

Let's Free IT Support Materials!

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Abstract

The Open Access movement is promoting the advantages in providing more liberal access conditions to research and teaching and learning resources and is developing a legal infrastructure and associated technologies to support this. This paper argues that IT Services can benefit by adopting a similar approach for IT support materials. A case study is provided which describes the rationale for making the resources developed by the JISC-funded QA Focus project available under a Creative Commons licence and the processes needed in order to implement this policy. The paper concludes by describing the potential for widening this approach to generic IT support materials.

Keywords: IT support, Creative Commons, licence

1 Background

IT service staff will undoubtedly be aware of the benefits of open source software (OSS). Institutions which may have initially *deployed* OSS due to the lack of licence fees are now also recognising the additional benefits of making software *developed* in-house available under an OSS licence. This interest complements the considerations being given within institutions to making research publications, teaching and learning resources, etc. available under more liberal licensing conditions and the use of technologies which facilitate access to the resources.

Institutions are debating the advantages and disadvantages of widening access to their intellectual property. On the one hand this would appear to reflect an underlying principle in the higher education sector of maximising access to knowledge and its impact in society. On the other hand institutions are well aware of the costs of providing educational services and may be reluctant to give away potentially valuable intellectual property.

This paper addresses these issues by considering the rationale by which a JISC-funded project chose to make its project deliverables available under a Creative Commons licence. The paper gives a brief description of the QA Focus project and describes issues the project partners addressed when planning the future of the deliverables after the end of the project's funding. The rationale for selection of a Creative Commons licence for the deliverables is given, together with details of the implementation of the policy.

The paper concludes by reviewing the experiences of document sharing with the UCISA community and describing the potential benefits to the community of adoption of this approach more widely.

2 The QA Focus Project

QA Focus [8] was funded by the JISC (Joint Information Systems Committee) to develop a quality assurance (QA) framework which would help ensure that project deliverables funded under JISC's digital library programmes were functional, widely accessible and interoperable. The project, which was provided by UKOLN (a national centre of expertise in digital information management based at the University of Bath) and the AHDS (Arts and Humanities Data Service), successfully developed a quality assurance (QA) framework and a wide range of support materials which has been described elsewhere [3].

The QA framework is supported by over 70 briefing documents [9] which provide advice on (a) standards and best practices, (b) advantages and disadvantages of different approaches to implementation, (c) techniques for checking compliance and (d) strengths and weaknesses of various checking procedures. In addition to the briefing documents over 30 case studies were published [10] which describe the approaches taken by the projects themselves to the implementation of standards and best practices. These resources are available in a number of formats from the QA Focus Web site.

3 A Creative Commons Licence For QA Focus Materials

3.1 Policy

The decision to make QA Focus briefing papers available under a Creative Commons licence [1] was made as part of the project's exit strategy. The project deliverables will be available for at least three years after the end of funding, as required by the funders. However we were concerned that a passive approach would not be effective in maximising the project's impact across the community and that the approach advocated and lessons learnt could be forgotten or ignored. There was also a concern that the project's deliverables would become invalid or inaccurate over time, as a result of technological, legal, etc. changes. To ensure the deliverables continued to promote good practice in the long-term, a policy was developed to allow free use and modification of briefing papers.

3.2 Identification Of Licence Requirements

In order to help embed the QA Focus framework within the working practices of projects funded by future JISC programmes and to allow future projects to gain maximum

benefit from the resources it was considered important that others should be allowed to: a) adapt and refine the resources so that they could be maintained and reflect local requirements and b) be distributed without seeking permission. This would also provide additional benefits: projects would feel ownership of the resources; redistribution would help to maximise the project's impact and the framework could be adopted outside of the funder's remit.

3.3 Choice Of A Suitable Licence Model

A number of possible licence models were investigated and three approaches considered:

1. Develop a bespoke licence
2. Modify an existing licence
3. Use an existing licence.

As the QA Focus framework encourages use of interoperable open standards an existing licence that matched our requirements was considered the most effective route. A bespoke licence may outline rights and responsibilities tailored to the particular requirements of the project but can be time-consuming to implement, of legal uncertainty if used in other countries and confusing to those who wish to use the content.

There are several licences that encourage users to improve, manipulate, or build on existing work in any way (General Public Licence, Mozilla Public Licence, etc.). These place importance upon collective efforts to improve a digital resource rather than the more restrictive requirements of classical copyright. However many are primarily intended for software code and cannot be applied to information papers without some modification.

After a review of available options the Creative Commons licence was chosen. This licence reflects the legal framework across a number of countries is easy to understand by non-experts and is widely recognised within the academic community. It also allows the licence conditions to be described in a machine-readable format, those facilitating searches for resources which can be freely used by others.

Creative Commons version 2.0 offers six licences that allow unrestricted distribution but tailor specific use of the resource [2] e.g. non-commercial, no-derivatives, etc. To satisfy our requirements we chose a Creative Commons licence that:

- Allows others to copy, distribute and modify briefing papers, on the provision that credit is given for the creation of the original documents (attribution)
- Is used for non-commercial purposes only (non-commercial)
- Specifies that derivatives must be classified under the same licence (sharealike).

Confirmation was obtained from our organisations and host institutions to ensure they supported the policy decision and the recommended licence.

3.4 Background To Creative Commons

Creative Commons was started in 2001 by Professor Lawrence Lessig following an unsuccessful law suit in the US. Lessig had filed a complaint to the US Supreme Court to prevent copyright being extend from 50 years after the death of the creator of a copyrighted resource to 75 years. Following the failure of this proposal, Lessig developed Creative Commons as an means of modifying copyright legislation from within. For Lessig, the importance of creative commons is that it makes a distinction between Copyright meaning *All Rights Reserved* and copyright meaning *Some Rights Reserved*.

Creative Commons provides eleven sets of licence conditions which allow copyright holders to assign a mixture of four different conditions (attribution, non-commercial, no derivative works and share alike) to their works. Each licence can be expressed in three ways: a legal code, a commons deed explaining what is meant in lay person's terms and a machine readable description.

3.5 Implementation

The choice of an existing solution significantly reduced the time required to develop and implement a licence. It was agreed that only the licence would apply to the briefing documents as the case studies contained project-specific information which would be inappropriate for others to modify. The decision also avoided the need to spent time in obtaining permission from third parties to apply this licence to their materials.

The briefing papers were updated to include the Creative Commons logo and text. In addition the machine-readable description of the licence was embedded in RDF format on the HTML pages, as illustrated in Figure 1.

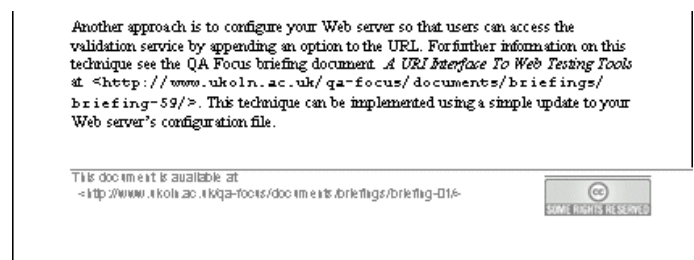


Figure 1: Creative Commons Licence On Documents

3.6 Issues Arising

While seeking clarification of the legal status of the licence a number of minor complications emerged. We discovered that in the extension to the QA Focus contract covering the period January–July 2004 the IPR rights was claimed by the funding body and not the host institutions. This was found to be a mistake and clarification of the ownership was subsequently obtained.

In addition we discovered that the contract given to two sub-contractors commissioned to write briefing documents did not fully define the status of subsequent rights for the documents. We are currently clarifying the status of these documents.

Finally it should be mentioned that the legal status of Creative Commons licences in the UK had not been

clarified when the QA Focus project was making decisions about the future status of the resources. Initially we considered deferring any decision until the legal status had been clarified. However after consultations with legal adviser we realised that the lack of a formal legal status did not mean that Creative Commons licences could not be used; rather such licences could be used, but the licences would have no legal status. Any risk associated with use of resources with a Creative Commons licence would be taken by those seeking to make use of resources, and not by the owners of the resources. Since we had made a commitment to release the resources, it would be unlikely that we would change our minds and seek to restrict use of our resources once we had made them available. We therefore agree to make use of a Creative Commons licence. This licence became accepted in English law in March 2005 [13]

4 Finding Resources

A major advantage of Creative Commons is that the licence conditions can be described in a machine-readable form. For example the RDF representation of the licence conditions used for the QA Focus resources is illustrated in Figure 2.

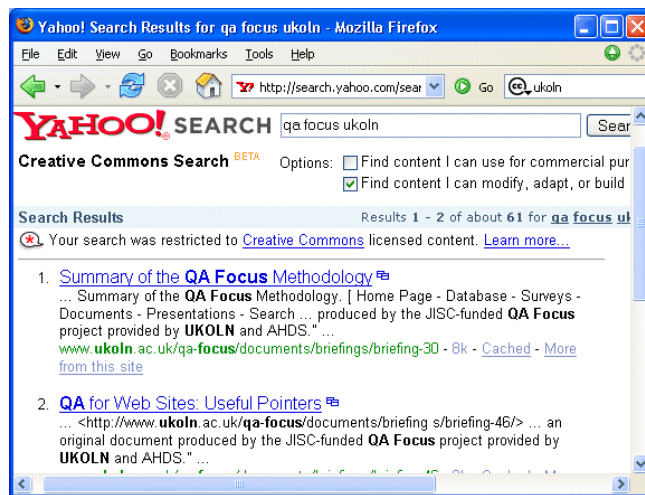


Figure 3: Yahoo’s Creative Commons Search Facility

A Google Creative Commons search facility is also available [4] (although at the time of writing only a small number of resources within the UK appear to be indexed).

It should be noted that as well as such search facilities, software such as the mozCC Firefox extension [5] provide a display of Creative Commons licences when browsing.

```
<rdf:RDF xmlns="http://web.resource.org/cc/"
  xmlns:dc="http://purl.org/dc/elements/1.1/"
  xmlns:rdf="http://www.w3.org/1999/02/22-rdf-syntax-ns#">
<Work rdf:about="">
  <dc:type rdf:resource="http://purl.org/dc/dcmitype/Text" />
  <license rdf:resource="http://creativecommons.org/licenses/by-nc-sa/2.0/" />
</Work>

<License rdf:about="http://creativecommons.org/licenses/by-nc-sa/2.0/">
  <permits rdf:resource="http://web.resource.org/cc/Reproduction" />
  <permits rdf:resource="http://web.resource.org/cc/Distribution" />
  <requires rdf:resource="http://web.resource.org/cc/Notice" />
  <requires rdf:resource="http://web.resource.org/cc/Attribution" />
  <prohibits rdf:resource="http://web.resource.org/cc/CommercialUse" />
  <permits rdf:resource="http://web.resource.org/cc/DerivativeWorks" />
  <requires rdf:resource="http://web.resource.org/cc/ShareAlike" />
</License>
</rdf:RDF>
```

Figure 2: Creative Commons Licence Described In RDF

The provision of such structured rights metadata allows search engines to provide much richer searching capabilities than would be possible if the licence conditions were only provided in a textual form. Both Google and Yahoo have released search interfaces which enable users to search for resources which satisfy particular rights requirements, such as resources which are free for commercial or non-commercial use.

Figure 3 illustrates a search using Yahoo’s Creative Commons search facility [12] searching for resources containing “QA Focus” and “UKOLN” which can be used freely. The results show that only the QA Focus briefing documents which contain the corresponding licence conditions are displayed in the search results.

5 Freeing IT Support Materials

Although interest in open access has initially focussed on research publications and datasets and teaching and learning resources, the authors feel that the education community can benefit if IT service departments take a pro-active role in making their support materials (e.g. documents, training materials, etc.) available under licensing conditions such as those available under Creative Commons.

IT service departments are well-placed to take a leading role in opening access to their support materials for several reasons:

- The IT services community has a culture of collaboration and sharing.
- Open access to support materials will complement interests in use of and provision of open source software.
- From an institutional perspective, open access to IT support materials will be less contentious than open access to teaching and learning or research materials.

In addition IT service departments will benefit from the experiences gained through the provision of open access resources, including experiences of open access management tools, training needs, user acceptance, provision of a test bed, etc.

Other service departments could also benefit from such an approach, such as staff development, student support services, etc. Such organisations may be involved in developing and providing IT support materials (as well as materials in other areas). There would be similar advantages to such bodies if resources could be more easily shared and repurposed.

6 Building On The UCISA-TLIG Document Archive

6.1 Background

A national Document Sharing Archive [7] for IT services documents was set up over 15 years ago. The Archive is now managed by UCISA-TLIG (Teaching, Learning and Information Group).

The Document Sharing Archive was originally aimed at information and training officers. IT services within Higher Education were encouraged to make their documentation available to colleagues in other institutions via the Archive. Subject to specified conditions of use these materials could be reproduced or adapted for academic use with the author institution retaining the copyright.

The Document Sharing Archive, which is illustrated in Figure 4, offers a number of advantages: it reinforces the collaborative nature of UCISA and a sense of affinity with colleagues in similar jobs elsewhere; avoids duplication of effort across the community and offers the opportunity of sharing existing work to mutual benefit and for collaboration in new areas.

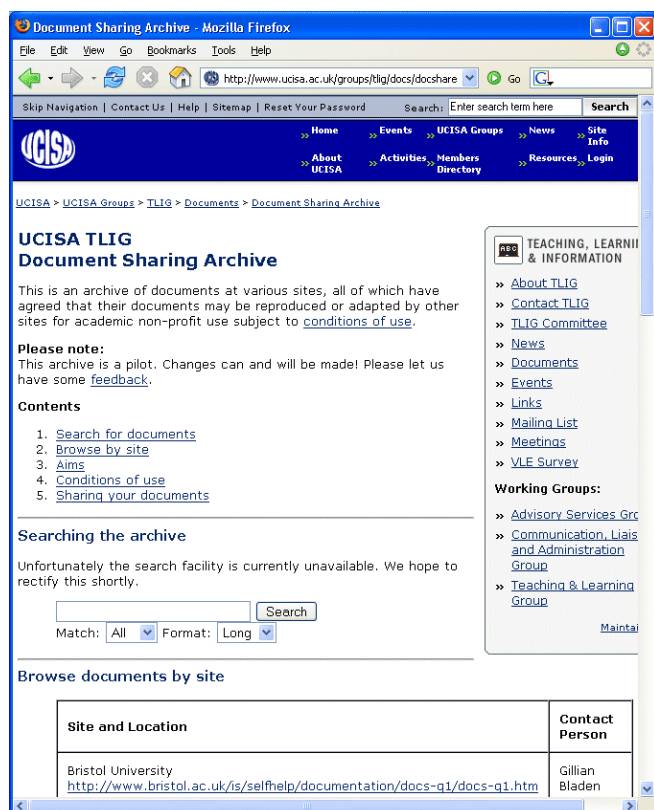


Figure 4: The TLIG Document Sharing Archive

However a number of difficulties were encountered, not least the maintenance effort required. It can be difficult for UCISA-TLIG staff, working as volunteers, to maintain the contents of the Archive, to promote its use and encourage others to contribute. This has resulted in the content of the Archive becoming out-of-date and its effectiveness impaired. Lack of knowledge of the service and concerns over copyright issues are further obstacles to wider participation.

6.2 Plans For The Future

Despite personnel changes and restructuring within UCISA-TLIG there remains interest in enhancing the Document Sharing Archive. The use of a Creative Commons licence would appear to have potential for application for IT support materials. Discussions on the policy of using a Creative Commons licence can be made locally. Such discussions can be made in an environment which is more conducive to this debate, as issues such as open source and open access are now being widely discussed within the community. In addition since a machine-readable definition of the licence is available and automated robots for harvesting resources containing Creative Commons licences are being developed, this can reduce the effort needed to maintain a centralised archive across the community.

Institutions could benefit if IT Service departments were to take a lead in addressing the sharing of support materials, since this would provide an opportunity to address issues such as owners and the tensions between collaboration and competition, as well as gaining experiences of technical issues, quality assurance, etc.

There are, of course, many parallels with use of open source software. IT Services many wish to consider the development of a policy of Creative Commons in parallel with an open source software policy [6].

7 A Deployment Checklist

When considering whether to make resources available using a Creative Commons licence the checklist given in Table 1 may prove useful:

Issue	Response
Does the organisation depend on the resources for a significant income generation stream?	
Does the organisation wish to keep tight control over the resources?	
Does the organisation seek to maximise awareness of and use of its ideas, resources, etc.?	
Does the organisation seek to embed its ideas in sectors outside its immediate stakeholder community?	
Do the contracts for relevant staff allow for the IPR to be licensed under a Creative Commons licence?	
Has the legal status and ownership of materials or part of materials created by third parties been established?	

Table 1: Checklist To Assist Selection Of Rights

Working through these issues should help organisations in deciding whether use of a Creative Commons licence would be appropriate. An online toolkit is being developed based on the above checklist which will provide links to more detailed information, case studies, etc. [11].

8 Conclusions

This paper has described how a Creative Commons licence has been used to maximise take-up of the QA Focus project deliverables. Details of the policy discussions and implementation processes have been provided. The authors feel that this approach could usefully be applied more widely and that IT Service departments are well-positioned to encourage a culture of sharing by encouraging an open access approach to IT support materials through use of Creative Commons licences.

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