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From Paywalls to Public Works: Information Policy Infrastructure for More Inclusive and Impactful Scholarship

Will Cross

NC State University Libraries

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From Paywalls to Public Works: Information Policy Infrastructure for More Inclusive and Impactful Scholarship

Presenter 1 Title

Director, Open Knowledge Center & Head of Information Policy

Session Type

Event

Abstract

As the academy is increasingly invested in making scholarship open, many practitioners have focused on open licensing as the defining legal mechanism for openness. While licenses are critical for removing many barriers of cost, open scholarship requires much more in order to meet its mission as ethical, inclusive, and impactful. Open and public scholarship requires intentional design for public engagement that leverages the full suite of permissions, exceptions, and limitations built into the law. In this session we will explore the legal and policy tools available to scholars and the opportunities they create to build a system of scholarly communication that is truly open and inclusive.

Comments

Will Cross is the Director of the Open Knowledge Center & Head of Information Policy at NC State University, an instructor in the UNC SILS, and an OER Research Fellow. Trained as a lawyer and librarian, he guides policy, speaks, and writes on open culture and navigating legal uncertainty.

As a course designer and presenter for ACRL, SPARC, and the Open Education Network, Will has developed training materials and workshops across the US and for international audiences from Ontario to Abu Dhabi. Will's current research focuses on the relationship between copyright literacy and open education. He serves as co-PI on four IMLS-funded projects including the Code of Best Practices in Fair Use for OER, and Library Copyright Institute.



From Paywalls to Public Works

Information Policy Infrastructure for More Inclusive and Impactful Scholarship

Will Cross

Director, Open Knowledge Center & Head of Information Policy
North Carolina State University

Agenda

- How Open Has Evolved from Access to Knowledge
- Failure of Legal Literacies to Keep Pace
- “License +” Framework
- From Paywalls to Public Works: Five Legal Literacy Prescriptions
- Questions and Discussion



What Makes a Work “Open”?



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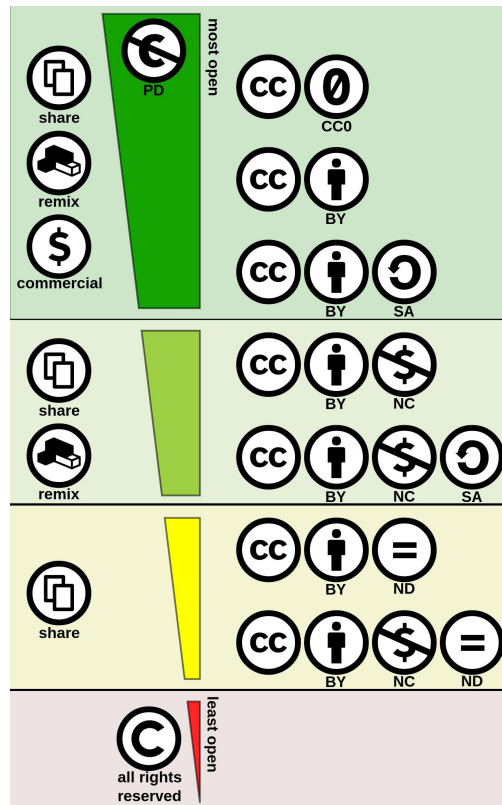
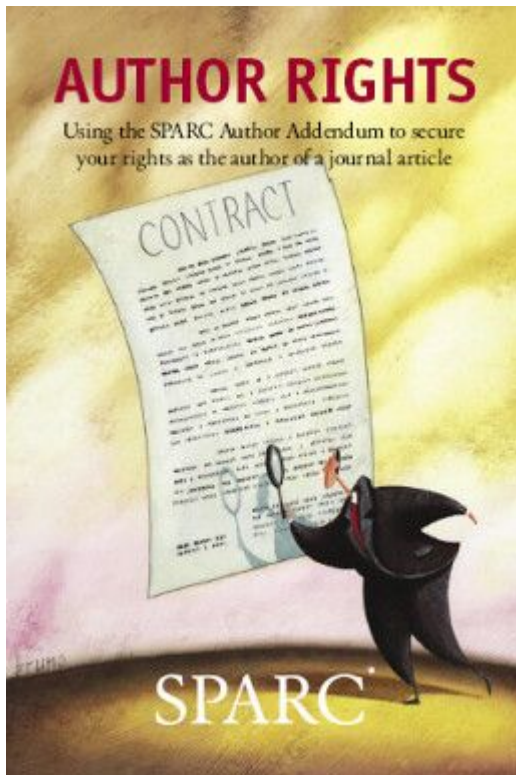
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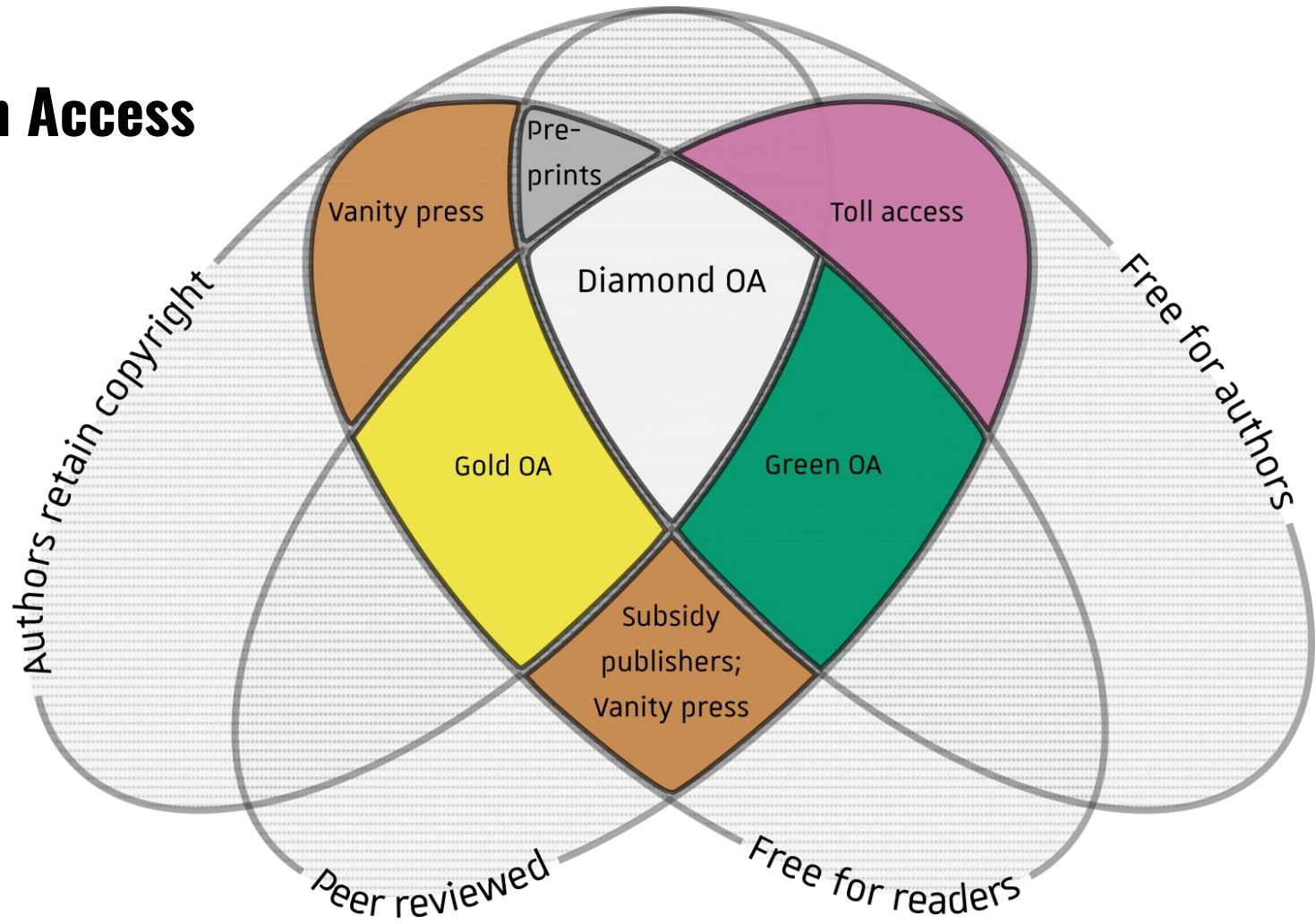


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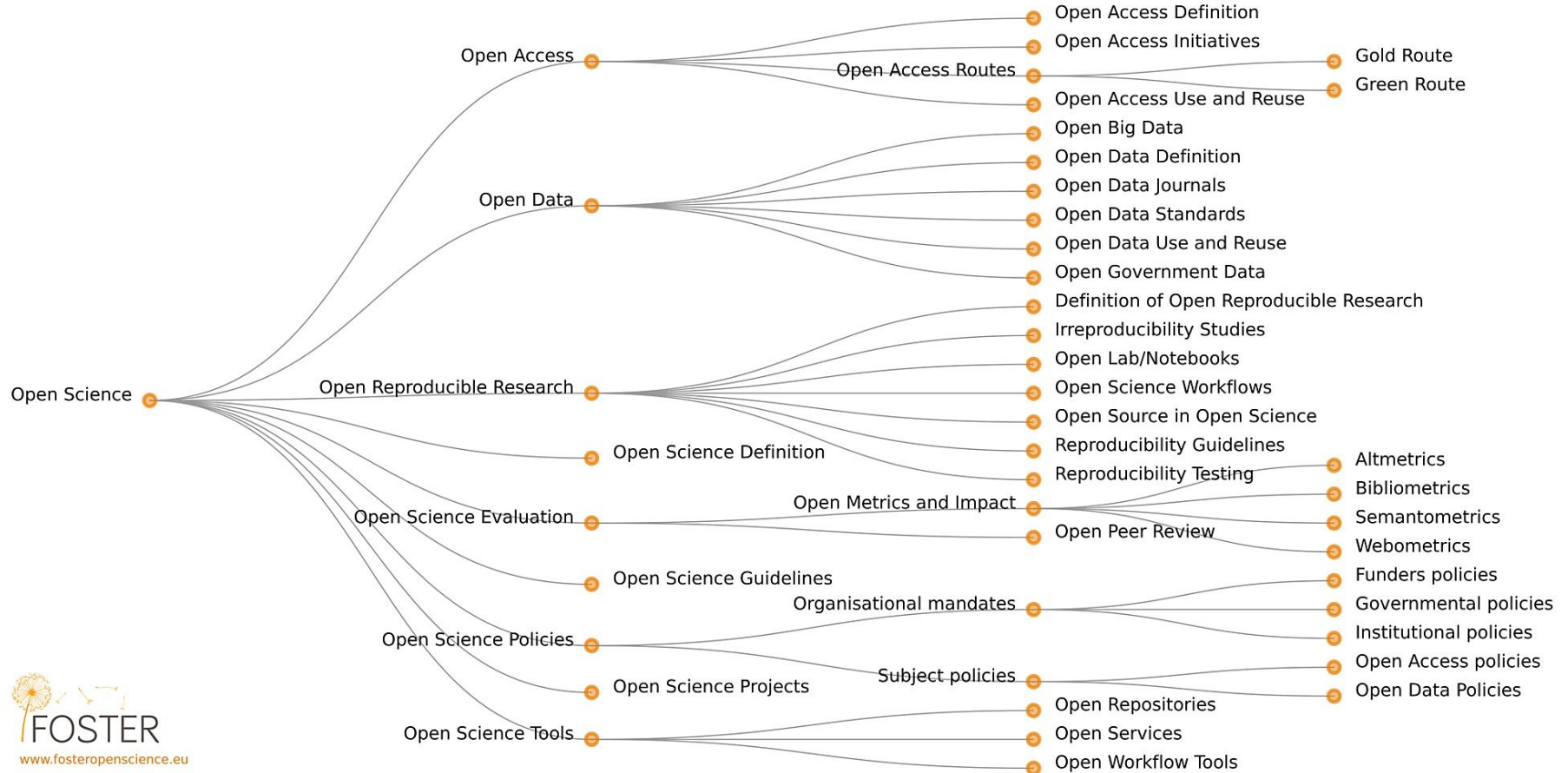
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- 2 **RETAIN:** Users have the right to make, archive, and “own” copies of the content.
- 3 **REVISE:** Content can be adapted, adjusted, modified, or altered.
- 4 **REMIX:** The original content can be combined with other content to create something new.
- 5 **REDISTRIBUTE:** Copies of the content can be shared with others in its original, revised, or remixed form.



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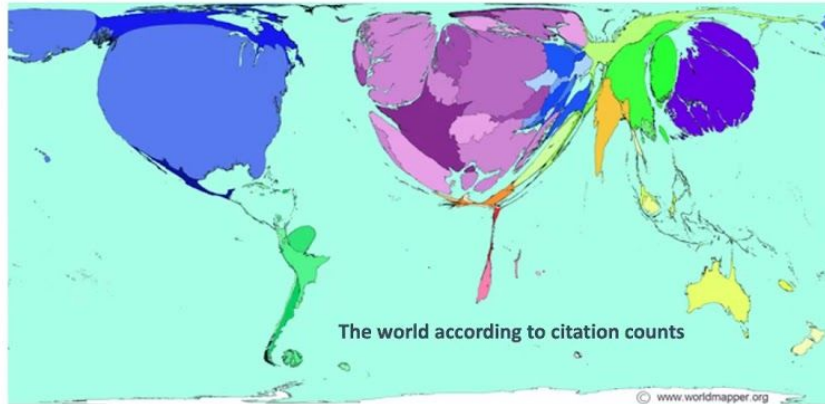


Open Science

3. Open Beyond the Academy

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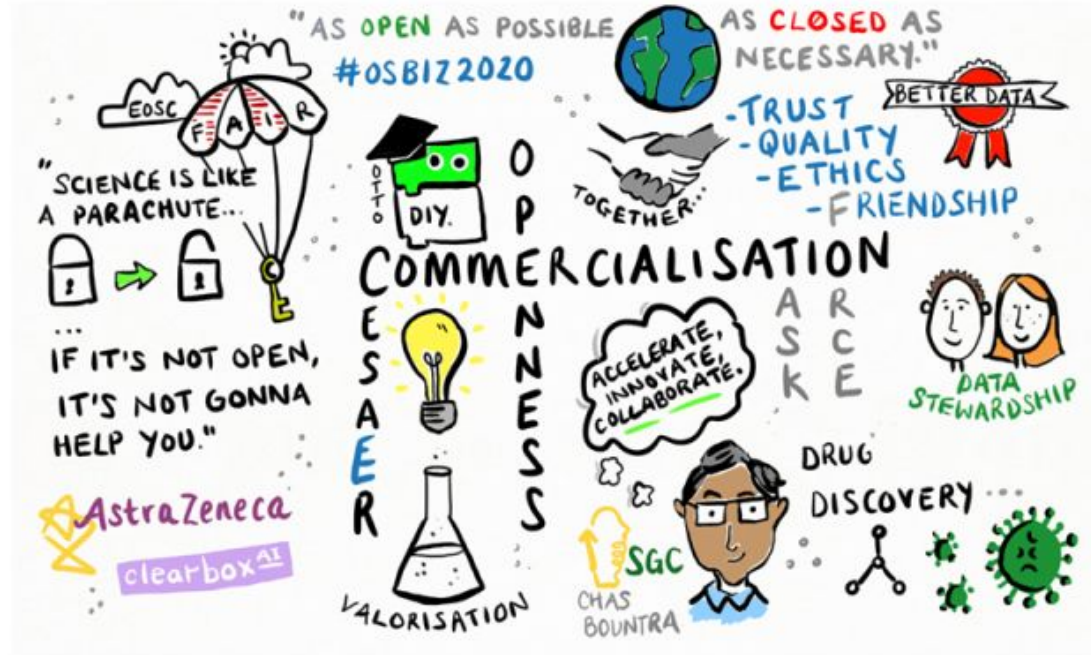
Unequal contribution and participation in Knowledge Production ?



Chan L, Kirsop B, Arunachalam S (2011) Towards Open and Equitable Access to Research and Knowledge for Development. PLoS Med 8(3): e1001016. doi:10.1371/journal.pmed.1001016
<http://127.0.0.1:8081/plosmedicine/article?id=info:doi/10.1371/journal.pmed.1001016>

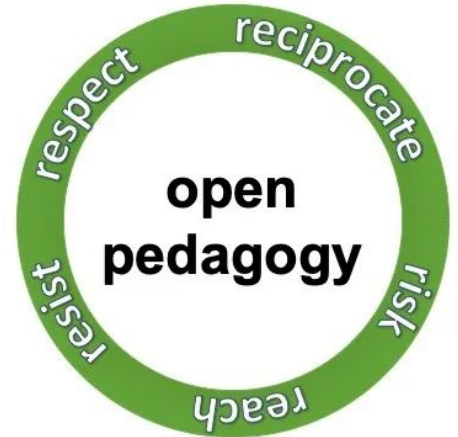


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A scenic view of a paved walkway and bicycle path lined with trees and a body of water. The path is paved with light-colored bricks and has a white line marking. To the left is a green lawn and a concrete curb. To the right is a metal railing and a body of water. The background is filled with large, leafy trees. The text "Open as Public Work Fit for the Use and Advancement of the Wider Community" is overlaid in the center in a bold, black, sans-serif font.

**Open as Public Work Fit for the
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Open Continues to Evolve - Legal Literacy Has Not Kept Up



Open = Free + Permission

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Open licenses as a “solution” to copyright

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Understand the connection between CC and copyright law.

Overview

Copyright law gives creators certain kinds of control over their creative work. If people want to use copyrighted work, they often have to ask for permission from the creator. Creative Commons works within copyright law. It allows creators to grant permission to everyone in the world to use their work in certain ways.

What is the difference between fair use and CC?

Posted on [July 18, 2018](#)

Fair use is a provision of copyright law that allows the use of a copyrighted work without permission from the copyright holder under specific circumstances. News reporting, teaching, and parody are all examples of activities that could qualify as fair use. Fair use is evaluated on a case-by-case basis, and considers the purpose of the use, how much of the original work is used, and how it impacts the market for the original work.

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1

Prehistory

Eugene Berger



Open Textbook Library

1.1 CHRONOLOGY

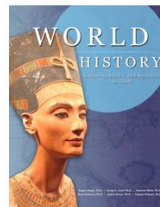
8 – 6 million years ago	Bi-pedal hominids in Africa
2.6 million years ago	<i>Homo habilis</i> begin to use tools
43,000 BCE	<i>Homo sapiens</i> expand out of Africa
50,000 – 10,000 BCE	<i>Homo sapiens</i> complete their migration to all continents
22,000 – 14,000 BCE	Last Glacial Maximum
c. 9,000 BCE	Younger Dryas event
c. 9,000 BCE	Jericho reaches its height
c. 7,000 BCE	Çatalhöyük reaches several thousand inhabitants
2,000 BCE	Paleo-Eskimos appear in the Arctic
2,000 BCE	Humans begin to make pottery

1.2 INTRODUCTION

In 1952, at the age of 77 and suffering with an abdominal hernia long overdue for surgery, Sellards returned to Vero to collect charcoal or bone suitable for the newly invented technique of radiocarbon dating. ... His longtime field assistant Glen Evans accompanied him, having left Texas with careful instructions from Sellard's physician about what to do if the hernia suddenly bulged. It did, and Sellards collapsed unconscious at the excavation. ... But the moment Sellards regained consciousness he insisted on continuing to excavate.¹

The above case of Florida State Geologist Elias Sellards demonstrates that the study of “human antiquity” or man's earliest origins is one surrounded by passion, controversy, and a deep well of curiosity. Our curiosity about our earliest origins has not only given birth to fictional characters like Indiana Jones and Captain Kirk, but also is largely responsible for the growth of archaeology in the early twentieth century. Western scholars and explorers were

¹ David J. Meltzer, *The Great Paleolithic War: How Science Forged an Understanding of America's Ice Age Past* (Chicago: University of Chicago Press, 2015), 1.



World History: Cultures, States, and Societies to 1500

(23 reviews)



Eugene Berger, Georgia Gwinnett College

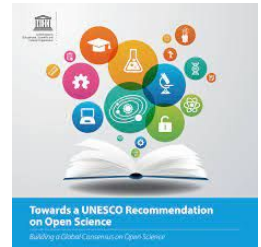
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“[Open science] builds upon existing intellectual property systems and fosters an open approach that [relies on] flexibilities that exist in the intellectual property systems”



“Licenses +” Framework



Licenses + Clear and Equitable Ownership

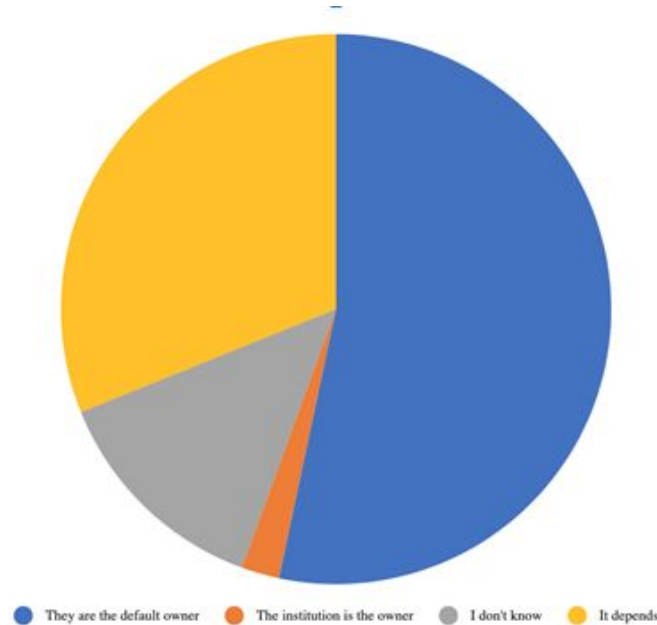


Figure 1: Presumed ownership of educational materials by faculty

Gumb, L. & Cross, W. (2022). In Keeping with Academic Tradition: Copyright ownership in higher education and potential implications for Open Education. *Journal of Copyright in Education and Librarianship*, 5(1), 1-11. <https://doi.org/10.17161/jcel.v5i1.14652>

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Licenses + Open Knowledge is More Than Copyright

Ebook Services Are Bringing Unhinged Conspiracy Books into Public Libraries

Librarians say Holocaust deniers, antivaxxers, and other conspiracy theorists are being featured in the catalogs of a popular ebook lending service.

By Claire Woodcock

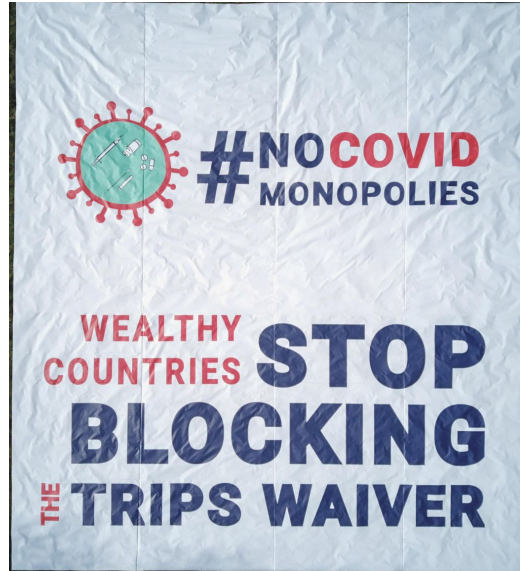
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For years, the digital media service Hoopla has given library patrons access to ebooks, movies, and audiobooks through bulk subscriptions sold to public libraries. But more recently, librarians have started calling for transparency into the company's practices after realizing its digital ebook collection contains countless low-quality titles promoting far-right conspiracy theories, COVID disinformation, LGBTQ+ conversion therapy, and Holocaust denial.



Why book banning is back

The fight over books in schools is part of a much bigger struggle, revealing where conservatism is today.

By Zack Beauchamp | @zackbeauchamp | zack@vox.com | Feb 10, 2022, 7:00am EST

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A display of banned or censored books is featured at Books Inc independent bookstore in Alameda, California, on October 16, 2021. | Smith Collection/Gado/Getty Images

From Paywalls to Public Works: Five Legal Literacy Prescriptions



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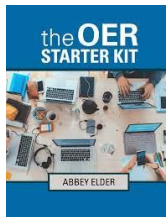
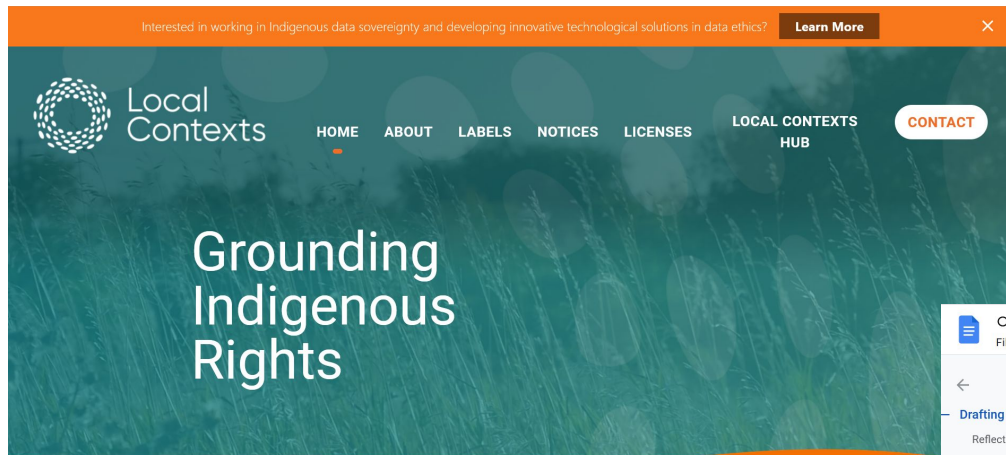


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Drafting Syllabus Statements

Diversity and Inclusion

Drafting Syllabus Statements

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You can use this worksheet to draft a syllabus statement for your course. Syllabus statements can be used to educate students about available resources on campus, foster a more inclusive classroom environment, or simply provide additional information about how your course is taught. Three statements highlighted here include explanations about OER, diversity statements and basic needs statements.

Note: Syllabus statements are **not** specific to courses that use OER, and can be done for any classroom! Feel free to share this worksheet with your peers or adapt it for your own context.

Harmonize Global Rules and Literacies




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Posted: August 9, 2017 | Updated: December 17, 2021

Author: Amanda Coolidge and Josie Gray, BCcampus, Sue Doner, Camosun College, Tara Robertson, CAPER-BC

The Accessibility Toolkit - 2nd edition is a collaboration between BCcampus, Camosun College, and CAPER-BC that includes updates and new material such as how to write an accessibility statement. The goal of the Accessibility Toolkit is to provide the resources needed so that each author, instructional designer, educational technologist, librarian, administrator, and teaching assistant can create a truly open and accessible textbook. The original edition of the Accessibility Toolkit has been translated into French at <http://opentextbc.ca/troussedoutildaccessibilite>

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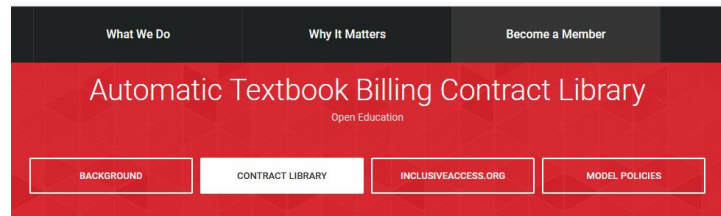
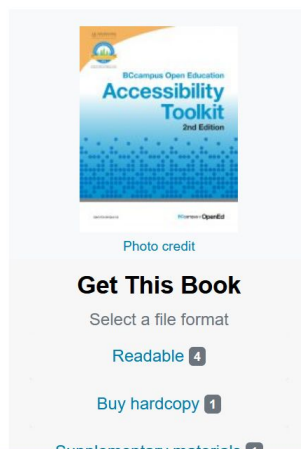
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2022 DIGITAL INITIATIVES SYMPOSIUM

Closing Keynote: What Does it Mean for Intellectual Freedom When our Library Vendors are Data Analytics Companies?

[Sarah Lamdan](#) *CUNY School of Law*

Session Type

Keynote Address

Start Date

26-4-2022 2:45 PM

End Date

26-4-2022 3:25 PM

Abstract

Library vendors are, more and more, data analytics companies. Data analytics companies don't just sell traditional library products, like informational content and library services platforms to libraries and research institutions. They also sell personal data products, including predictive "risk" and "metrics" products to all sorts of decision-makers, from grant funders to law enforcement. When library vendors also sell products that depend on personal data, it raises privacy and intellectual freedom issues for libraries and researchers. In this discussion, we'll take a look at the underpinnings of the data analytics business and talk about steps we can take to keep surveillance and data collection out of our library products and research resources.



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information
shouldn't
depend
on where
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