



## Step 2: Determine if the Resource is an Original or Derivative Work

Consider your resource, including **ALL** components. Examples of components include:

- graphics
- charts and graphs
- video and audio
- text
- problem sets and assessments

Choose one of the following:

[This is an entirely original resource.](#) *(go to page 3)*

[This is a work that has been adapted from one resource.](#) *(go to page 4)*

[This is a work that combines multiple resources.](#) *(go to page 9)*

[Back to Beginning of Guide](#) *(go to page 1)*



## Original Work

Based on your responses, here's important information about copyright holder and licensing.

**Copyright Holder of Original Work:** {As determined by district policy}

**License:** Consider applying an open license.

*Be certain that this step is completed by the copyright holder or their selected designee.*

**Go to Step 3:** [Apply an open license](#) (go to page 17)

*Be certain that this step is completed by the copyright holder or their selected designee.*

[Back to Original or Derivative Work](#) (go to page 2)

[Back to Beginning of Guide](#) (go to page 1)



## Derivative Work – Single Resource

For this adaptation of a single resource, which of the following is true *(choose one)*:

[I'm using an openly licensed resource that allows adaptation.](#) *(go to page 5)*

[I received copyright permission from the copyright holder.](#) *(go to page 6)*

[I have NOT received copyright permission from the copyright holder.](#) *(go to page 7)*

[I'm uncertain of copyright status.](#) *(go to page 8)*

[Back to Original or Derivative Work](#) *(go to page 2)*

[Back to Beginning of Guide](#) *(go to page 1)*



## Derivative Work – Single Open Resource

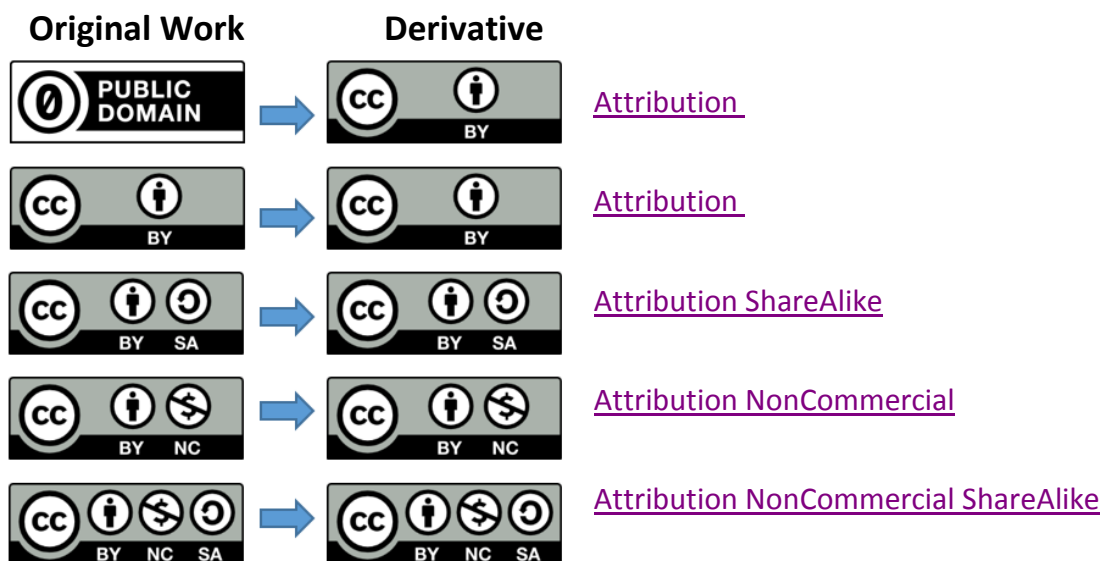
Based on your responses, here's important information about copyright holder and licensing.

**Copyright Holder of Derivative Work:** {As determined by district policy}

**License:** Creative Commons license type will vary (see below)

All works adapted from others' existing openly licensed resources, must follow the terms of the open license on those materials. Best practice is to license the new derivative work with the least restrictive open license possible that is not in conflict with existing license.

Use the chart below to figure out the final license



Before proceeding, make sure each element included in your derivative work is properly attributed and the license type is noted.

[Best Practices for Attribution](#) – Creative Commons Website | [CC BY](#)

[How To Attribute CC Photos](#) - poster by foter | [CC BY SA](#)

[Attributing Creative Commons Material](#) (pdf) - Creative Commons Australia | [CC BY \(AU\)](#)

**Go to Step 3: [Apply an open license](#)** (go to page 17)

Be certain that this step is completed by the copyright holder or their selected designee.

[Back to Derivative Work - Single Resource](#) (go to page 4)

[Back to Beginning of Guide](#) (go to page 1)



## Derivative Work - Single Resource – Copyright Permission

Based on your responses, here's important information about copyright holder and licensing.

**Copyright Holder of Derivative Work:** {as determined by district policy}

**License:** depends on usage permission granted by copyright holder of original work

If you have permission from the copyright holder to adapt their original work, clarify if that permission extends to openly licensing the adaptation (derivative work).and keep a copy of that approval in writing. \*

Be sure to provide proper attribution to the copyright holder prior to moving to the next step.

**Go to Step 3: [Apply an open license](#)** (go to page 17)

*Be certain that this step is completed by the copyright holder or their selected designee.*

*\* If permission to openly license the work is not received, you cannot openly license your derivative work.*

[Back to Derivative Work - Single Resource](#) (go to page 4)

[Back to Beginning of Guide](#) (go to page 1)



## Derivative Work - Single Resource – No Copyright Permission



**STOP – DO NOT APPLY AN OPEN LICENSE...YET**

**Do not proceed with adapting this work until you have received permission from the copyright holder of the original work.**

When making your request, clarify that you would like to openly license the adapted work. Request permission in writing and come back to this document when ready.

[Back to Derivative Work - Single Resource](#) *(go to page 4)*

[Back to Beginning of Guide](#) *(go to page 1)*



## Derivative Work - Single Resource – Uncertain



**STOP – DO NOT APPLY AN OPEN LICENSE...YET**

**Even if there is no obvious marking on the work you are interested in adapting, you must assume it is under "all rights reserved" copyright.**

Just because a resource is free to view online does not make it legal to copy, adapt, and distribute. To determine the permitted uses of this resource, try the following:

- Check the Terms of Use on the website where the resource was located – often times, information about user licenses is located here. Sometimes it is also located under the Privacy section.
- Contact the organization where you found the resource and see if they can identify the copyright holder for this work or confirm that the work is in the public domain.

Do not proceed with adapting this work until you have received permission from the copyright holder of the original work, or confirmed it has an open license or is in the public domain.

[Back to Derivative Work - Single Resource](#) *(go to page 4)*

[Back to Beginning of Guide](#) *(go to page 1)*





## Derivative Work – Multiple Resources

For this adaptation/remix of multiple resources, which of the following is true: *(choose one)*

[I'm using all openly licensed resources.](#) *(go to page 10)*

[Where openly licensed resources were not used, I received copyright permission from ALL the copyright holders.](#) *(go to page 14)*

[I have NOT received copyright permission from ALL the copyright holders of non-openly licensed materials.](#) *(go to page 15)*

[I'm uncertain of copyright status of materials.](#) *(go to page 16)*

[Back to Original or Derivative Work](#) *(go to page 2)*

[Back to Beginning of Guide](#) *(go to page 1)*



## Derivative Work – Multiple Open Resources

One of the most frequent uses of OER is in creating a derivative work that pulls together multiple resources, makes adaptations to those resources, and adds new content. However, not all licenses are compatible.

This video does a nice job of explaining compatibility issues.

### [Creating OER and Combining Licenses](#)

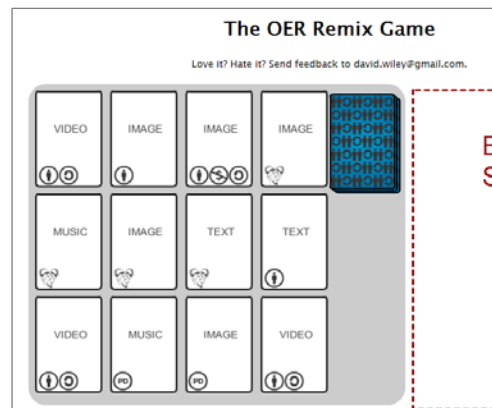
The Orange Grove Repository | [Creative Commons Attribution License](#)



Confused? This demo addresses the issue very quickly, as well as highlighting the reasons why CC BY is a good choice for the default license.

### [OER Remix Game](#)

From David Wiley and [BYU Independent Study](#) | Creative Commons Attribution License



If this describes your situation, review the chart below.

	PUBLICDOMAIN	BY	BY-SA	BY-NC	BY-ND	BY-NC-SA	BY-NC-ND
PUBLICDOMAIN							
BY							
BY-SA							
BY-NC							
BY-ND							
BY-NC-SA							
BY-NC-ND							

Chart adapted from [Open Content - A Practical Guide to Using Creative Commons Licenses](#) licensed to the public under a [Creative Commons Attribution 4.0 license](#).

Compare licenses on resources by looking at the license type of the first work on the first row and the license type of the second work on the first column. You can combine the works if there is a smiling face in the cell where the row and column intersect. If there a cross at the intersection of the row and column, then you cannot combine these works.

Based on the license compatibility chart above, choose one of the following:

[Yes, the licenses on the resources I am combining are compatible.](#) (go to page 12).

[No, the licenses on the resources I am remixing are NOT compatible.](#) (go to page 13).

[Back to Derivative Work - Multiple Resources](#) (go to page 9)

[Back to Beginning of Guide](#) (go to page 1)



## Derivative Work – Multiple Open Resources – Compatible Licenses

Based on your responses, here's important information about copyright holder and licensing.

**Copyright Holder of Derivative Work:** {as determined by district policy}

**License:** Creative Commons license type will vary (see below)

For the license on your derivative work, you will need to use the most restrictive licensing of all the licenses present in your remix (use the license most to right and down on the chart).

*Note: If your work includes a collection of openly licensed resources, your overall license for the new work may be less restrictive as long as the intact/unadapted individual resource with a different license is clearly identified and given proper attribution.*

	PUBLICDOMAIN	CC BY	CC BY-SA	CC BY-NC	CC BY-ND	CC BY-NC-SA	CC BY-NC-ND
PUBLICDOMAIN							
CC BY							
CC BY-SA							
CC BY-NC							
CC BY-ND							
CC BY-NC-SA							
CC BY-NC-ND							

Chart adapted from [Open Content - A Practical Guide to Using Creative Commons Licenses](#) licensed to the public under a [Creative Commons Attribution 4.0 license](#).

Before proceeding, make sure each element included in your derivative work is properly attributed and the license type is noted.

### [Best Practices for Attribution](#)

**Go to Step 3: [Apply an open license](#)** (go to page 17)

Be certain that this step is completed by the copyright holder or their selected designee.

[Back to Derivative Work – Multiple Open Resources](#) (go to page 10) [Back to Beginning of Guide](#) (go to page 1)



## Derivative Work – Multiple Open Resources – Incompatible Licenses



**STOP – DO NOT APPLY AN OPEN LICENSE...YET**

There are several ways to address incompatible license issues:

- Find a replacement resource that does not have a license conflict
- Provide a link to the resource in question but do not embed the content in your derivative work
- Request permission from the copyright holder to license their work for this purpose
- Include the work with the different open license but make it very clear that particular section of your work carries a different license -- place on a different page, put in a boxed section, etc. You will need to note this in the license you apply to the derivative work. It would look something like this:

Except where otherwise noted, this derivative work by the {School District Name}, is licensed under a [Creative Commons Attribution License](#).

Please attend to any incompatibility issues using one or more of the above strategies and then come back to this document for additional guidance.

[Back to Derivative Work Multiple Open Resources](#) (go to page 10)

[Back to Beginning of Guide](#) (go to page 1)



## Derivative Work – Multiple Resources – Copyright Permission

Based on your responses, here's important information about copyright holder and licensing.

**Copyright Holder of Derivative Work:** {as determined by district policy}

**License:** depends on usage permission granted by copyright holders of original work

If you have permission from ALL the copyright holders to adapt their original work, clarify if that permission extends to openly licensing the adaptation (derivative work).and keep a copy of those approvals in writing. \*

Before proceeding, make sure each element included in your derivative work is properly attributed and the license type is noted.

[Best Practices for Attribution](#) – Creative Commons Website | [CC BY](#)

[How To Attribute CC Photos](#) - poster by foter | [CC BY SA](#)

[Attributing Creative Commons Material](#) (pdf) - Creative Commons Australia | [CC BY \(AU\)](#)

If you are also including openly licensed resources in your derivative work, be sure to read the section on derivative work using multiple open resources before proceeding to Step 3.

[Derivative Work – Multiple Open Resources.](#) (go to page 10)

**Go to Step 3:** [Apply an open license](#) (go to page 17)

*Be certain that this step is completed by the copyright holder or their selected designee.*

*\* If permission to openly license the work is not received, you cannot openly license your derivative work.*

[Back to Derivative Work - Multiple Resources](#) (go to page 9)

[Back to Beginning of Guide](#) (go to page 1)



## Derivative Work - Multiple Resources –No Copyright Permission



**STOP – DO NOT APPLY AN OPEN LICENSE...YET**

**Do not proceed with adapting this work until you have received permission from ALL the copyright holders of the original resources.**

When making your request, clarify that you would like to openly license the adapted work. Request permission in writing and come back to this document when ready.

[Back to Derivative Work - Multiple Resources](#) *(go to page 9)*

[Back to Beginning of Guide](#) *(go to page 1)*



## Derivative Work - Multiple Resources – Uncertain



**STOP – DO NOT APPLY AN OPEN LICENSE...YET**

**Even if there is no obvious marking on the work you are interested in adapting, you must assume it is under "all rights reserved" copyright.**

Just because a resource is free to view online does not make it legal to copy, adapt, and distribute. To determine the permitted uses of these resources, try the following:

- Check the Terms of Use on the website where the resource was located – often times, information about user licenses is located here. Sometimes it is also located under the Privacy section.
- Contact the organization where you found the resource and see if they can identify the copyright holder for this work or confirm that the work is in the public domain.

Do not proceed with adapting this work until you have received permission from ALL the copyright holders of the original work, or confirmed they have an open license or are in the public domain.

[Back to Derivative Work - Multiple Resources](#) *(go to page 9)*

[Back to Beginning of Guide](#) *(go to page 1)*





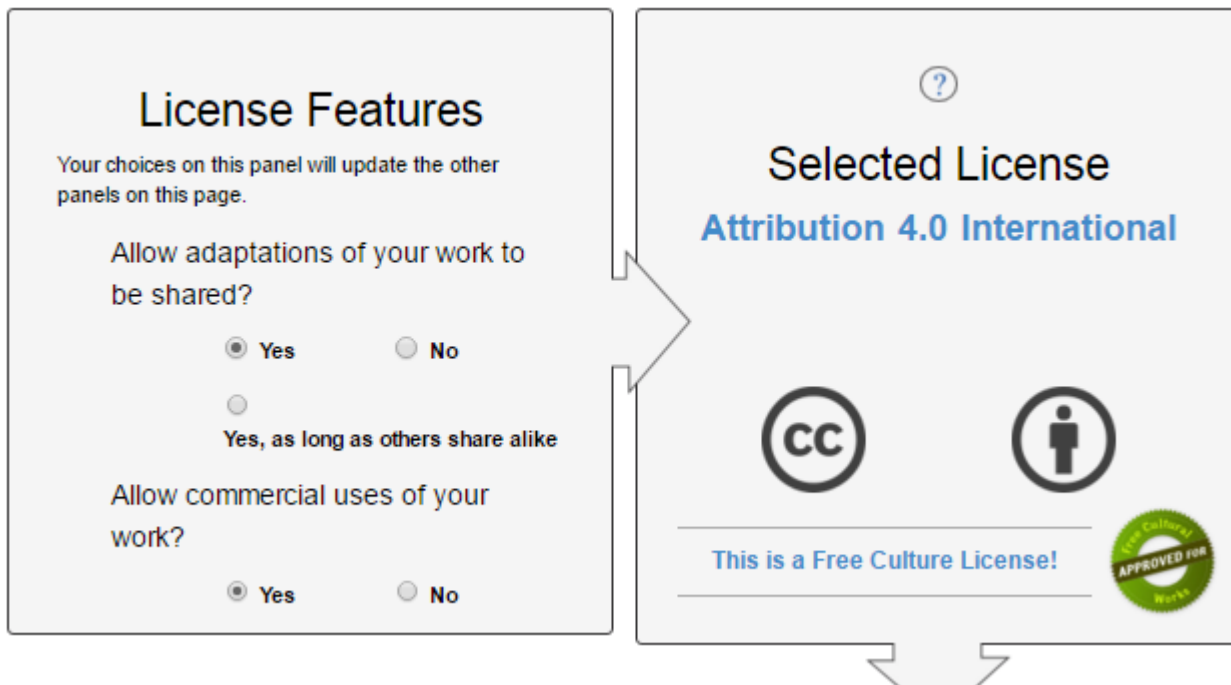
### Step 3: Applying an Open License

Visit the [Creative Commons License Chooser](#).

*This site will open in a new window. Be sure to keep both windows open/available as you work through the steps below.*

#### License Features

- The preferred license type is Attribution only
  - Select Yes to “Allow adaptations” and “Allow commercial uses”.
  - Do not select “as long as others share alike”
- Based on your answers to earlier questions, you may have identified a different license that is required to ensure compatibility among multiple resources. Enter the choices in the license features box that will generate the appropriately identified license.



## Create an Attribution Statement

### Title of Work:

Leave blank if you want a generic license that can be used with multiple resources

If this is a resource that has its own webpage or is a downloadable item, consider entering the title of the work so you can add a hyperlink to it later.

### Attribute work to:

Enter the name of the identified copyright holder for the original or derivative work.

### Attribute work to URL:

If available, enter the URL where the resource may be downloaded.

### Source work URL:

- Not applicable for original resources or for remixes/collections of multiple resources
- For works adapted from a single resource, this is the URL of the original resource

### More permissions URL:


Enter if you would like to include a district contact

### Format of work:

Other/Multiple formats

### License mark:

Leaving as HTML +RDFa will embed hyperlinks

 **Help others attribute you!**

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

Title of work

Attribute work to name

Attribute work to URL

Source work URL

More permissions URL

Format of work

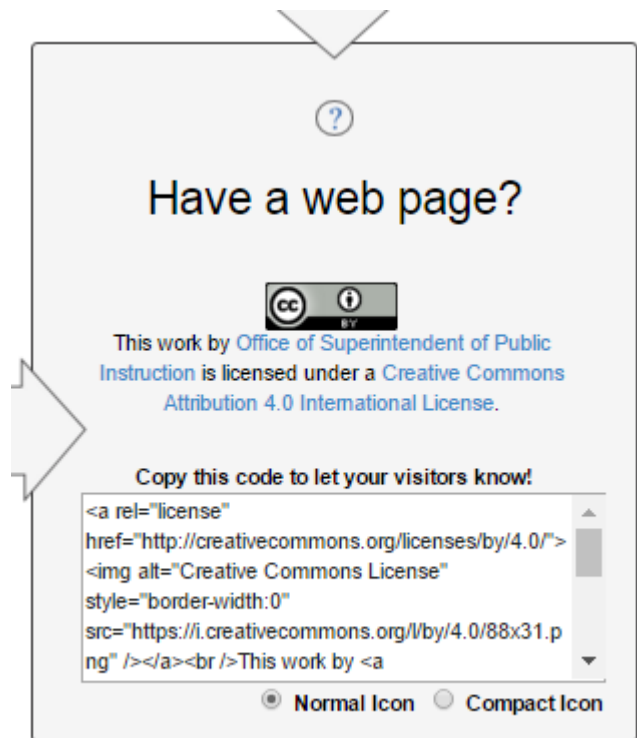
License mark



## Step 4: Copy the License for your Work

Copy the resulting license and graphic icon. The icon (normal or compact size) is not required but is helpful for quick user identification of the license.

Your work needs to be marked with this information in a way that is reasonable and suited to the medium you're working with. For example, you might include the license information on the cover page of a report, in the footer of a document, on the final slide of a slide deck, or the bottom of a web page.



The screenshot shows a web page titled "Have a web page?" with a Creative Commons Attribution 4.0 International License icon. Below the icon, the text reads: "This work by Office of Superintendent of Public Instruction is licensed under a Creative Commons Attribution 4.0 International License." Below this, there is a section titled "Copy this code to let your visitors know!" which contains the following HTML code:

```
<a rel="license"
href="http://creativecommons.org/licenses/by/4.0/">
</a><br />This work by <a
```

At the bottom of the code block, there are two radio buttons: "Normal Icon" (selected) and "Compact Icon".

If necessary, make any final edits reflecting the situations below:

- If your work contains resources with differing licenses (appropriately marked in the resource), your license statement should contain the wording "Except where otherwise noted" at the start of the statement.
- It is good practice to include the organization name as well as the URL of the original work upon which any adapted works are based.
- Funding providers may be referenced.

**Note: It is important to mark both the resource itself as well as the web page. If the license info is only on the web page, this information will be lost as soon as the document gets downloaded and distributed. If your work is located on a web page, copy the generated HTML code and ask your web administrator to add to the specific page where the resource is located. This will increase discoverability of your resource so it can be found by search engines filtering for openly licensed resources.**



Here are three different examples:



The [KNOW: HIV/STD Prevention Curriculum Grades 7 and 8](#) developed by [Office of Superintendent of Public Instruction](#) is licensed under a [Creative Commons Attribution 4.0 International License](#).

Except where otherwise noted, [Since Time Immemorial: Tribal Sovereignty in Washington State](#), developed by the [Office of Superintendent of Public Instruction](#) in partnership with the [Federally Recognized Tribes in Washington State](#) is licensed under a Creative.



Except where otherwise noted, Bridge to College Mathematics is licensed under a [Creative Commons Attribution-NonCommercial License](#). This is a derivative work by the Washington [Office of Superintendent of Public Instruction](#) and [State Board for Community and Technical Colleges](#) adapted from the [Southern Regional Education Board Math Ready](#) course. Funded by [College Spark Washington](#).

## Spread the Word

Consider providing a link or uploading your resource to an open repository/referratory. Below are a few examples:

[OER Commons](#)

[Curriki](#)

[Amazon Inspire](#)

[Edmoto Spotlight](#)

[Back to Beginning of Guide](#) *(go to page 1)*



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*updated 8/9/2016*

## Important Definitions

### Attribution

Acknowledgement to credit the copyright holder of a work. You must include this with all elements of your work that are not your original content. A good rule of thumb is to provide the title, copyright holder, and license type with a link to all those sources.

Example:

[Secondary Math One: Integrated Approach](#) by [Mathematics Vision Project](#) is licensed under a [Creative Commons Attribution 4.0 International License](#).

**Remember that attribution is not a replacement for getting copyright permission!**

[Best practices for attribution](#)

### Derivative Work

A work based on or derived from one or more already existing works. Common derivative works from OSPI may include translations, abridged or enhanced resources, or collections of adapted materials. The new work must contain a sufficient element of originality that makes it a new work in its own right. For example, fixing grammatical errors or adding a sentence to one paragraph would not meet this bar.

### Open Educational Resources

Open Educational Resources (OER) are teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. (definition from [Hewlett Foundation](#)).

### Open License

A license is a document that specifies what can and cannot be done with a work. It grants permissions and states restrictions. Broadly speaking, an open license is one that grants permission to access, re-use and redistribute a work with few or no restrictions (definition from [Opendefinition.org](#)).

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## Video Resources

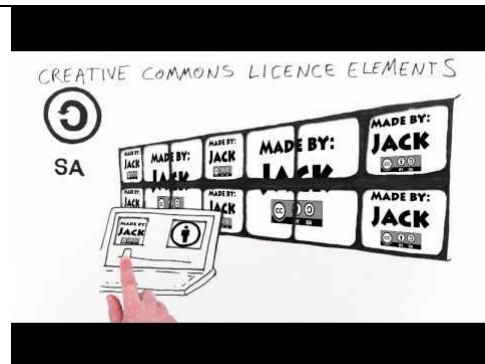
### What are Open Educational Resources?

[Password: OER](#) from Laura Rachfalski | [CC BY](#)



### What are Creative Commons Licenses?

[Creative Commons Kiwi](#) from Creative Commons New Zealand | [CC BY](#)



### Why is Open Policy Important?

[OER and Public Policy: Overview and Opportunities](#) from Open Washington at the State Board for Community and Technical Colleges | [CC BY](#)



### [Creating OER and Combining Licenses](#)

The Orange Grove Repository | [CC BY](#)



[Copyright Basics](#) from the Copyright Clearance Center | [Standard YouTube License](#)

*Embedding disabled by copyright holder. Please access using link on left.*

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