them commercially.

Of the CC licenses, USAID encourages use of the CC BY or the CC BY-SA licenses whenever possible. This recommendation is based on a desire to encourage the creation of educational materials that are used as widely available as possible. This in turn enables the greatest possibility for creative reuse, remixing, and other forms of adaptation. According to Cable Green, Director of Open Education at Creative Commons, four of the CC licenses -- CC BY, CC BY-SA, CC BY-NC, and CC BY-NC-SA -- are “OER compatible.” All four of these licenses offer the opportunity to use, adapt, remix, and redistribute an educational resource. In other words, these licenses meet the requirements of the 5Rs from page 6.

The graphic that follows details the degrees of freedom associated with CC licenses.²⁸



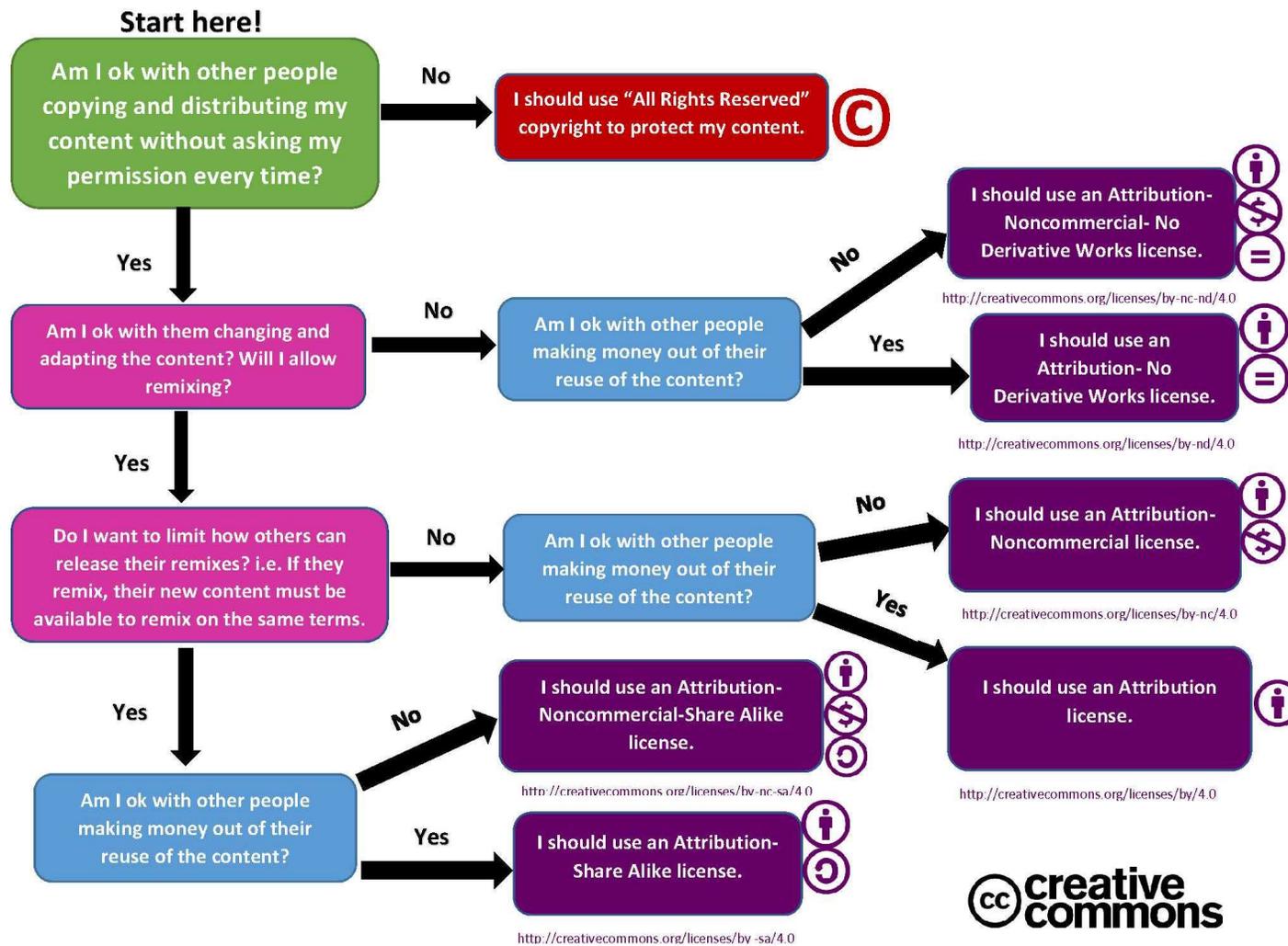
Implementers of reading programs and government counterparts should work together to agree on the appropriate license to use for specific program-related teaching and learning materials. The **decision tree provided on the next page** is designed to help creators select the most appropriate CC license based on their preferences about sharing, allowing users to remix the material, and commercial use.²⁹

BEFORE choosing an open license, program implementers should refer to Section VII, which offers important tips on how to dialogue with different stakeholders on the issue. The decision tree can support this dialogue.

²⁸ Creative commons license spectrum on Wikimedia Commons, CC BY 4.0. Retrieved from: https://commons.wikimedia.org/wiki/File:Creative_commons_license_spectrum.svg

²⁹ This decision tree can also be printed from: <http://creativecommons.org.au/content/licensing-flowchart.pdf>.

Figure 2: Decision Tree for Choosing Creative Commons Licenses



B. Marking Work with a Creative Commons License

After selecting the most appropriate CC license for a work, it is important to communicate this information appropriately to future users. Marking work with a CC license will depend on the medium of the materials. Content creators can obtain suggested text using the CC license chooser³⁰ and then follow the instructions to include the appropriate HTML code in a web page or other tools that allow embed code. The chooser screen appears as at right.

The code will automatically generate a license button and a statement that the material is licensed under the selected CC license. The HTML code will also include metadata, which allows the material to be discovered via Creative Commons-enabled search. If only part of the work is being licensed (for example, if an EGR program has created a reader under a CC license but is using it as a poem under a different license), be sure to clearly mark which parts are under the CC license and which parts are not.

For documents that are meant to be shared offline, one should use a title and/or copyright page to include the copyright notice and CC license information. After identifying the intended license to apply to the work, one can either: (a) mark your work with a statement such as, "This work is licensed under the Creative Commons [insert description] License. To view a copy of the license, visit [insert URL]"; or (b) insert the applicable license buttons with the same

License Features

Your choices on this panel will update the other panels on this page.

Allow adaptations of your work to be shared?

Yes No Yes, as long as others share alike

Allow commercial uses of your work?

Yes No

Selected License

Attribution 4.0 International

This is a Free Culture License!



Help others attribute you!

This part is optional, but filling it out will add machine-readable metadata to the suggested HTML!

Have a web page?



This work is licensed under a Creative Commons Attribution 4.0 International License.

Copy this code to let your visitors know!

```
<a rel="license"
href="http://creativecommons.org/licenses/by/4.0/">46</sup> N. Butcher, L. Levey, and K. von Gogh. *Good Stories Don't Grow on Trees: A Guide to effective costing of storybooks in the Global South* (pp. 18; 72-73) at <http://www.earlyliteracynetwork.org/content/good-stories-dont-grow-trees-guide-effective-costing-storybooks-global-south>.

<sup>47</sup> Facts drawn from: <https://poynder.blogspot.com/2006/04/interview-with-cory-doctorow.html>.

*with your work is not just based on commercial motivations, it is fundamental to authorship.”<sup>48</sup>*

### C. Developing an Advocacy Environment for Creative Commons

Creative Commons is available to provide guidance to stakeholders through an affiliated network of legal experts and advocates at the country level to help education stakeholders navigate the path of choosing an open license for curricular materials. [The CC Global Network](#) can also be tapped to advise in countries where such affiliates do not exist.

#### **Figure 5: Creative Commons Network Model**

If a country wishes to embrace open licensing, it will need a professional network which can support local advocacy, provide advisory support and training, and advocate to strengthen any mechanisms relevant to protecting works developed for educational purposes or private use.

Creative Commons has organized a global network of 41 CC Country Chapters, made up of open licensing, copyright, education, and other experts who can support CC licensing in their country. Projects are being launched at the country level with an expressed interest in supporting users in their own education contexts and languages. As of 2019, Creative Commons was supporting more than 482 network members in 72 countries. *For more information on developing a CC Country Chapter, refer to <https://network.creativecommons.org>.*

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<sup>48</sup> <https://creativecommons.org/wp-content/uploads/2017/04/made-with-cc.pdf>

## VIII. Guidance on the Process of Using CC Licenses

Open licensing is a relatively new approach to educational materials developed with donor financing. It is an ambitious work in progress that will likely require time for stakeholders to determine how to optimally navigate the process of making project materials freely available. Intentional efforts will be required from those involved in the process, including implementing partners, USAID mission staff, host country governments, NGOs and the publishing sector.

The following guidance outlines suggested considerations for these key stakeholders. Best practices will always depend on the specific context and circumstances, but this guidance draws on experiences and learning of how to use CC licenses to make OER openly available.

**USAID** plays an instrumental role in supporting the use of Creative Commons licenses for the primary grade reading materials which it funds. A crucial consideration for USAID is early engagement at the mission level on the question of open licensing, to ensure there is support at the highest levels of the host country government. From a portfolio management perspective, there are a number of processes to plan and operationalize.

*Advance discussions around open licensing can help inform primary reading program design. Broad agreements with government would ideally be settled before procurement of a program.*

### Prior to drafting a reading program:

- Understand the existing policies in the country that may affect issues around openly licensing educational materials, such as copyright laws or curricular policies. These national policies should be thoroughly understood and reflected in the procurement details.
- Build the capacity of mission staff to understand and communicate the rationale for and benefits of Creative Commons licenses. Creative Commons offers a certificate course that provides comprehensive information on CC licensing issues which may be appropriate for USAID personnel to build their confidence in the subject.<sup>49</sup>
- Beginning from the initial discussions with the government, ensure there is a basic grasp of the open licensing requirement and its benefits both locally and globally. Prepare materials in advance to share with relevant ministry officials explaining the basics of open licensing.
- Agree with the host country government on the ownership of copyright and the types of licenses that the developed materials will hold. Ensure there is a common understanding of how the materials will be marked, and document decisions for future reference and sharing. This includes agreeing with the education authorities on where the resources will be stored, in what format(s), and who will have access to them.

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<sup>49</sup> CC Certificate course: <https://certificates.creativecommons.org>.

### Issues that inform program design:

- By this stage, stakeholders should have engaged with the education authorities on the types of licenses materials will hold, and how and where the resources will be publicized and made accessible. Before a program design is finalized, it is important to document agreements on how to address changes and corrections in materials, and whether the funder or the Ministry of Education will house final materials. Content producers will need to ensure files are in an editable format, and stakeholders will need to consider whether an archiving policy is necessary to follow those files.
- Present options for and reach consensus on sustainable hosting platforms, including a government-hosted website for educational materials. Also explore other vibrant shared platforms such as the Global Digital Library, African Storybook Project and StoryWeaver. An important consideration for project design is identifying who is responsible for putting these resources into the appropriate format for uploading to digital platforms.
- Integrate the idea of and support for open licensing into aspects of programming throughout the life of the project.

### At project startup:

- Share information with implementing partners on the copyright, licensing, marking and online hosting decisions agreed upon with the government.
- Provide ongoing support to implementing partners as they engage in discussions with the host country government and education department stakeholders on copyright and licensing.
- Identify capacity within the mission to operationalize legal knowledge of open licensing issues. If this specialized knowledge doesn't exist within the country, remote support should be explored as an option to help understand more complex legal dynamics, as necessary.

### During the life of the project:

- Be prepared to re-engage government staff on open licensing issues when questions arise or particularly when there is turnover in key Education Department positions.
- Provide guidance to implementing partners on opportunities to share materials on U.S. government-funded platforms, such as the Global Digital Library.

### At project closeout:

- Receive the completed, openly licensed digital materials in editable file formats from the implementing partners. Be mindful of replacing previous versions with finalized government documents.
- Use communications strategies and USAID platforms to publicize the availability of the materials.

USAID's **Implementing Partners** have the responsibility to fulfill the award's requirement of Creative Commons licenses. The process of how to achieve this will vary depending on the

organization's approach, philosophy and experience in the area. It will also largely be affected by the attitudes of the host government and the key influencers in the country, which can include representatives from the publishing sector. Transparency, consistency and proper implementation of the CC open license requirement are key to securing ongoing support. From a project management perspective, there are a number of processes to plan and operationalize throughout the life of the program, including the following key points:

#### **At the proposal development stage:**

- Integrate understanding of open licensing into every phase of project design and implementation. Work plans should include realistic timelines for open content development, and budgets should reflect financial allowances to fairly remunerate content creators.
- Identify capacity within the organization to operationalize legal knowledge of open licensing issues. If the project has a lawyer on staff, enquire about their knowledge of copyright and licensing issues in country.

#### **At project start up:**

- Educate key personnel and staff at all levels to understand open licensing requirements associated with the program requirements. Staff should be able to communicate the myriad benefits of openly licensing the materials developed under the project to government stakeholders. This will prevent the spread of misinformation and contribute to a broader appreciation for the benefits of OER within the country. Implementing partners might consider having one or more staff members take the online Creative Commons Certificate<sup>50</sup> course to develop local open licensing expertise.
- Hold initial discussions with the host country government on the open licensing requirement associated with the aid and the licensing and copyright decisions previously agreed upon with USAID. If necessary, continue to support government stakeholders to understand the rationale for and benefits of Creative Commons licenses.
- Discuss with content creators how open licensing works and the associated benefits in order to identify publishers, authors or illustrators interested in collaboration. Agree on the specifics of the engagement, including issues of copyright ownership. In cases where content creators retain copyright, provide guidance (both verbally and in writing) on the terms of the licenses. See section VII for additional details on engaging with publishing sector stakeholders.

#### **During the life of the project:**

- If content creators will retain copyright, require that they complete authorization forms agreeing to the open licensing terms of the materials produced. Provide the form in relevant languages to be sure the terms can be well understood.
- During the materials development process, ensure the technical team has properly planned for editable, online and offline versions of the OER. The technical team must be

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<sup>50</sup> <https://certificates.creativecommons.org>

aware of the file format requirements for online materials. PDF versions are ideal for print-ready files but not digital materials. For many online platforms, including the GDL, there are two preferred document and file formats for the different types of e-books and content: [EPUB3](#) or [HTML5](#). If technical teams are aware of this requirement, they can source design expertise to develop both print and editable online versions of the file formats.

- Enlist project staff, including communications and technical staff, to invest efforts in disseminating information about the availability of the materials, including the platforms where they can be accessed.
- Provide metadata (LRMI<sup>51</sup>) to accompany the files to increase the searchability of the materials. Metadata usually includes key information on the materials, including titles, authors, levels (when appropriate), languages and a brief description of the content. Clear metadata makes it easier for users to find the exact educational resources they need.

#### At project closeout:

- Share finalized, editable, CC BY licensed, digital materials with identified hosting platforms as well as the USAID mission. Be mindful of version control by clearly re-circulating the finalized documents.
- Use the organization's communications teams to publicize the availability of the materials. Social media and blog posts can be effective ways of giving the materials a searchable presence online.

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<sup>51</sup><https://www.dublincore.org/specifications/lrmi/>

## IX. Conclusion

While marking work with a Creative Commons license is quite simple, ensuring that the host country government and content creators are supportive of openly licensing project materials can require significant effort. Resistance to the approach is understandable, given that the shift to open licensing may disrupt current practices for the development and distribution of reading materials. Additionally, the practice of open licensing education materials is still a relatively new phenomenon, particularly in lower- and middle-income countries. That said, several promising models are being utilized to adapt to open licensing requirements, thereby allowing materials to be shared more broadly, while still offering compensation to publishers, authors, and illustrators. While nascent, these practices offer the possibility to shape markets that better serve all learners.

**For this process to be successful, it is recommended that USAID and implementing partners' staff**, at both country and headquarters level, **understand the issues** related to copyright and licensing, as well as the rationale for using CC licenses. This will allow staff to ensure open licensing **considerations are incorporated throughout the life of the project**, beginning from the drafting of the procurement until the materials are effectively marked with CC licenses and shared freely. Additionally, **ongoing dialogue** with the government and the publishing sector on open licensing issues will contribute to greater support and buy in from both key stakeholders.

## Additional Resources

Butcher, Neil, Lisbeth Levey, and Kirsty von Gogh. *Open Licensing Made Plain: A Primer on Concepts, Challenges, and Opportunities for African Publishers*. This work is licensed under the Creative Commons Attribution 4.0 International License and can be found at [www.earlyliteracynetwork.org](http://www.earlyliteracynetwork.org).

Robledo, Ana. *Concept Paper on Open Licensing for Ministries of Education in Low- and Middle-Income Countries*. Prepared by RTI International for the U.S. Agency for International Development, Early Grade Reading Program in Nepal, Contract No. AID-367-TO-15-00002.

Butcher, Neil, Lisbeth Levey, and Kirsty von Gough. *Good Stories Don't Grow on Trees: A Guide to effective costing of storybooks in the Global South*. This work is licensed under the Creative Commons Attribution 4.0 International License and can be found at [www.earlyliteracynetwork.org](http://www.earlyliteracynetwork.org).

For information on the Creative Commons licenses, and how to start sharing your work, visit: <https://creativecommons.org/share-your-work/>.

Creative Commons Frequently Asked Questions (FAQ): <https://creativecommons.org/faq/>.

This video explains the Creative Commons licenses:

<https://www.youtube.com/watch?v=4ZvJGV6YF6Y&index=4&list=PLWZ0HETZsWsN2h70E3MFCUQD1kh59wTxt>.

For information on business models that use Creative Commons licenses, go to Paul Stacey, What is an Open Business Model and How Can You Generate Revenue? (2016, March 6). Medium.com, <https://medium.com/made-with-creative-commons/what-is-an-open-business-model-and-how-can-you-generate-revenue-5854d2659b15>.

*Made with Creative Commons* by Paul Stacey and Sarah Hinchliff Pearson: <https://creativecommons.org/use-remix/made-with-cc> (CC BY-SA 4.0).

For browsing the varieties of licenses that have been applied to open educational resources and a list of licenses conformant to the Open Knowledge Definition, go to <http://opendefinition.org/licenses/>.

The Cape Town Open Education Declaration: <https://www.capetowndeclaration.org>.

## **Annex A. Sample Author Contract Template from RTI International**

### **CONSENT AND RELEASE FORM**

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By signing this form, I acknowledge that I have completely read and fully understand the above release and agree to be bound thereby.

Print Name: (subject or guardian of minor subject)

Signature:

Date Signed:

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## Annex G. Sample Copyright Notice of an Anthology that Remixes Works with Different Licensing Terms<sup>52</sup>

This primary grade reading material is made possible by the support of the American people through the United States Agency for International Development (USAID) under the Nigeria Reading and Access Research Activity (EdData Task Order Number 26, EHC-E-00-04-00004-00) implemented by RTI International.

First edition, 2014

Second edition, 2015

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<sup>52</sup> RTI International. *Nigeria Reading and Access Research Activity: Story read-aloud book* [in Hausa] (2015). Prepared for USAID under the EdData II project, Task Order No. AID-620-BC-14-00002 (RTI Task 26). Research Triangle Park, NC: RTI. Retrieved from [http://pdf.usaid.gov/pdf\\_docs/PA00KX7R.pdf](http://pdf.usaid.gov/pdf_docs/PA00KX7R.pdf).