OER OPEN EDUCATIONAL RESOURCES INITIATIVE

ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES

ASCCC OERI
Attribution Guide
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Introduction

One of the great advantages of using open educational resources ("OER") is the freedom to choose high-quality materials and recombine them for your own instructional purposes. If you properly attribute your sources that carry licenses that permit you to share and edit, you can publish and distribute these remixes to your students.

But wait... How do you properly attribute sources that have been remixed, mingled, and mashed up?

This guide will help you attribute remixed materials following attribution standards established by Creative Commons, while maintaining readability and usability for your students. It will also consider accessibility issues for students who require screen readers.

Although this document was created specifically for OER developers who are engaging in projects funded by the OERI, we hope that others will also find it to be a useful resource. While this document discusses attributions for all sorts of resources, open resources that are transient in nature (e.g., websites or videos that are not available for download) must only play an ancillary role in work funded by the OERI. Authors are encouraged to create an instructor's manual to suggest the use of such resources, as well as freely available or resources commonly purchased by colleges (e.g., Films on Demand).

Creative Commons Licenses

Creative Commons licenses provide a mechanism for authors and creators to communicate permitted uses of their work. Since a solid understanding of Creative Commons licensing is important when using and remixing OER, let's review the licenses you may find on source content. Creative Commons licenses are based on four conditionsi that creators, or license holders, can combine in various ways to grant specific permissions to future users of their work. Each condition is associated with an icon, a two-letter acronym, and the rights (or limitations) conferred by the condition. The simplest and most open Creative Commons license, for example, is referred to as "CC BY". "CC" indicates a Creative Commons license. "BY" indicates that attribution, recognition of the author, is required. It is important to note that all Creative Commons licenses are, at a minimum, CC BY. In other words, all licenses require that the author or creator be recognized. Please note that throughout this document the terms "author" and "creator" will be used interchangeably.

The CC BY license is the most open as this license allows anything to be done to the resource that bears it – you are permitted to not only modify it in whatever way you desire, you can even use it for commercial purposes. The only "restriction" associated with CC BY is that you must provide attribution to the creator. This is in stark contrast to resources that include the "No Derivative Works" (ND) condition and do not allow any modifications to be made to resources that will be shared.

Table 1 explains the various conditions in detail. Table 2 provides an overview of the impact of combining the various conditions.

Table 1: Conditions of Creative Commons Licenses[ii]

Icon	Right	Description
	Attribution (BY)	Licensees may copy, distribute, display and perform the work and make derivative works and remixes based on it only if they give the author or licensor the credits (attribution) in the manner specified by the license. Since version 2.0, all Creative Commons licenses require attribution to the creator and include the BY element.
	Share-alike (SA)	Licensees may distribute derivative works only under a license identical ("not more restrictive") to the license that governs the original work. (See also copyleft.) Without share-alike, derivative works might be sublicensed with compatible but more restrictive license clauses, e.g. CC BY to CC BY-NC.)
	Non-commercial (NC)	Licensees may copy, distribute, display, perform, make derivatives, and remix the work for non-commercial purposes only.
	No Derivative Works (ND)	Licensees may copy, distribute, display and perform only verbatim (unmodified) copies of the work, not derivative works and remixes based on it. Since version 4.0, derivative works are allowed but must not be shared.

These conditions are used in combination to create six regularly used licenses plus the CC0 (CC zero) public domain waiver.[iii]

Table 2: Characteristics of Public Domain and the Six Regularly Used Creative Commons Licenses[iv]

Icon	Description	Shortening	Attribution Required	Allows Remixing	Allows commercial use
	Freeing content globally without restrictions	CCO	No	Yes	Yes
	Attribution alone	BY	Yes	Yes	Yes
	Attribution + ShareAlike	BY-SA	Yes	Yes	Yes
	Attribution + Noncommercial	BY-NC	Yes	Yes	No

Icon	Description	Shortening	Attribution Required	Allows Remixing	Allows commercial use
	Attribution + Noncommercial + ShareAlike	BY-NC-SA	Yes	Yes	No
	Attribution + NoDerivatives	BY-ND	Yes	No	Yes
	Attribution + Noncommercial + NoDerivatives	BY-NC-ND	Yes	No	No

Considerations for Remixing OER

Creating new OER by taking relevant pieces of content from several openly licensed sources and remixing them into a coherent whole is a great way to make affordable learning tools available to your students. This allows the finished work to resemble more closely your pedagogy, as opposed to using a single OER source, or a traditional textbook where publishers make these pedagogical decisions for you and may overcharge your students for it. However, the task of remixing relevant OER resources into a single teaching material is complicated by the fact that OER sources can have different types of open licenses. Therefore, it is very important to keep track of the different Creative Commons licenses your original sources use to simplify the process of creating attribution statements for your remixed learning tools.

One tool for facilitating this tracking is the creation of a Course Content Catalog. A Course Content Catalog is a spreadsheet that serves as a guide to ensure that you gather (and maintain) all necessary source information as you build your resource. The Course Content Catalog was developed by Quill West of Washington's Pierce College. She also created a video tutorial that explains it's use.v

The source elements tracked in a Course Content Catalog are:
- Location of Resource in Course
- Topic/Outcome/Lesson
- Assessment Approach (How is student understanding of the content assessed?)
- Resource Type (image, text, video)
- Resource Title
- License
- Link to Original Resource
- Attribution
- Location of Attribution in Course
- Notes

It is important to respect the licenses of your source content. See Table 3 for an overview of which combinations of licenses are compatible. The following should be noted:
- Resources may be designated as completely open (in the public domain, CC0) to those that are merely "open" for sharing (CC BY-ND and CC BY-NC-ND). With respect to remixing, "ND" signals that a resource is not open.

- While the CC0 is compatible with all other licenses, licenses that contain "ND" (no derivatives) are not compatible with any other license as they cannot be modified or mixed with other materials.
- If the license of a final product is to contain "SA" (share alike), its components must consist of materials that carry the same license (as the SA indicates that the license cannot be modified) or resources that are not SA and are not incompatible with the selected license. As resources designated as C0 or CC BY have no real limitations, both can be integrated into resources containing the SA limitation. And a resource that is CC BY-NC can be used in one to be licensed CC BY-NC-SA as the terms of the original license are still being honored. In addition, a work with a CC BY-NC license can be used in a final product that is to be CC BY-NC-ND as, again, the original attribution and non-commercial requirements are still being honored.

*Table 3: Compatibility of Creative Commons Licenses*vi

Can I use	If the final product is						
	PUBLIC DOMAIN	CC BY	CC BY SA	CC BY NC	CC BY NC SA	CC BY ND	CC BY NC ND
PUBLIC DOMAIN	Y	Y	Y	Y	Y	Y	Y
CC BY	N	Y	Y	Y	Y	Y	Y
CC BY SA	N	N	Y	N	N	N	N
CC BY NC	N	N	N	Y	Y	N	Y
CC BY NC SA	N	N	N	N	Y	N	N
CC BY ND	N	N	N	N	N	N	N
CC BY NC ND	N	N	N	N	N	N	N

Besides accounting for and abiding by the different licenses used for your remixed learning tool, one must keep in mind accessibility issues, specifically, how the placement of attributions within your remixed learning tool can affect the students' experience using it. The presence of hyperlinks, non-friendly URL's, and other non-syntactic text within your teaching materials' content can affect the overall user experience, especially when the student uses assistive technologies such as screen readers. It is for this reason that we are recommending listing attribution statements in places other than within the body of your learning tool's content.

Attribution statements can be included at the end of the document, as an MLA or APA-style works cited or bibliography, or as footnotes or endnotes. Following the recommendations in this guide will ensure your students have a readable and affordable learning tool that properly attributes and credits each of the sources contributing to your remixed OER. [vii]

Basic Attribution Statements

The first step is to create proper *attribution statements* for the individual items you are going to remix. It is important to note that using OER in academia is still in its infancy and official standardized guidelines have not been established to handle attributions for remixed content.[viii] There is no one right way; just make sure your attribution is reasonable and suited to the medium you're working with. That stated, attribution is required (unless a resource is in the public domain), even if it's just a link to an "About" page that has that information.[ix]

A good rule of thumb is to use the acronym **TASL**, which stands for **T**itle, **A**uthor, **S**ource, **L**icense.

Title - What is the name of the material?
- If a title was provided for the material, include it. Sometimes a title is not provided; in that case, don't worry about it.

Author - Who owns the material?
- Name the author or authors of the material in question. Sometimes, the licensor may want you to give credit to some other entity, like a company or pseudonym. In rare cases, the licensor may not want to be attributed at all. In these cases, honor the request of the licensor.

Source - Where can I find it?
- Provide the source of the material so others can find it. It is a common practice to provide a URL or hyperlink to where the material resides.

License - How can I use it?
- You are using the material for free thanks to the CC license, so make note of it. Don't just say the material carries a Creative Commons license because that says nothing about how the material can be used. Remember that there are six different CC licenses; which one is the material under? Identify the selected license and provide a link to it, e.g., http://creativecommons.org/licenses/by/4.0/ for CC BY.
- If the licensor included a license notice with more information, include that as well.

Is there anything else I should know before I use it?
- When you accessed the material originally did it come with any copyright notices; a notice that refers to the disclaimer of warranties; or a notice of previous modifications? As that kind of legal language may be important to potential users of the material, a best practice is to retain such information by copying and pasting such notices into your attribution. Don't make it more complicated than it is -- just pass on any information you think is important.
- Regarding modifications: Don't forget to note if you modified the work yourself (example). If you are at the point where you are creating and licensing derivative works (example), see Marking your work with a CC license. (https://wiki.creativecommons.org/wiki/Marking_your_work_with_a_CC_license)
- A good attribution for material you modified slightly will specify the original title (if one exists), author, source, and license followed by the nature of the modification.
- A good attribution for a derivative work will state that the new work is a derivative of the old (specified by the original title, author, source, and license) and state the new author of the derivative work and the licensing.

These best practices are based on the existing Creative Commons (CC) licensing requirements. Note that the inclusion of a title is a requirement of all CC licenses version 3.0 or earlier and optional for 4.0. Including the author, source, license, and retaining any extra notices is a requirement of all CC licenses.

If you have any doubts or questions, you can read the complete attribution requirements which are spelled out in detail in the lengthy legal code of every CC license (e.g., Creative Commons Attribution 4.0 International Public License). The detailed attribution comparison chart compares the detailed requirements across all versions of CC licenses[x] and is available in Appendix A - Detailed Attribution Comparison Chart.

One easy way to create an attribution is with the Open Attribution Builder created by the great folks at Open Washington. The Open Attribution Builder prompts the user to input the relevant resource information, select a license, and specify if the work is a derivative. Upon providing this information, an attribution is produced that can be copied and pasted on the resource.
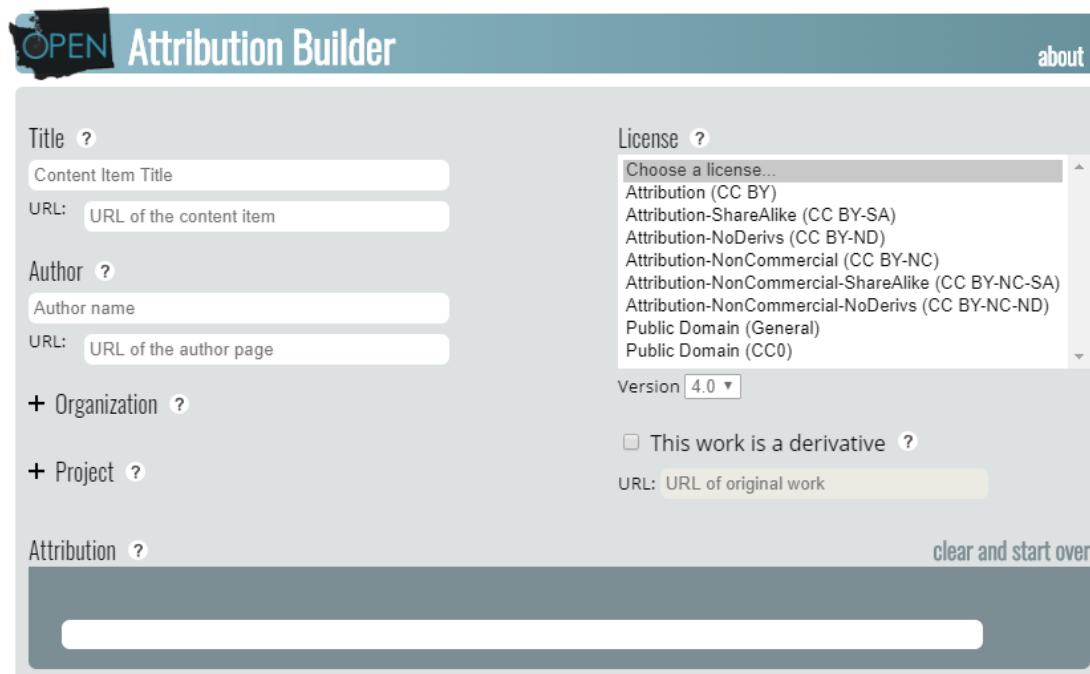

Figure 1: A screen capture of the Open Attribution Builder[xi]

For more detail on writing attributions, consult the Attributions tab of the Mt. Hood Community College Textbook Affordability Libguide or Creative Commons Best practices for attribution. [xii] How you attribute your source depends on what format your OER is. Let's look at the sources of content that would likely be included in a funded proposal.

Digital Formats of Text-Based OER

"Digital formats" includes web sites, web pages, PDFs, online tools, videos, etc. As such, the attribution for a digital OER is the most common type of attribution you will find and makes a good introduction to creating attributions. As referenced in the overview of the acronym "TASL", your attribution should contain four essential elements: *title of the work, author/creator statement, source or link to the original work,* and *license*.

Here is an example of an attribution for the main source of content used to create this attribution guide.

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"Attribution Statements for Remixed OER Content" by Kevin Moore, Open Oregon Education Resources is licensed under CC BY 4.0

Note that the title, author/creator and license included links to their respective sites. Most OER appears on the Web or in digital formats with hyperlinking functions, so most likely you will share these resources with your students in the same way.[xiii]

Attributions for Multiple Sources

Once you start combining OER, properly attributing multiple sources can raise questions. There are a few different ways to do this. Below you will find information on and examples of using footnotes and endnotes (which is what this document uses), compiled lists of sources, and standard citation formats.

Using Footnotes (or Endnotes)

One of the simplest and clearest ways to incorporate attribution statements in remixed OER may be by citing sources with footnotes (or endnotes, if you prefer). For example, this paragraph earlier in this document remixes two CC-BY sources of content:

> The first step is to create proper *attribution statements* for the individual items you are going to remix. It is important to note that using OER in academia is still in its infancy and official standardized guidelines have not been established to handle attributions for remixed content.[1] There is no one right way; just make sure your attribution is reasonable and suited to the medium you're working with. That stated, attribution is required (unless a resource is in the public domain), even if it's just a link to an "About" page that has that information.[2]

And the endnotes at the end of this document have attributions that correspond to each portion of adapted text:

> [1] Adapted from "Attribution Statements for Remixed OER Content" by Kevin Moore, Open Oregon Education Resources is licensed under CC BY 4.0
> [2] Adapted from "Best practices for attribution" by Creative Commons is licensed under CC BY 4.0

Compiled Lists of Sources

If the platform selected for OER development or publishing doesn't allow for footnotes or endnotes, authors may provide a list of licenses and attributions in a section at the bottom or end of the page, section, or chapter that the content appears in. Authors who are developing a resource outside of an OER development platform will want to keep the options available in the platform their resource will eventually reside in mind during development. Two popular development platforms, LibreTexts and Pressbooks, will be discussed to demonstrate the approaches that may be taken.

In LibreTexts (libretexts.org), footnotes and endnotes are an option and content within LibreTexts is broken up such that different sections of content can exist on discrete HTML pages. Authors can choose how to present their attributions in the manner that best meets their needs and provides the most optimal experience for viewing digitally or in print.

In Pressbooks (pressbooks.com), footnotes or end notes are not an option. Here is an example modified from Dave Dillon's OER Textbook *Blueprint for Success in College and Career*[xiv]. The list that follows appears at the end of Chapter 7: Speaking the Language of College.

Licenses and Attributions:
CC licensed content, Shared previously:
> A Different Road to College: A Guide for Transitioning to College for Non-traditional Students.
> Authored by: Alise Lamoreaux.
> Located at: https://openoregon.pressbooks.pub/collegetransition/chapter/chapter-4/

License: CC BY 4.0
Adaptions: Reformatted. Added learning objectives. Modified reasons for going to college. Updated sources.

Tim Ferriss: Smash Fear, Learn Anything.
Authored by TED.com.
Located at: https://www.ted.com/talks/tim_ferriss_smash_fear_learn_anything#t-19570
License: CC BY-NC-ND 4.0

While attribution formats may vary, the elements that are present should be consistent and reflect the TASL elements delineated previously. If you were to input these into the Open Attribution Builder, you would get the following attributions:

"A Different Road to College: A Guide for Transitioning to College for Non-traditional Students." by Alise Lamoreaux. is licensed under CC BY 4.0
"Tim Ferriss: Smash Fear, Learn Anything." by TED.com is licensed under CC BY-NC-ND 4.0

Using Standard Citation Formats

Scholars make attribution statements through standard citation formats such as Modern Language Association (MLA 8) and American Psychological Association (APA) styles. Adapting this method to remixed OER can simplify the attribution process. By using the signal phrases used in a scholarly citation, you can indicate a fuller attribution on a separate list of attributed works (traditionally known as a bibliography or reference page.)

For example:

Socrates (ca. 469 – 399 B.C.E.) (Greek Σωκράτης Sōkrátēs) was an ancient Greek philosopher and one of the pillars of the Western tradition. Having left behind no writings of his own, he is known mainly through Plato, one of his students. Plato used the life of his teacher and the Socratic method of inquiry to advance a philosophy of idealism that would come to influence later Christian thought and the development of Western civilization.

("Socrates")

The signal phrase ("Socrates") links to the original web page of the source. On the bibliography page, where you would find the following:

"Socrates." New World Encyclopedia, New World Encyclopedia, 8 Oct. 2015. Accessed 16 Mar. 2017. Licensed under CC BY-SA 4.0[xv]

Attributions for Images, Slides, and Videos

Images

Captions remain a reliable way to provide the creators or owners of an image proper credit, while also using CC license attributions. Some word-processing and web design software will enable you to create a caption that is attached to the metadata for the image, which helps users of screen readers by programmatically connecting the image and the caption. The caption on the image below provides an example of an attribution.[xvi]

*Figure 2: "The Death of Socrates" by Jacques Louis David is in the Public Domain*xvii

Slide Presentations

Presentation software such as PowerPoint provides instructors with creative ways to remix open resources and attribute those sources. Below you will see two slides using the Socrates example introduced earlier. In the first slide, the caption provides the attribution for the image, much as it would in a text-based document. On the second slide, essential information from the New World Encyclopedia entry is shared in bullet points with an attribution statement created with the Open Washington attribution builder.xviii

"The Death of Socrates" by Jacques Louis David is in the Public Domain

Figure 3: Slide with image and attribution statement as a caption. xix

Facts about Socrates

- Ancient Greek philosopher

- Known mainly through Plato

- Influenced Christian thought and the development of Western civilization

"Socrates" by New World Encyclopedia is licensed under CC BY-SA 4.0

Figure 4: Slide with bullet-point summary from attributed source. xx

Online Videos

Videos are a great way to share content with students. If your video content features remixed OER, the attributions may already be provided in that source content. For example, if the Socrates slide presentation above were to be turned into a video, the attribution statements are already included. Another method is to put the attribution statement at the end of the video. In the video Science Commons by Creative Commons, at the 1:52 mark a slide states that "All images and music used to create this work were licensed under Creative Commons licenses." Credit slides then list the originators alphabetically.

When you upload a video to YouTube, you have the option of selecting the license type, one of which is a Creative Commons license. For good examples of this practice, look at the videos on the Open Oregon channel on YouTube. You can find the license statement in the "about" box under the video.xxi

What About Using Content that is Fully Copyrighted?

What happens when you want to use content in your remixed OER that does not have a Creative Commons (or other open) license? If there are public domain or openly licensed alternatives, those should be used. Users can also contact the creators of the copyrighted content for permission to use the content or to ask them to consider adopting a Creative Commons license.

The OERI has developed a form that is to be used when its OER developers are seeking such permissions. If permissions are obtained during development, the documentation obtained should be maintained.

If no such sources of content are freely available, users should carefully evaluate whether their use of copyrighted content would qualify under fair use. If you are working on a project funded by the OERI and are encountering this issue, please reach out to your project lead. In general, a fair use exception will not apply except in one very general way that we often do not think of as being an element of fair use.

Information About Fair Use

Copyright in the U.S. is intended to promote the creation of new works by providing an incentive for creators. However, recognizing that new works often build on or incorporate existing works, the law

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strikes a balance between the rights of creators and the rights of users via exceptions to the exclusive rights of the creator.[xxii]

The fair use exception is detailed in Section 107 of the U.S. Copyright Act. Unlike other copyright exceptions, fair use is flexible and can apply to a broad array of uses. It is designed to be adaptable to new uses and technologies so that Congress doesn't have to create new exceptions before a new technology can be utilized.[xxiii]

Under the "fair use" rule of copyright law, an author may make limited use of another author's work without asking permission. However, "fair use" is open to interpretation. Fair use is intended to support teaching, research, and scholarship, but educational purpose alone does not make every use of a work fair. When academics reference existing resources, properly citing their sources as they incorporate brief quotes, paraphrases of positions, research findings, and so on, they (and their students) can do so because of fair use.

Instead of specifying an exact type of user, type of material, or amount that qualifies for this exception, the fair use statute provides a framework for the analysis and application of four factors that determine whether a specific use may qualify as fair use.
The four factors of fair use are:
- Purpose and character of use, including whether commercial (i.e. publishing a book) or non-commercial (i.e. using in a classroom assignment)
- Nature of the original material (i.e., is the work published or unpublished? Fact or fiction? Highly creative?)
- Amount and substantiality of the original work (are you using the entire work or just a portion?)
- Effect on the marketplace or on the work's value (will your use have a financial impact on the creator?)

When considering whether a proposed use of a copyrighted work may qualify as fair use, you must weigh all four factors together. Each factor is equally important.[xxiv]

Conclusions

We hope that this guide serves as a useful resource as you develop your OER. It is intended to exist in both a print format and as a "live" resource on the ASCCC OERI website (ASCCC-OERI.org). Please access the online version of this document for a complete list of resources and please let us know if you have any feedback or questions (oeri@asccc.org).

Acknowledgements

This guide was compiled by Jennifer Paris of College of the Canyons. Her attention to detail and appreciation of the endnote is much appreciated. Thanks to the entire 2019-2020 OERI team for their input and editing.

Appendices

Appendix A - Detailed Attribution Comparison Chart
("Detailed Attribution Comparison Chart" by Creative Commons is licensed under CC BY 4.0)

1.0	2.0	3.0	4.0
Author if supplied	Author if supplied	Author if supplied and attribution parties if designated in copyright notice, TOS, or other reasonable means	Creator if supplied and attribution parties if designated in reasonable manner
Copyright notices if supplied	Copyright notices if supplied	Copyright notices if supplied	Copyright notice if supplied
Title if supplied	Title if supplied	Title if supplied	N/A
Notices that refer to Public License and the disclaimer of warranties if supplied	Notices that refer to Public License and the disclaimer of warranties if supplied	Notices that refer to Public License and the disclaimer of warranties if supplied	Notice that refers to Public License and notice that refers to the disclaimer of warranties if supplied
N/A	To the extent practicable, URI licensor specifies to be associated with the work (but only if references copyright notice or licensing info)	To the extent practicable, URI licensor specifies to be associated with the work (but only if references copyright notice or licensing info)	To the extent practicable, URI or link to the material if supplied
If adaptation, credit indicating Work has been used	If adaptation, credit indicating Work has been used	If adaptation, credit indicating Work has been used and reasonable steps taken to identify that changes were made to the original	Indicate if you modified the material; retain an indication of previous modifications
Text/URI for Public License	Text/URI for Public License	Text/URI for Public License	Indicate the material is available under Public License and include text/URI/link
If collection or adaptation, remove reference to author and licensor upon request to the extent practicable	If collection or adaptation, remove reference to author and licensor upon request to the extent practicable	If collection or adaptation, remove reference to author and licensor upon request to the extent practicable	Remove attribution information upon request to the extent reasonably practicable

Copyright notice, author, title, credit noting use of original in adaptation – all may be implemented in any reasonable manner, so long as at least as prominent as other authorship credit if an adaptation or collection	Copyright notice, author, title, URI, credit noting use of original in adaptation – all may be implemented in any reasonable manner, so long as at least as prominent as other authorship credit if an adaptation or collection	Author, title, URI, credit noting use of original in adaptation -- all reasonable to medium and means	All reasonable to medium, means, and context

Features remaining unchanged

- Definition of "NonCommercial"
- Attribution required (but anonymity permitted)
- Prohibition on effective technological measures by users of CC-licensed works
- Exceptions and limitations unaffected
- License effective for all copyrightable material
- Notices must be retained
- No sublicensing
- Synching creates adaptations
- Licensing of collections
- Licensing of BY and BY-NC adaptations

Additional Resources

Available at ASCCC-OERI.org.

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