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**EdReNe**

**Expert workshop 2 on rights issues:  
programme, list of participants and proceedings**

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***eContentplus***

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<sup>1</sup> OJ L 79, 24.3.2005, p. 1.

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Please note that the [web based version of this document](#) will be updated when relevant.

## Introduction

The workshop took place at Warwick Castle, England, on the 23rd-25th March 2009.

The first EdReNe workshop on rights issues<sup>1</sup> focused on how to provide relevant guidelines for educators and producers as well as giving emphasis on implementation models of open licensing schemes in educational repositories.

At the strategic seminar in Lisbon the following issues were given the highest priority:

- Licensing schemes (consequences for remixing; Creative Commons; presenting usage rights; cross border concerns...)
- Relevant policies and initiatives (open educational resources; education of content creators; free access to content produced for public money; incentives for commercial producers...)
- Rights clearance practices (guidance to educators; strategies for providing copyright cleared material for education...)

The presentations and group discussions were thus aiming to inform these issues and provide a relevant starting point for the network's thematic synthesis report on rights issues.

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<sup>1</sup> For further information on the workshop 6.1 in Ljubljana please see: <http://edrene.org/workshops/rights/ws6-1.html>

## Workshop summary

The issues network members gave highest priorities remain the same as for the first workshop on rights issues, demonstrating that this is not the fastest moving area. Or rather – the legal side doesn't move very fast while user behaviour and expectations towards being able to reuse and remix content have indeed seen dramatic changes during recent years.

Most initiatives concerning rights issues and digital educational content concentrate on educating pupils and teachers to understand and comply with current copyright law. One of the conclusions from the discussions during the workshop was however that there is an equally important task in having legislation and/or licensing models that will actually meet user needs and expectations.

While licensing issues are almost inevitably sorted out in concrete projects it is still rare to see coherent strategies across the entire educational sector (or public sector in general). It is also clear from discussions that there is a clear link between current approaches to content licensing and the need for the publishing industry to develop new business models for online content.

These trends will be further linked and analyzed based on the collected examples of projects and initiatives aiming to bridge the gap between legislation and actual use of digital content in schools.

## Agenda

<b>Monday, March 23<sup>rd</sup> 2009</b>		
14.00	Arrival and Welcome	Tommy Byskov Lund, UNI•C
	<i>The workshop will begin with presentations on rights issues from the perspective of different stakeholders</i>	
14.30	Children, Teachers, Learning and Rights	Marshall Mateer, Education Consultant
15.15	Licensing practice: Allowing teachers to scan and use text book material in their own learning resources	Jim Henderson, LT Scotland
15.45	Encouraging teachers to do learning object with copyrights?	Pär Segerbrant, IML
16.00	Educating teachers on rights issues – examples of public sector initiatives and possibilities	Annette Graae, UNI-C
16.30	Remix! – interactive rights negotiation	EdReNe Members
17.00	Guided tour at Warwick Castle (one hour)	
19.30	Dinner at <a href="#">The Cellar Restaurant</a> in Warwick (kindly sponsored by Becta)	

<b>Tuesday, March 24<sup>th</sup> 2009</b>		
09.00	<i>Presentations on rights issues from the perspective of different stakeholders – continued</i> Allowing content mixing and adapting business models	Adam Bates, Encyclopedia Britannica
09.30	Group session 1 – Rights issues (stakeholder session)	EdReNe members
10.30	Coffee break	
11.00	Group session 1 – Rights issues (stakeholder session), continued	
12.30	Lunch	
13.30	Group session 2 – Rights issues (Thematic synthesis Report)	EdReNe members
15.00	Coffee break	
15.30	Group session 2 – Rights issues (Thematic synthesis Report) – continued	EdReNe members
17.00	Second day finishes	
19.00	EdReNe workshop dinner at Warwick Castle	

<b>Wednesday, March 25<sup>th</sup> 2009</b>		
09.30	Project update and administrative issues	EdReNe members
10.00	Removing cultural and legal obstacles to engaging with the web	Naomi Korn, NKCC
10.45	Coffee break	
11.15	Towards a Capability Maturity Model for the management of Open Educational Resources: Following flows of value, licences and content	Prodromos Tsiavos , London School of Economics
12.00	Looking and planning ahead - Workshop evaluation	Tommy Byskov Lund, UNI•C
12.30	Lunch – workshop finishes after lunch	

## Session summaries

### ***Arrival and welcome***

Tommy Byskov Lund opened the workshop by welcoming all participants. The workshop agenda was presented in connection with the input gathered from both the strategic seminar in Lisbon and the first expert workshop on rights issues.

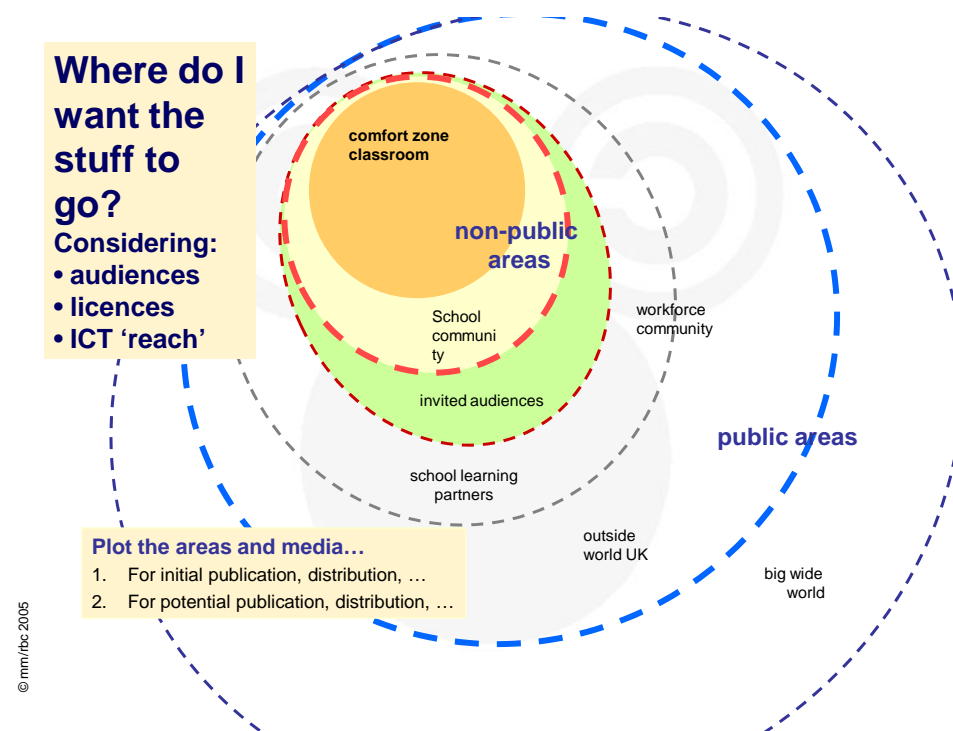
A brief summary of the discussions during the previous workshop on rights issues was also part of the introduction.

### ***Children, Teachers, Learning and Rights***

(Marshall Mateer, Education Consultant)

The first presentation discussed some of the paradoxes that accompany the increased use of ICT both in schools and outside schools. Whereas ICT to a great extent can facilitate the wishes of educators to have flexible, open and contextualised materials, as well as offer great potential for personalised learning, this is often at stakes with doing all of this legally. Adding the complexity of copyright issues to all of the new possibilities results in unconfident educators to become fearful and risk adverse – delaying the potential benefits of a higher degree of ICT usage in schools.

As a concrete proposal for “risk management” for educators, the presentation suggested always to start with considering 5 W’s: i) Who am I? (today); ii) Where am I? (what am I part of?); iii) What am I doing, what stuff do I need and where did it come from?; iv) Where do I want it to go?; v) Why? (the existential imperative)



Relevant links:

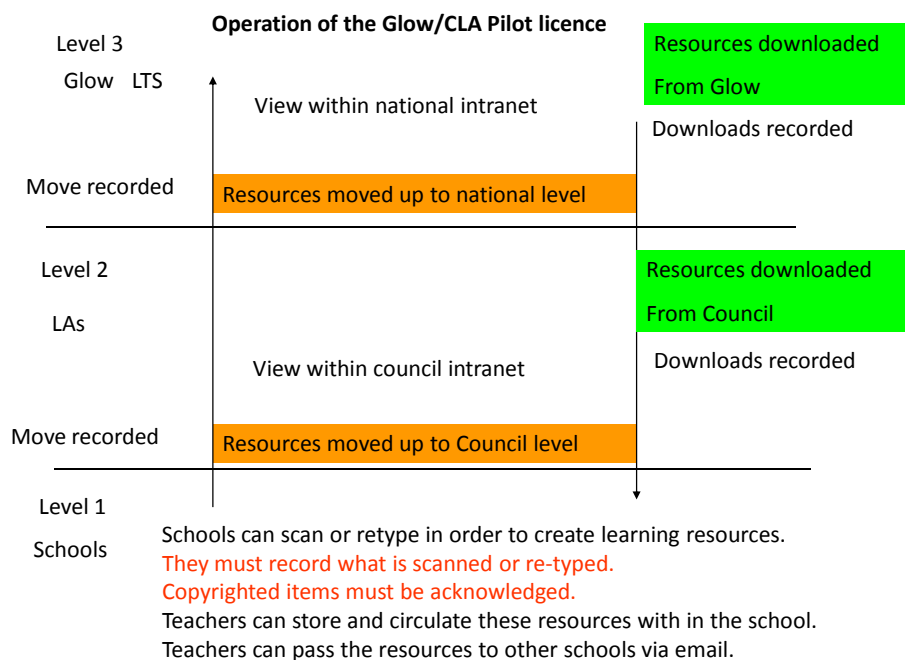
- [Download presentation](#)
- Marshall Mateer's website: [Shapes of Time](#)

### ***Licensing practice: Allowing teachers to scan and use text book material in their own learning resources***

(Jim Henderson, LT Scotland)

This presented a concrete initiative aimed at allowing teachers to use copyright material in their own learning resources. The initiative was based on experiences from a repository showing that around 75% of teacher produced materials were rejected due to actual or potential copyright infringement. The project strategy aims at making existing behaviour permissible – as changing behaviour seems a much more difficult task. The idea is also to move effort from practitioners to administrators.

The presentation showed an approach that included setting up a new licensing model with the Copyright Licensing Agency allowing schools to scan or retype from books in order to create learning resources – on the basis that it is recorded what is scanned/re-typed.



Relevant links:

- [Download presentation](#)

### ***Encouraging teachers to do learning object with copyrights?***

(Pär Segerbrant, IML)

Pär Segerbrant introduced how students at Umeå University teacher education are trained on copyright issues. The training is a two hour lecture introducing the basic concepts and a number of relevant examples. There is no common standard or format for how these issues are introduced to teachers in Sweden.

The presentation then continued to discuss issues related to whether copyright to learning objects produced by teachers/lecturers should reside with the author or the institution

(school/university) and what impact different strategies could have on uptake of the use of ICT as a pedagogical tool.



Relevant links:

- Download [presentation](#) and [supplementary notes](#)

### ***Educating teachers on rights issues – examples of public sector initiatives and possibilities***

(Annette Graae, UNI•C)

The presentation was cancelled due to illness.

The primary purpose was to give examples of public sector awareness raising activities – both related to copyright and the protection of personal data as an introduction to the first group session, where participants were asked to further discuss examples from their own countries. The examples from the presentation will be included together with results from the first group session.

### ***Remix! Interactive rights negotiation***

This session introduced some of the difficulties that remain for educators trying to remix content from different sources even if these are all licensed under some of the more popular open content licenses. Participants were split in groups and each group supplied with a deck of cards designed to enable a number of games exploring the intricacies of open content license compatibility issues, and the difficulties these create for anyone who wants to remix open educational resources. The intention was both to demonstrate that difficulties remain within the area of open content despite the progress made within recent years, and to initiate the discussion in the next group session on how rights issues can be presented in different ways to educators and students.

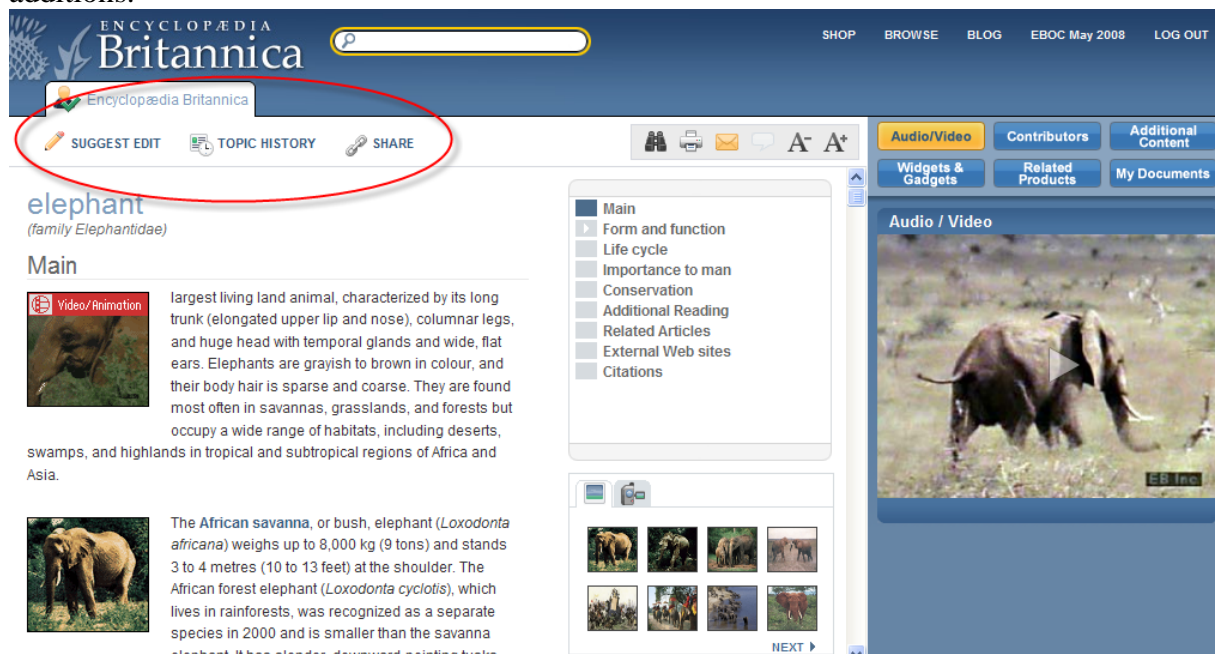
Relevant links:

- Cards and game design was done by David Wiley: [OER Remix game](#)
- Since the workshop an [online beta-version](#) of a similar OER Remix game has been published

### ***Allowing content mixing and adapting business models***

(Adam Bates, Encyclopaedia Britannica)

Setting content free by providing access through all the platforms and contexts where teachers and students want it – and allowing for more flexibility with regard to reuse and remixing can prove a more efficient business model than protecting your content. A strategy along these lines was presented from Encyclopaedia Britannica, including a demonstration of the interface allowing users to interact with existing content and supplement it with their own additions.



The screenshot shows the Encyclopaedia Britannica website interface. At the top, there is a search bar and navigation links for SHOP, BROWSE, BLOG, EBOC May 2008, and LOG OUT. Below the search bar, a red circle highlights three buttons: 'SUGGEST EDIT', 'TOPIC HISTORY', and 'SHARE'. The main content area displays the article for 'elephant' (family Elephantidae). The article includes a 'Main' section with a video player and a list of related topics: Form and function, Life cycle, Importance to man, Conservation, Additional Reading, Related Articles, External Web sites, and Citations. A sidebar on the right contains a video player and a list of related products and documents.

Screenshot from britannica.com showing the recently included possibilities for editing and sharing content

The need for new business models for the publishing industry is increasing and experiments with new approaches are necessary. The chosen model is of course easier to take when part of your content offer is not just providing reliable but also updated information, in the sense that it is rather a content service than individual pieces of content stable over longer periods of time.

Relevant links:

- [Download presentation](#)

### ***Group session 1 – Rights issues (stakeholder session)***

During the first group session participants were asked to collect, document and discuss interesting examples of activities, projects, reports etc. concerning rights issues and repositories (or possibly fitting the broader concept of rights issues and education). Each example should (if possible) include information on:

- Title and brief description
- Target group(s)
- Format (examples: Web site, cartoon, movie, card game...)

- Type (examples: Guidance / Help materials; Political initiative; Legislation; Project; Course; Further reading (blog, report, article..); ...)
- Estimate of how large a fraction of the target group is aware of/using the material described.
- Context in which material is presented (examples: part of repository (when depositing/downloading); during teacher training;)

The group session concluded with brief presentations from all groups on what they decided were the most interesting examples.

Important points from the discussion/examples chosen included:

- There are lots of materials out there – but not many take the time to read them
- Format and context can make a difference in increasing awareness (examples included: games activities, posters, legal chat/ask-an-expert services, inclusion in teacher training)
- Most effort is put on raising awareness on how to comply with current legislation – not attempting to adapt legislation to current behaviour and expressed needs within the educational sector

The collected examples will be further analyzed and categorized in the thematic synthesis report on rights issues.

### ***Group session 2 – Rights issues (Thematic synthesis Report)***

In the second group session participants were divided into groups representing the view of different stakeholder groups:

- Teachers and students
- Publishers (commercial/non-profit; content producer perspective)
- Policy makers (national, regional, local, school leaders..)

These groups were asked to discuss and document how use and creation of digital content is influenced by (copy-) rights issues for these types of stakeholders by identifying what they considered the most important:

- Barriers – and suggestions on how to overcome them
- Incentives/drivers – and any prerequisites for them to exist

Results from the group discussion were presented in plenum at the end of the session. The barriers/incentives and suggestions for priority actions will be elaborated in the thematic synthesis report on rights issues (notes uploaded to Members Zone).

### ***Project update and administrative issues***

(Tommy Byskov Lund, UNI•C)

A general update on network membership and project finances was presented with reminders to complete financial statements for the second project year as soon as possible. Further information to be sent to members the week after the workshop.

### ***Removing cultural and legal obstacles to engaging with the web***

(Naomi Korn, NKCC)

The JISC funded Web2Rights project has developed a set of online tools and accompanying flowcharts to raise awareness about – and simplify the procedures necessary to tackle –

copyright issues related to producing and using digital learning resources. Supplementary tools dealing with other legal issues (inappropriate content, data protection, freedom of information, contract and employment, international issues and liability, eSecurity, accessibility) were also produced in the project. To some extent these tools build upon the recommendations and outputs from the earlier trustDR project.

The tools attempt to target the widespread cultural issue that people don't understand IPR, feel intimidated by it, and fail to confront the issues by either blithely breaking the law, or by being so risk averse that nothing is developed – and you often see both approaches within the same institution.

The presentation also included a discussion on orphan works and the special IPR problems resulting from these, illustrated by recent survey results from more than 500 (primarily) UK based cultural heritage, education, health and other public service institutions.

Relevant links:

- [Download presentation](#)
- [Web2Rights project](#)
- [Managing IPR in Digital Learning Materials: A Development Pack for Institutional Repositories \(output from TrustDR project\)](#)
- [Naomi Korn Copyright Consultancy](#)

### ***Towards a Capability Maturity Model for the management of Open Educational Resources: Following flows of value, licences and content***

(Prodromos Tsiavos , London School of Economics)

The presentation first examined the typical flow of rights and value in a content creation process. Following a brief introduction to the basics of open content, different models illustrating the flow of content, permissions and value were introduced by real-world examples. These examples served to point out whether open content licenses would be an appropriate choice for different scenarios. The main findings from a qualitative study on seven cases in the UK public, cultural and educational sector was introduced, with the aim to develop a methodology for assessing the optimal IPR strategy in order to maximize value for public sector organizations in the UK – with the noteworthy finding that value is primarily assessed in non-monetary terms.

The key recommendations from the case study were:

- Funding contract should provide licence standards to ensure licence interoperability between sectors
- Clearance costs and time management implications need to be taken into consideration by funding contracts.
- There is need for Risk and IPR packages and training sessions for organizations and end users
- Ownership rules need to be clear and easy for users and members of staff to understand
- Orphan works legislation needs to be introduced in order to address issues of high volume, high cultural – low monetary value works.
- More staff is required for web 2.0/ repurposing projects
- There is need for a public sector rights registration services

Relevant links:

- [Download presentation](#)

### ***Looking and planning ahead - Workshop evaluation***

Due to time constraints this was limited to a ten minutes oral evaluation.

Group discussions with time to study concrete practical examples were again judged as highly relevant and producing much food for thought for participants. There is a need to elaborate on the examples briefly introduced in group presentations – this should be done as part of the upcoming thematic synthesis report. Participants agreed to give further input to this report upon request.

Even though this was the last workshop on rights issues there was not a feeling that we have reached many firm conclusions/recommendations – except for evolving a coherent strategy involving as many key actors as possible. A number of interesting examples have been identified, but to a large extent there seems to be a massive lack of a coherent strategy on these issues for the educational sector.

## Participants

10 of 23 founding members were represented. In addition three associate members participated – giving a total of 23 participants.

Name	Organization	Country
Alma Taawo	Skolverket	Sweden
Anette Holmqvist	Skolverket	Sweden
Heiko Reeck	FWU	Germany
Jens Viggo Moesmand	BFU	Denmark
Will Ellis	Becta	UK
Andrew Kitchen	Becta	UK
Jim Henderson	Learning and Teaching Scotland	UK
Fiona Iglesias	North West Learning Grid	UK
Christine Jack	Becta/NEN	UK
Marshall Mateer	Becta	UK
Matija Lokar	UNI-LJ-FMF	Slovenia
José Moura Carvalho	DGIDC	Portugal
Andreas Olsson	IML	Sweden
Pär Segerbrant	IML	Sweden
Mantas Masaitis	ITC	Lithuania
Elisabeth Bækken	utdanning.no	Norway
Kadri Stenseth	TLF	Estonia
Elo Allemann	TLF	Estonia
Adam Bates	Encyclopaedia Britannica Education	UK
Naomi Korn	NKCC	UK
Prodromos Tsiavos	London School of Economics	UK
Tommy Byskov Lund	UNI-C	Denmark
Annette Graae	UNI-C	Denmark