

## Open Education Licensing – making online education really work

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Open education will play an important role in digitally enabled learning for a global society. Resources that are openly available for re-use and re-mix are an important part of digital literacy and will be a key component in the online offerings of Australian higher education institutions in the future. However, one of the most significant issues for educators moving into the open environment is the need to understand those copyright and licensing decisions which must be made in order to make resources open. The Open Education Licensing (OEL) project aims to ensure that online material is available for re-use. It also aims to place open content into an evolving knowledge ecosystem in Australian education. The OEL Toolkit will help Australian educational developers make informed licensing decisions for use of their resources in the open environment.

Keywords: Copyright, Open Educational Resources, OER in Australia, Open Education Licensing project, OEL, open licensing

### Licensing for Open Educational Resources

The OEL project is a joint project between Swinburne University of Technology and the University of Tasmania, funded by the Australian Office for Learning and Teaching. The project team is working to identify and analyse the critical copyright and licensing challenges that Australian teachers and policy makers face when using and developing Open Educational Resources (OER). The project is exploring licensing practices for OER in Australia and developing a toolkit. This will help Australian educators working online to match open licensing decisions to their institutions' policies, learning and teaching strategies, and business models. It will help them to participate in the global market for online educational products and services by making decisions on licensing and copyright more straightforward.

### OER at Australian Higher Education Institutions

The adoption of OER by Australian higher education institutions has the potential to enhance innovation in teaching and learning in the digital environment. It can 'improve the quality and accessibility of teaching and learning provision' (OECD, 2015, p.11). However, the traditional reliance by teachers in Australia on blanket statutory licences (Copyright Act, 1968) means that there is not a clear understanding of how to deal with copyright and licensing for openly available online content. The statutory licences provide for payment for use of copyright content, but there are limitations on the way in which this can be used. The lack of a Fair Use exception in Australian copyright law means that Australian teachers and educational developers are more constrained than, for example, their US equivalents, in the way they can use copyright material. This is likely to create uncertainty and limit the speed and effectiveness of adoption of OER in Australia.

The OEL project aims to address these concerns, and provide Australian education with greater confidence to use and produce OERs. This will be a significant contribution to shaping Australian higher education in the twenty-first century. During 2015 the project team conducted a survey of managers and policy-makers, educators and educational developers, and information professionals working with OER in Australian universities. The team also conducted a series of interviews with key individuals on their experiences with using and creating OER. This information was analysed; the conclusions led into the development of the content and interface for an online interactive OEL toolkit. The toolkit was developed and disseminated through a national series of workshops for educators, developers, users, policy makers and information professionals interested in OER. The national workshops provided a forum to test the interface design and the content of the toolkit, available in test mode. The process will ensure that the toolkit meets the needs of future users involved in the development and use of open resources.

This poster will outline the process undertaken to collect and analyse data from key stakeholders across the Australian higher education sector and themes arising from the data analysis. It will detail the interface structure and content included in the OEL Toolkit and the national program used to engage with stakeholders and disseminate the toolkit in 2016.

## References

*Copyright Act 1968* (Cth) Parts VA and VB (Austral.)

Organisation for Economic Co-operation and Development (OECD) (2015). Open Educational Resources, a Catalyst for Innovation. Retrieved from [http://www.oecd-ilibrary.org/education/open-educational-resources\\_9789264247543-en](http://www.oecd-ilibrary.org/education/open-educational-resources_9789264247543-en)

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