Defining the 'Open' in Open Content and Open Educational Resources

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Editor's Note

This was originally posted to [David Wiley's blog \[https://edtechbooks.org/-tFQ\]](https://edtechbooks.org/-tFQ).

The terms "open content" and "open educational resources" describe any copyrightable work (traditionally excluding software, which is described by other terms like "open source") that is either (1) in the public domain or (2) licensed in a manner that provides users with free and perpetual permission to engage in the 5R activities:

1. Retain - the right to make, own, and control copies of the content (e.g., download, duplicate, store, and manage)
2. Reuse - the right to use the content in a wide range of ways (e.g., in a class, in a study group, on a website, in a video)
3. Revise - the right to adapt, adjust, modify, or alter the content itself (e.g., translate the content into another language)
4. Remix - the right to combine the original or revised content with other material to create something new (e.g., incorporate the content into a mashup)
5. Redistribute - the right to share copies of the original content, your revisions, or your remixes with others (e.g., give a copy of the content to a friend)

Legal Requirements and Restrictions Make Open Content and OER Less Open

While a free and perpetual grant of the 5R permissions by means of an "open license" qualifies a creative work to be described as open content or an open educational resource, many open licenses place requirements (e.g., mandating that derivative works adopt a certain license) and restrictions (e.g., prohibiting "commercial" use) on users as a condition of the grant of the 5R permissions. The inclusion of requirements and restrictions in open licenses make open content and OER less open than they would be without these requirements and restrictions.

There is disagreement in the community about which requirements and restrictions should never, sometimes, or always be included in open licenses. For example, Creative Commons, the most important provider of open licenses for content, offers licenses that prohibit commercial use. While some in the community believe there are important use cases where the noncommercial restriction is desirable, many in the community strongly criticize and eschew the noncommercial restriction.

As another example, Wikipedia, one of the most important collections of open content, requires all derivative works to adopt a specific license - CC BY SA. MIT OpenCourseWare, another of the most important collections of open content, requires all derivative works to adopt a specific license - CC BY NC SA. While each site clearly believes that the ShareAlike requirement promotes its particular use case, the requirement makes the sites' content incompatible in an esoteric way that intelligent, well-meaning people can easily miss.

Generally speaking, while the choice by open content publishers to use licenses that include requirements and restrictions can optimize their ability to accomplish their own local goals, the choice typically harms the global goals of the broader open content community.

Poor Technical Choices Make Open Content Less Open

While open licenses provide users with legal permission to engage in the 5R activities, many open content publishers make technical choices that interfere with a user's ability to engage in those same activities. The ALMS Framework provides a way of thinking about those technical choices and understanding the degree to which they enable or impede a user's ability to engage in the 5R activities permitted by open licenses. Specifically, the ALMS Framework encourages us to ask questions in four categories:

1. Access to Editing Tools: Is the open content published in a format that can only be revised or remixed using tools that are extremely expensive (e.g., 3DS MAX)? Is the open content published in an exotic format that can only be revised or remixed using tools that run on an obscure or discontinued platform (e.g., OS/2)? Is the open content published in a format that can be revised or remixed using tools that are freely available and run on all major platforms (e.g., OpenOffice)?
2. Level of Expertise Required: Is the open content published in a format that requires a significant amount technical expertise to revise or remix (e.g., Blender)? Is the open content published in a format that requires a minimum level of technical expertise to revise or remix (e.g., Word)?
3. Meaningfully Editable: Is the open content published in a manner that makes its content essentially impossible to revise or remix (e.g., a scanned image of a handwritten document)? Is the open content published in a manner making its content easy to revise or remix (e.g., a text file)?
4. Self-Sourced: It the format preferred for consuming the open content the same format preferred for revising or remixing the open content (e.g., HTML)? Is the format preferred for consuming the open content different from the format preferred for revising or remixing the open content (e.g. Flash FLA vs SWF)?

Using the ALMS Framework as a guide, open content publishers can make technical choices that enable the greatest number of people possible to engage in the 5R activities. This is not an argument for "dumbing down" all open content to plain text. Rather it is an invitation to open content publishers to be thoughtful in the technical choices they make - whether they are publishing text, images, audio, video, simulations, or other media.
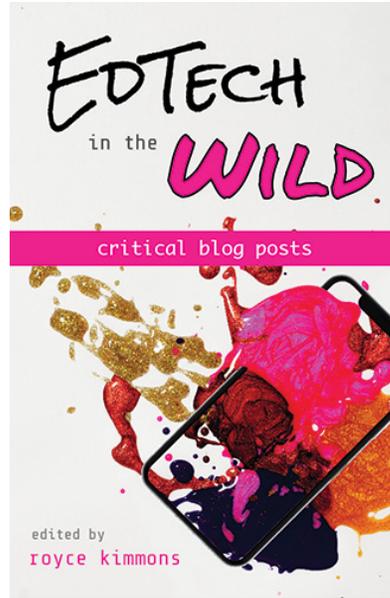
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