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Copyright Literacy and Open License Attribution as Scholarly Practice

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Abstract: *Aspects of copyright literacy and attributing open licenses as scholarly practice inform this commentary. Because citation practices have a much longer history than attribution, an overview of the study of citation and its relationship to the developing practice of attributing open licenses provides a model and trajectory to follow. Copyright literacy as part of attribution knowledge and skills bifurcates from citation scholarship, yet it is part of reconsidering and affirming knowledge connections. Decolonizing perspectives of epistemology and what counts as knowledge, ownership, and sharing are part of this bifurcation that involves attribution, Indigenous ways of knowing, and Traditional Knowledge Labels. There are also tensions involved with properly attributing Creative Commons licenses and the title, author, source, and license process offers an imperfect and sometimes complicated pathway forward. Through this process, accurate and effective license acknowledgement occurs for newly created, reused, revised, remixed, or reshared artifacts. It is suggested to use the online attribution builder and best practices for attribution placement are provided for written documents, presentations, blog posts, videos, and other formats. As part of open education practices, attribution signals contributions to the knowledge commons and are part of copyright literacy and professional digital competence.*

Keywords: *attribution, Creative Commons, open licenses, copyright literacy, citation practices, Traditional Knowledge Labels, professional digital competence*

Introduction

For students and scholars, citing sources and references has a long pedigree of practice, with various citation styles developed by specific disciplines – such as the American Psychological Association (APA), with its 2019 seventh edition. Although there is an ongoing and extensive digitization of knowledge, the newest APA style guide reinforces a closed copyright orientation and remains silent upon attributing openly licensed images, figures, and digital artefacts. In this abeyance, this paper acts as a placeholder and provides guidance for those who need to strengthen their copyright literacy awareness and need support for attribution practices for openly licensed material. My social location comes from my position as a white settler who instructs graduate students, researches, and explores open educational resources and open pedagogy while working for an open, digital-first university. As an education researcher, this discipline uses APA as the required citation style and although this paper provides APA as the example, my thoughts extend to other citation styles who have yet to determine attribution practices as part of the skills and mindsets of professional digital competence (Brynildsen & Haugsbakken, 2023). Over the last few years, I have witnessed the slow awareness of open licenses among members of the academy and students with a fulsome understanding of copyright literacy improving (Seaman & Seaman, 2023). The conflation of online access, digital sharing, and the notion of “free” creates murky understanding of open licenses and therefore inconsistencies in understanding copyright and attribution practice.

This paper has four sections with the first providing an overview of the study of citation practices and its relationship to the nascent practice of attributing open licenses, followed by a concise explanation of the roles of attribution, copyright, and public domain. The third section discusses copyright literacy and ethical open practices, including the tensions involved with Traditional Knowledge Labels. Suggestions for creating license notifications and attributions provide an imperfect pathway forward based in the flexibility inherent to Creative Commons licenses. It is hoped that students and their professors may further realize that “navigating the academic publishing system is not trivial, given the often complex legal and philosophical issues involved and all within the context of the lived realities of academic work” (Costello et al., 2019, p.4).

Citation practices

Established in 2001, Creative Commons and the licenses are now over twenty years old yet a literature review examining the role of open licenses and attribution practice indicates another abeyance. For this reason, I have looked to the near cousin of attribution, to citation practice and to its study as part of the sociology of science and knowledge, new rhetoric, and English for Academic Purposes (Swales, 2014). Even the term *citation practice* poses challenges as it is not the only term to refer to this scholarly writing practice and it has been called “*academic attribution, bibliographic reference, citation, discourse representation, intertextuality, referencing, and reporting*” (Hu & Wang, 2014, p. 2).

Citation practices in addition to being a rhetorical tool, serve cognitive and epistemological purposes and lay out “intellectual linkages, demonstrating paradigmatic allegiance, contextualizing research,

enhancing persuasiveness, and managing interpersonal relationships” (Hu & Wang, 2014, p.1). It has been argued that research articles and the citations included are a form of persuasive writing (Gilbert, 1977) and that citations contribute to the development of an authorial voice (Peng, 2019). Gilbert (1977) also noted that citation numbers are used as a metric of significance and research impact with redound serving the author’s career. Several decades have passed since Gilbert’s publication and software can now illustrate a map of a research article’s use by others, indicating the web of knowledge networks and the paper’s contribution to scientific specialties and disciplines (Harvard Kennedy School Library and Research Services, 2022). Bibliometrics, which is the statistical analysis and study of research impact of published studies, is the umbrella practice that includes citation analysis (O’Connor, 2016). Bibliometrics, citation analysis, and the study of digital knowledge networks, along with understanding citation within the sciences, specifically gendered citation practices have been examined. Since the early twentieth century, female scientists have experienced fewer citations of their research in contrast to male scientists - with this skewed citation practice named a “participatory epistemic injustice” (Hookway, 2010 as cited in McCusker, 2019, p. 1043). Another example of intellectual linkages is that of citation scholarship examining content analysis of references that explore the political nature of citation thus demonstrating that naming (i.e. citing) is a political act that amplifies or silences diversity of authorship within the academy (Chick et al., 2021).

As Gilbert(1977) notes, authors provide references to provide justifications for choices made and research decisions taken. Authors also include them to illustrate the novelty of their thinking and how their work nestles within the web of knowledge, and to establish their authorial voice (Peng, 2019). These interconnections of reading, writing, and thinking speaks to intertextuality and how each of us is indebted to many others in how we think, who else wrote down similar thoughts, and how knowledge is not a linear path but rather a network of networks. In other words:

Intertextuality is the way in which one piece of writing refers to, invokes, relies on, echoes, or otherwise uses other pieces of writing. The most explicit and direct form of intertextuality is direct quotation and citation. ...Because academic knowledge building and use is a collective enterprise, building on the ideas, research, and applications of prior researchers and responding to the proposals and arguments of contemporary others, intertextuality is a major visible phenomenon in academic writing (Bazerman, 2005, p. 12).

Just as there have been technological changes since the initiation of citing as part of scholarly writing, so too the understanding of the role of citations has changed, and therefore by extension these changes should now include open license attribution. Open license attribution in a manner similar to citing’s inherent intertextuality highlights a collective enterprise and one’s connection to the knowledge commons, largely writ.

Relationships among Attribution, copyright, CC & public domain

As a cousin to the concept of referencing, attribution is “the action of ascribing a work or remark to a particular author, artist, or person” (“Attribution”, 2020). Attributions are more than a pleasantry –

they are legally required, and highlighting their importance as a scholarly practice is the purpose of this article. Creative Commons (CC) licenses have brought forth the variety of attributions now possible with the values of open sharing originating in the open source software in the late 1980s (Free Software Foundation, 1989). Prior to the 2001 inception of Creative Commons open licenses, the copyright symbol © gave notice to content users the manner in which the content could be used, that is permissions had to be actively sought and gained. In academic articles, past and present, illustrative figures and their captions frequently include, along with the source, the author note of “used with permission”, thus indicating that the reuse permission was attained through a formal request, most likely an email to the original creator or the publisher (i.e., whomever holds the copyright). Copyright permission requirements, then and even today, reflects the concerns of publishers, who often do not allow authors to rely on their fair dealing/ fair use rights. Prior to the internet, copyright requests were made through the postal service on paper and seeking copyright permission was therefore time-consuming and a niche activity related to those involved with publishing. It has been well-established that authors and their representatives have long been seeking permission for content reuse and have included copyright attributions as part of standard publishing practices. But as time passes and technologies change, so do scholarly conventions. Although seldom seen in this light, open licenses attributions are not a new practice, but rather relate to a broadening and significant expansion of citation skills and the epistemological shifts in knowledge documentation and exchange.

To understand the context of attributions, a review of copyright, public domain and Creative Commons licenses is necessary. A fulsome history of copyright has been covered by others (McGreal, 2004; Secker, 2010), with practices and variations affected by a country’s law as there is no international copyright law. There are, however, international treaties and conventions influencing copyright (e.g. the Berne Convention and the WIPO Copyright Treaty) and continual changes as digital communications and technologies have evolved regarding content creating and sharing (Government of Canada, n.d.). Part of this copyright evolution occurred in 2001, with the initial development of the Creative Commons (Garcelon, 2009). As the legal scholar Ashley West (2009) states: “Creative Commons is not a substitute for copyright; instead of replacing copyright laws and protections, the Creative Commons licenses supplement and adjust the rights of the copyright holder”(p. 907). Prior to the CC licenses, authors original fixed work, such as a printed short story in contrast to the unfixed, live performance of the story (Aboy, 2006), was protected by copyright and entered the public domain upon expiration of the copyright protection terms. As figure one indicates, from 2001 onward when an author creates a fixed and original work, an author can select conventional copyright or through CC licenses waive or select rights (e.g. non- commercial). Open licenses support an efficient, differentiated, and clear means for indicating authors’ rights that also corresponds to the users of the work understanding the limits of how the work should be used.

There are now six public copyright licenses as well as the CC0, the zero license, which is a tool for an author/creator to release their work into the public domain while still being alive (Figure 1). Release of works into the public domain varies with each nation, and for a country such as Canada, the “life plus 70 rule” currently applies (i.e. copyright lasts for the creator’s life, and then seventy years past the

calendar year of the creator’s death) (Zerkee, 2023), albeit there are varying copyright terms. The zero license was released in 2009 to support open sharing of scientific data (“Creative Commons licenses”, 2022) and as a legal mechanism for works entering the public domain or its equivalent with a waiver when the creator is still alive because such transfers may be cumbersome and time-consuming in some countries (“Public-domain-equivalent license”, 2022).

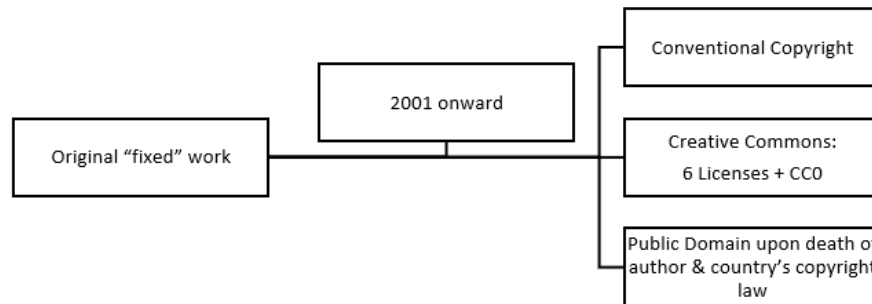


Figure 1: Copyright choices for non-Indigenous content

In addition to the zero license, there are currently six Creative Commons licenses: Creative Commons By (CC BY), Creative Commons By -Share Alike (CC BY-SA), Creative Commons By-NonCommercial(CC BY NC), Creative Commons By- NoDerivs (CC BY ND), Creative Commons By-NonCommercial Share-Alike(CC BY NC SA), and Creative Commons By-NonCommercial-NoDerivs (CC BY NC ND) (Figure 2). These licenses provide nuances as to what rights are reserved unlike conventional copyright practice where the copyright holder defaults to “all rights reserved”. The CC permissions include whether one needs to share the revision or remix with the same license (i.e., CC BY-SA and CC BY-NC-SA), whether one may not commercialize (i.e., CC BY-NC and CC BY-NC-ND), and whether one is not allowed to make derivatives (i.e., CC BY-NC-ND). All Creative Commons licenses require the use of attributions i.e.CC BY. These choices reflect a western ontology and epistemology of intellectual property which contrasts with other conceptions of where, how, and with whom knowledge may be shared as reflected through Indigenous ways of knowing and the Traditional Knowledge Labels, discussed later in this paper.

In the USA, copyright law protects aspects of non-commercial and non-derivative infringement whereas contract law covers share alike and attribution (West, 2009). This distinguishing between copyright and contract law tends to shift attention onto copyright law and creates a lighter and social interpretation of the importance of the practices of share alike and attribution as most people do not realize the contractual nature of open licenses, unlike the stronger emphasis on copyright law and its possible breaches.

By having the permissions indicated as to what the creator has granted – in advance of permissions being sought and therefore as part of the open license, the license selection expedites how, when, and where other users may use the openly licensed creation. In other words, the creator makes the decision regarding what types of reuse are possible when assigning the license. There is no need to seek further

permissions when being reused, revised, remixed, or redistributed unlike in the case of conventional copyright and the earlier example of “used with permission” sought through email or post.

“Creative Commons license spectrum between public domain (top) and all rights reserved (bottom). Left side indicates the use-cases allowed, right side the license components. The dark green area indicates Free Cultural Works compatible licenses, the two green areas compatibility with the Remix culture. The bright green area alone can be seen as similar to the "fair use" concept, and the yellow area to the "freeware concept.” ["Creative Commons license spectrum"](#) by Shaddim, original CC symbols by Creative Commons via Wikimedia Commons is licensed under [CC BY 4.0](#).

Note. This caption originates with the Wikipedia Creative Commons license entry that is attached to the .svg file of this image (*figure 2*), licensed with CC BY 4.0. I have put the caption in quotes to indicate that it is from the contributor Shaddim but conventional citation practices become blurred in these situations.

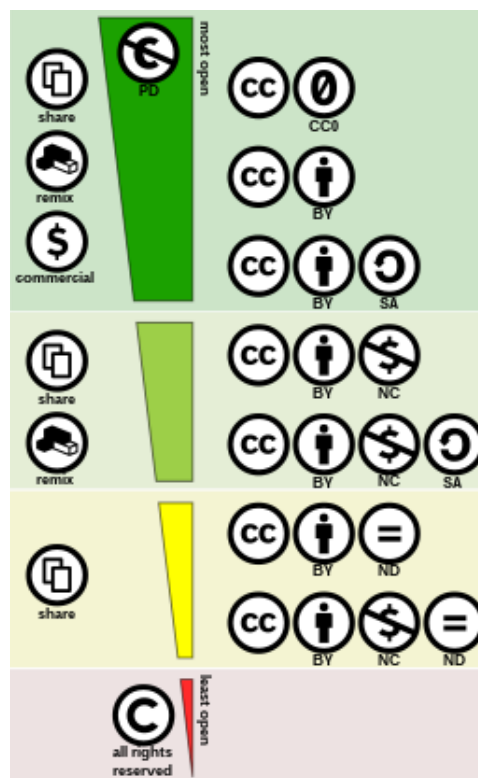


Figure 2: Creative Commons licenses

Copyright literacy

Awareness and understanding of copyright has changed since 2001 to becoming integral to professional digital competence. Moving from fuzzy awareness to the conception of copyright literacy (Morrison, 2018) has been part of this transformation. Although the term “copyright literacy” was

coined in 2012 (Morrison, 2018), its significance is still gaining awareness beyond librarians and institutional copyright officers and is defined as “acquiring and demonstrating the appropriate knowledge, skills and behaviours to enable the ethical creation and use of copyright material” (Secker and Morrison, 2016 as cited by Morrison, 2018, p. 97). With the affordances of digital copies of most anything used in teaching, learning, and scholarship arises the importance of becoming copyright literate. These affordances also demand a critical copyright literacy that entails these five components:

- examining the history and philosophy of copyright;
- demarcating the boundaries of what it covers and protects;
- understanding the practicalities and power dynamics of licensing systems (including open licensing);
- helping people interrogate the mechanics, ethics and cultures around ‘sharing’;
- and, finally, looking at the consequences and remedies if a dispute does arise (Morrison, 2018, p. 98).

Considering these five areas of copyright literacy enables all levels of learners and scholars to recognize their role in using and sharing content, especially in digital environments. Because the open licenses are still relatively new compared with the much longer understanding, practices, and statues of conventional copyright, many educators at all levels have not learned the changes that CC licenses have brought, including attribution practices. Unfortunately, it is not uncommon for a slide presentation at a conference to have images from the web inserted throughout without acknowledgement of their copyright or attribution. Knowledge of where and how to attribute, as well as why attribution is necessary requires further attention and there is a need for greater understanding of copyright literacy as part of open educational practices (OEP). Defined as an umbrella term derived from open educational resources (OER), open educational practices include open access, open scholarship, and open learning with the emphasis on evolving educational practices. Open educational practices (OEP) may be analyzed with an “Evolving- Adaptive-Open Approaches” framework that includes technology, pedagogy, culture, labour, finance, and legal issues wrapped within philosophy, theory and practice ((Koseoglu & Bozkurt, 2018, p. 454). Another framework for OEP analysis is the Open Educators Factory (Nascimbeni et al., 2018). This framework has four areas of activity (i.e. design, teaching, content, and assessment) with three levels within each area that move from conventional practices to more open. The most detailed framework developed by McNally and Christensen (2019) has eight factors with the three scenarios of closed, mixed, and most open. As they note “ many factors transitioning from mixed to most open may require a large degree of effort and skill” (para. 19) and that openness hinges upon the licenses and therefore copyright literacy. All three frameworks acknowledge the role of open licenses, copyright literacy, and therefore the importance of attribution as part of open educational practices. When instructors engage in open pedagogy (Hegarty, 2015), use open educational resources and participate in OER-enabled pedagogy (Wiley and Hilton, 2018), the need for copyright literacy becomes evident (Boston, 2019).

Copyright literacy does not come without a cost as librarians, institutional copyright experts, and educators have noted copyright fear, anxiety and hesitancy as part of copyright chill (Wakaruk et al., 2021). This chill creates a context where “a legitimate use of copyright-protected materials is discouraged or inhibited by the threat of legal action, real or perceived.” (p. 2). Such situations may limit or influence new creations, revisions, remixes and sharing because of “a lack of understanding and an abundance of nervousness about the interpretation of copyright law.”(p. 2).With the evolution of open educational practices, frameworks to analyze OER and aspects of copyright literacy, contrasted with copyright anxiety (Wakaruk et al., 2021) it becomes evident that digital affordances have heightened our need for and understanding of the permission nuances and sophisticated choices that the CC licenses provide. Copyright literacy is part of the skill set of students and educators in all disciplines and as Silbey (2016)notes reinforces the change from culture- consumers to culture-producers .

Ethical open practices and Traditional Knowledge Labels

As part of copyright literacy arise questions of ethics and epistemology. Copyright comes from a western set of values regarding the conception of ownership. Within this perspective it is important to note that the concept of property law does not translate equivalently to intellectual property law because intellectual property is more mutable and may not have a tangible “fixed” asset (West, 2009). As part of the transformations brought by digitized assets is the need to redefine legal distinctions with our societal shift to digital processes, copies, and ease of sharing. Our copyright laws and their interpretation (Silbey, 2016) as well as our copyright understanding need to reflect current practices.

As part of these discussions related to changes in copyright practice, ethics, CC licenses, and public domain arises the questions of: *What is knowledge? Can knowledge be owned? What is common knowledge? What are other perspectives upon knowledge and how it is shared? What roles do copyright and open licenses play within a digital age?* Such questions inform the legal theory of copyright and intellectual property and the justifications of national laws in these areas. Legal scholars continue to explore the fuzziness of practice and the nuances of fair use (i.e., fair dealing in Canada)and “permissive flexibility” (Silbey, 2016, pp. 859-860).These are not small questions and scholars, such as oral historians have had to wrestle with these issues:

We do not contend that Creative Commons has resolved all of our questions about who ‘owns’ oral history, nor do we claim expertise in intellectual property law. But as oral historians seeking alternatives, we believe that this combination — traditional copyright with Creative Commons licensing — fulfills our dual needs to maintain the rights of individual participants while sharing history with the public. (Dougherty & Simpson, 2012, p. 3)

This blend of traditional copyright with CC licenses, a copyright hybrid provides a middle ground for many publishing situations. Dealing with intellectual ownership and copyrights requires a thoughtful and informed process and working with attributions brings one to these adjacent topics and concerns.

Just as technologies have wrought changes so too it is with political and social changes. Within Canada's efforts to respond to the Truth and Reconciliation Commission's Calls to Action regarding education (Education for reconciliation, 2022), there is a need for not only attribution awareness and copyright literacy but also this need extends to understanding traditional knowledge labels. Copyright laws' western perspectives and values become obvious when contrasted to Traditional Knowledge Labels (TKL). Initially developed in 2008, as part of establishing Indigenous data sovereignty and procedures for sharing through digital technologies, TKL labels were created for Provenance (six labels), Protocol (nine labels) and Permissions (five labels). As the Local Contexts (2022) website states these TKL labels were created:

...through sustained partnership and testing within Indigenous communities across multiple countries, the Labels allow communities to express local and specific conditions for sharing and engaging in future research and relationships in ways that are consistent with already existing community rules, governance and protocols for using, sharing and circulating knowledge and data. Communities customize their TK & BC Labels. (para. 1)

Also stated on the same webpage, further information about TKL is provided:

The TK Labels support the inclusion of local protocols for access and use to cultural heritage that is digitally circulating outside community contexts. The TK Labels identify and clarify community-specific rules and responsibilities regarding access and future use of traditional knowledge. This includes sacred and/or ceremonial material, material that has gender restrictions, seasonal conditions of use and/or materials specifically designed for outreach purposes.

The TK Label text is intended to be customized by each community – giving the Labels specificity and context. The title of each TK Label can be translated into one or more languages and displayed in addition to the default Label title. The TK Label icons are not to be altered. This is to ensure national and international recognition and integrity across content and collection management systems, online repositories, websites, and physical exhibits. (para 2 and 3).

In other words, Creative Commons licenses do not apply with Indigenous traditional knowledge and teachings.

Yet in the world of education with its digital possibilities, pathways to meeting the reconciliation and calls to action regarding education are being sought. The Canadian librarian Kayla Lar-Son from

Xwi7xwa Library First Nations House of Learning at the University of British Columbia has co-created the 6Rs of Indigenous OER¹. These principles include:

1. **Respect** – For Indigenous cultural identity, communities, and topics
2. **Relationships** – Connects to the concept of all of our relations and building relations with communities
3. **Responsibility** – Responsibility to share only when we are allowed, and to publish in an ethical way while considering ownerships, protocols and community practices
4. **Reverence** – Respect for the sacred
5. **Relevance** – Legitimize and incorporate Indigenous Knowledges into curriculum when it makes sense
6. **Reciprocity** – Both receiving and giving with communities.

By understanding and applying the 6 R's framework OER creators and the contingent appropriate attributions may respectfully begin - providing that adherence occurs to relevant protocols and processes to ethically incorporate Indigenous knowledges (Antoine et al., 2018; Watson & Jeppesen, 2020). However, even with applying this framework there are further aspects to consider:

So often within the Canadian context, Indigenous cultural expressions are easier to cover under Canadian copyright law because they're a tangible object. Every community is different in their protocols and in the way that knowledge is shared. In many communities, knowledge is earned. For example, in some communities, some knowledges may only be shared when a person reaches a certain age, or people of a certain gender, or during different seasons or at times of the year. ...It's important to think more widely about copyright law in Canada and how it affects Indigenous data sovereignty and how it may be in tension with Indigenous protocols. Traditional knowledge may also be owned collectively by the group for cultural claims and so often expressions of traditional knowledge cannot qualify for protection under Canadian copyright law because they are considered in the public domain or the author of the material is often not identifiable. **For these reasons, open licenses, such as Creative Commons licenses, may not be appropriate for sharing Indigenous knowledges.** [*emphasis in original*]. (Fields et al., 2022, para 2 and 3).

Awareness of TKL labels and their significance is integral to honouring authentic changes toward conciliation and reconciliation and educational content creators, educators, and students simultaneously need this understanding. Without such understanding, attribution practices using TKL may become murky.

¹ In keeping with Indigenous ways of knowing these 6 Rs “are influenced by the [FAIR](#) Guiding Principles for scientific data management and stewardship and [CARE Principles for Indigenous Data Sovereignty](#), as well as adapted from the [4 R's of First Nations and Higher Education](#) (Kirkness & Barnhardt) and the [UBC Longhouse Teachings](#).” (Fields et al., 2022, para 4). The Western conventions of ownership of knowledge and ideas is somewhat incompatible with Indigenous ways of knowing.

Creating attributions

Properly attributing CC material has its challenges due to the flexibility of the licenses and that many smaller items such as photographs may contribute to a larger product such as a paper or presentation. Nesting CC licensed materials within a larger output can become complicated and confusing and the intended flexibility may become a stumbling block. Yet, it is the only current imperfect pathway available.

In the Creative Commons Certificate course instructors recommend that creating attributions require the *Title, Author, Source, License* (TASL) and the course hyperlinks to the CC wiki on attribution for greater clarification (*Recommended Practices for Attribution - Creative Commons*, n.d.). Recognizing the legal, ethical, and best practice need for attribution support, the digital [Open Washington Attribution Builder](#) effectively creates a proper attribution. This web-based app incorporates TASL as well as including the author's url, the organization, and the project. One can choose the license type, ranging from the oldest CC version and indicate if what is being attributing has experienced modifications and would be a derivative. The app designers ensured that TASL attributions had derivative possibilities included because the concept of revising or remixing openly licensed material is part of the sophisticated adapting and modifying possibilities inherent to CC licensed material. Whether an image or an audio file, if the content attributed is digitized, the attribution builder effectively assists in making detailed and proper attributions. This ascription can then be included into the digital document or website, as the designers included the widget coding. If not using the attribution builder one must “give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use” (Creative Commons license spectrum.svg, 2022, para 4).

Attributions are an additional step that needs greater understanding and attention. Just as students and educators need support from librarians regarding proper citation skills, when composing an essay or preparing slides for presentations, the digital skill set of attribution needs more attention. Students frequently see APA citations as a tedious requirement and without effective support for attributions, instructors requesting TASL for openly licensed material may become another tedious task for students (and this sense of tedium may extend to the instructors as well if they are not copyright literate about open licenses). Although the legal aspect seems underplayed by open advocates, attributions are both ethically and legally required, and form a high standard for best practices. With the attribution builder, there is an ease to doing what is the right thing – creating and including the attribution for the openly licensed content.

Using the attribution builder is an important first step, but style manuals provide little direct guidance as to the placement of the licenses and attributions. The format of the knowledge dissemination such as a scholarly article, a video, a blog post, or a slide presentation also creates further questions as to where to locate licenses and attributions. Although this table (*Table 1*) is not exhaustive, it provides suggestions based on the Creative Commons certificate course, my own teaching of graduate students, authoring various knowledge mobilization artifacts, and observing the practices of other scholars.

Table 1: License and attribution locations and style

Format	License/Attribution Location	Style
Video	License - open credits prior to title.	Clear indication of CC license through the CC icon with written permissions; enough time duration for audience to view
Podcast	License - opening credits prior to title.	Clear indication of CC license; enough time for audience to hear.
Podcast transcript	License - at the beginning of transcript. Attributions (if used) at transcript end.	Clear indication of CC license; use of CC icon is optional but preferred when possible; TASL attribution builder digitally embeds pertinent information.
Blog post	At the end of post.	Use of CC icon; TASL attribution builder digitally embeds pertinent information.
Blog images	Adjacent to the image.	TASL attribution builder digitally embeds pertinent information.
Paper	With the inserted figure.	TASL attribution builder digitally embeds pertinent information.
Presentation slides	License with the title slide. Attributions adjacent to images or image attribution list at paper's end on a separate slide before References.	TASL attribution; if listed at end refer to slide numbers; TASL attribution builder digitally embeds pertinent information.

When sharing an openly licensed video, having the CC license notification at the beginning aligns with the practice from the 1990s of commercial VHS videos and their copyright warning regarding illegal copying of the VHS. Rather than a cautioning notice, when the CC licenses appear at the beginning the inferred permissions of reusing, revising, remixing, retaining, and redistributing may encourage viewers to consider adaptations of the video, in whole or in part. Podcasts, like videos benefit from the license being stated at the beginning of the episode, with a written transcript also having the license stated at the beginning. By using the attribution builder, the widget coding supports the ease of including the digital TASL information for the initial creator and those who may need to attribute the transcript in the future.

Unlike videos and podcasts where the observed practice has the CC licenses at the beginning, a blog post tends to have the license statement at the end. If a blog includes openly licensed images, which

is often the case, these images each require an attribution, ideally placed adjacent to the image. However, for practical reasons such as webpage formatting and for aesthetic reasons when the TASL attribution takes away from the visual design, images may have their attributions listed at the end of the blog post in advance of any references given. This is a second option that occurs although having TASL adjacent to the image is more commonly practiced.

My observations of written papers vary with the purpose behind the writing sometimes shaping where TASL appears. Building from the historical and social practices of scholarship, when a CC licensed figure appears in a paper, the author needs to include the attribution as part of the caption (i.e. until style manuals such as the American Psychological Association consider this area of changing scholarship and a new edition appears with the APA's formal indication regarding attribution placement). In formal reports, such as the *State of the Commons* (Creative Commons, 2021) the attribution appears adjacent to the image and in much smaller font to support visual design elements because an image may purposefully be selected to de-emphasize alphabetic text and amplify visual information. Having the font size the same as the body of the text may create reader confusion and takes away from the visual contributions of the image or figure. Although with the digital TASL builder hyperlinks are active, through editorial choices these hyperlinks may be made inactive.

Presentation slides are a hybrid between the written and visual practices. It is common to see the CC icon on the title slide thus announcing the copyright permissions as a video or podcast does. Throughout the slides, when images appear these may have the attribution adjacent and below and in a smaller font, although aesthetics may influence design decisions. When this situation occurs, creating an attribution list that corresponds by slide number should appear before the reference list. The challenge, however, is ensuring that the slide number aligns with the correct image, and when changes are made one needs to pay careful attention.

What about when one is not formally writing, podcasting, or presenting, but discovers something on the web, like a CC image or figure that one may use in the future? How does one hang onto the attribution information for future use? I have learned that downloading the image and tracking its location and TASL attribution is necessary. Through trial and error, I have developed a small spreadsheet (*Table 2*) with the following columns. Additionally, it is possible and prudent to add tags to jpeg files to expedite searching of screenshots. When tagging images and screenshots, TASL information may be added in the comments box that accompanies the tagging option and may eliminate the need for the spreadsheet.

Table 2: TASL spreadsheet columns

Image description	Thumbnail image or screenshot	TASL	Comments (e.g. possible uses)	Image location (Local folder name)
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Similar to the steps in tracking, applying, and correctly completing citations are the parallel skills to proper and effective attributions for CC licensed or public domain material. Attribution practices need to be learned and applied. Like the meticulous care required for proper citations, a similar care for detail is required to acknowledge the title, author, source, and license of an open asset. Care for detail takes time, and for all forms of scholarship, from undergraduate students to professors, attributing is an additional habit to form.

Closing thoughts

Copyright literacies, like citations, are akin to other academic practices that have been absorbed into social and educational norms and are subsumed into what one does when engaging with academic reading and writing. Learning how to attribute is one part of my argument but as well, I support the importance of the knowledge commons (Bollier, 2014) and how academics have a role to play in the widening of scholarly practices. Some may see attributing a CC license as similar to a “ ‘guerilla citation,’ or how citation is a political act in which the citing author wields great power, whether they [authors] realize it or not” (Chick et al., 2021, p.1). Citing and citation practices are not neutral, and by extension, attributing is not a neutral action as it indicates knowledge of the legal and societal views of copyright and user permissions that the Creative Commons licenses have evoked. Reworking Gilbert’s (1977) statement, substituting the concepts of open licenses and attribution, one arrives at the following:

in citing [attributing] certain papers [digital artifacts], the author can be seen to be making an assertion about his own opinion concerning the validity of the findings of the cited [attributed] papers [artifacts], and is *thus contributing, albeit only in small measure, to the overall consensus of his [their] research area, a consensus which is also continually being re-established through the choices of references in his [their] fellow participants' own publications* (emphasis added) p. 117.

Gilbert states, and I suggest, that by incorporating attributions into one’s scholarly outputs, one is contributing, albeit in a small way to the health of the knowledge commons.

A further extension could be argued that by attributing openly licensed work one contributes to modelling open educational practices (Cronin, 2017). Through attribution and open practices educators are shaped and shape the conception of openness within the academic world (Veletsianos, 2010), and this shaping specifically relates to and supports OEP. Modeling attributions of CC material allows others to see how and when such attributions are used. It has taken two decades to arrive at this juncture, and just as there are changes to understanding the evolution of how and when and why academics cite other sources, so too during this time of style manual abeyance, we need to model attributions as part of OEP.

Additionally, just as one can view attributing as part of OEP, it also models Hegarty’s (2015) Open Pedagogy (OP) attributes. Through participatory technologies, creators have determined CC licenses and shared their digital artifacts (e.g. open licensed images). These choices also speak to Hegarty’s

attribute of people, openness and trust which conflates the social nature of artifact sharing as part of contributing to the knowledge commons. It also speaks to innovation and creativity, another OP attribute and one that legal schools invoke when balancing copyright law with open licenses (Reid, 2019; Silbey, 2016). Additionally the sharing of ideas and resources are integral to the permissions provided by CC licenses, as one has more convenience and freedom to reuse, revise, remix or redistribute (Wiley & Hilton, 2018) unlike with conventional copyright. As a connected community, another OP attribute, authors, readers, viewers, or listeners may begin to see that contributions to the commons may come in smaller pieces - uploads, sharing, and openly licenses of a photograph or slide deck, may benefit someone else, somewhere, sometime in the future. There is a generous impulse behind sharing and this generosity through the participatory technologies is the social media norm, which in turn is shaping what students understand the digital world to be, including the academic digital world.

Looking to Bakhtin, dialogic thinking, intertextuality, and citation practices Hu and Wang (2014) suggest that with citation practices and the choices made by the author in what to cite there is the possibility of dialogic contraction or expansion. Again, by extension, conventional copyright practices close the space for alternative forms of copyright permissions whereas CC licenses open up the space for dialogic expansion and alternatives to closed copyright and adaptations of the original knowledge artifact. Just as citing indicates degrees of intertextuality (Swales, 2014), so too does CC attribution; like the licenses themselves attribution complicates, and invokes a network of networks for each attribution, and even more so when derivatives (i.e. revisions or remixes, or adaptations) are part of this attribution string.

Changes to knowledge creation, sharing, and publishing have changed with the communication and information technologies that have become so common in most of the world. As part of these changes is the need to extend and include attribution practices, alongside and related to our current citation practices. Just as citations are related to the validity and significance of the work reported in scientific papers so too the use of attributions demonstrates the validity and significance of open licenses in contributing to the commons.

In this paper, I have put forth that copyright literacy and attribution of open licenses are scholarly exercises that hold a lineage akin to citation practices. The American legal scholar, West (2009) notes that Creative Commons is a movement, and therefore more than a minor adjustment is needed to understand what the CC licenses mean for scholarship and scholarly practices. West states:

Attribution and Share-Alike licensing rights are the heart and soul of this new movement in copyright law, representing a definitive shift among creators to share their works so long as they receive appropriate credit and the licensees of their work ensure the continued growth of the commons (p. 928).

It is obvious that academic practices are changing through initiators that include: the bifurcation of copyright into Creative Commons licenses; the growth in recognizing multiple perspectives upon epistemology and what counts as knowledge, ownership and sharing; and the need to keep pace with the continual digital developments. As this paper highlights, copyright literacy has become more sophisticated and complex - not less. Understanding and applying attributions contributes to our knowledge commons and points to a future where such practices are subsumed into professional digital competence and scholarly habits.

In closing, I would like to point out that I am not a lawyer. I have used both Wikipedia and Wikimedia Commons to substantiate my ideas which are integral to exploring the commons and Creative Commons licenses. The ideas contained in this article are for scholarly purposes aimed to heighten attribution understanding as part copyright awareness and scholarship.

References

Attribution. (2020). In *Oxford Online Dictionary* <https://www.lexico.com/definition/attribution>.

Aboy, M. (2006). What is the difference between a fixed work and a work that is not fixed? |

Copyright Law. *Mateo Aboy, PhD, MBA, Academic Site and Blog.*

https://www.mateoaboy.com/f6/blog_files/804f4c5940fe299168ea68a195376c06-3.html

Antoine, A., Mason, R., Mason, R., Palahicky, S., & France, C. R. de. (2018). *Pulling Together: A Guide for Curriculum Developers*. BCcampus.

<https://opentextbc.ca/indigenizationcurriculumdevelopers/>

Bazerman, C. (Ed.). (2005). *Reference guide to writing across the curriculum*. Parlor Press : WAC Clearinghouse.

Boston, A. J. (2019). Copyright, Fair Use, and Creative Commons: An Active-Learning Exercise for Studio Art Students. *Journal of Copyright in Education & Librarianship*, 3(3), Article 3.

<https://doi.org/10.17161/jcel.v3i3.8193>

Brynildsen, S., & Haugsbakken, H. (2023). An agentic perspective on teachers' enactment of professional digital competence. *Digital Culture & Education*, 14(4), 53–69.

Blomgren, C.

Chick, N. L., Abbot, S., Mercer-Mapstone, L., Ostrowdun, C. P., & Grensavitch, K. (2021). Naming is Power: Citation Practices in SoTL. *Teaching & Learning Inquiry*, 9(2).

<https://doi.org/10.20343/teachlearninqu.9.2.2>

Costello, E., Huijser, H., & Marshall, S. (2019). Education's many "opens." *Australasian Journal of Educational Technology*, 35(3), Article 3. <https://doi.org/10.14742/ajet.5510>

Creative Commons. (2021). *State of the Commons 2021*. <https://creativecommons.org/wp-content/uploads/2022/04/CC-2021-State-of-Commons-AR.pdf>

Cronin, C. (2017). Openness and Praxis: Exploring the Use of Open Educational Practices in Higher Education. *The International Review of Research in Open and Distributed Learning*, 18(5).

<https://doi.org/10.19173/irrodl.v18i5.3096>

Dougherty, J., & Simpson, C. (2012). Who Owns Oral History? A Creative Commons Solution. *Digital Repository Trinity College Digital Repository*, 5.

Fields, E., Grey, A., Langille, D., & Swanson, C. (2022). The 6 R's of Indigenous OER. In *UBC Open Text Publishing Guide*. <https://pressbooks.bccampus.ca/openubcpub/chapter/the-5-rs-of-indigenous-oer/>

Free Software Foundation. (1989). *GNU General Public License v1.0—GNU Project—Free Software Foundation*. GNU Operation System. <https://www.gnu.org/licenses/old-licenses/gpl-1.0.en.html>

Garcelon, M. (2009). An information commons? Creative Commons and public access to cultural creations. *New Media and Society*, 11(8). DOI: 10.1177/1461444809343081]

Government of Canada, I. (n.d.). *A guide to copyright—Canadian Intellectual Property Office* [Guides].

Innovation, Science and Economic Development Canada. Retrieved September 27, 2022, from https://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr02281.html#understandingCopyright

Harvard Kennedy School Library and Research Services. (2022, March 3). *Research Guides: Measuring Your Scholarly Impact: Visualization Software*.

<https://guides.library.harvard.edu/c.php?g=311134&p=4423814>

Hegarty, B. (2015). Attributes of Open Pedagogy: A Model for Using Open Educational Resources. *Educational Technology, July– August*, 3–13.

Hu, G., & Wang, G. (2014). Disciplinary and ethnolinguistic influences on citation in research articles. *Journal of English for Academic Purposes*, 14, 14–28.

Koseoglu, S., & Bozkurt, A. (2018). *An exploratory literature review on open educational practices*. 39(4),

441–461. <http://0->

[search.ebscohost.com/aupac.lib.athabascau.ca/login.aspx?direct=true&db=edsbl&AN=vdc.](http://search.ebscohost.com/aupac.lib.athabascau.ca/login.aspx?direct=true&db=edsbl&AN=vdc.100072524770.0x000001&site=eds-live)

100072524770.0x000001&site=eds-live

McGreal, R. (2004). Stealing the Goose: Copyright and learning. *International Review of Research in Open and Distributed Learning*, 5(3), 1–26.

Morrison, C. (2018). Copyright and digital literacy: Rules, risk and creativity. In K. Reedy & J. Parker (Eds.), *Digital literacy unpacked* (pp. 97–108). Facet Publishing.

[https://kar.kent.ac.uk/70446/1/Morrison%20-](https://kar.kent.ac.uk/70446/1/Morrison%20-%20Copyright%20and%20digital%20literacy%20-%20rules%2C%20risk%20and%20creativity%20%28in%20Reedy%20and%20Parker%2C%20Digital%20Literacy%20Unpacked%29.pdf)

[%20Copyright%20and%20digital%20literacy%20-](https://kar.kent.ac.uk/70446/1/Morrison%20-%20Copyright%20and%20digital%20literacy%20-%20rules%2C%20risk%20and%20creativity%20%28in%20Reedy%20and%20Parker%2C%20Digital%20Literacy%20Unpacked%29.pdf)

[%20rules%2C%20risk%20and%20creativity%20%28in%20Reedy%20and%20Parker%2C%](https://kar.kent.ac.uk/70446/1/Morrison%20-%20Copyright%20and%20digital%20literacy%20-%20rules%2C%20risk%20and%20creativity%20%28in%20Reedy%20and%20Parker%2C%20Digital%20Literacy%20Unpacked%29.pdf)

[20Digital%20Literacy%20Unpacked%29.pdf](https://kar.kent.ac.uk/70446/1/Morrison%20-%20Copyright%20and%20digital%20literacy%20-%20rules%2C%20risk%20and%20creativity%20%28in%20Reedy%20and%20Parker%2C%20Digital%20Literacy%20Unpacked%29.pdf)

Nascimbeni, F., Burgos, D., Campbell, L. M., & Tabacco, A. (2018). *Institutional mapping of open educational practices beyond use of Open Educational Resources*. 39(4), 511–527. <http://0->

[search.ebscohost.com/aupac.lib.athabascau.ca/login.aspx?direct=true&db=edsbl&AN=vdc.](http://search.ebscohost.com/aupac.lib.athabascau.ca/login.aspx?direct=true&db=edsbl&AN=vdc.100072524752.0x000001&site=eds-live)

100072524752.0x000001&site=eds-live

Blomgren, C.

O'Connor, D. (2016, July 1). Beyond Bibliometrics: Harnessing Multidimensional Indicators of Scholarly Impact. *Journal of the Association for Information Science and Technology*, 67(7). <http://0-search.ebscohost.com.aupac.lib.athabascau.ca/login.aspx?direct=true&db=edsbig&AN=edsbig.A459287027&site=eds-live>

Peng, J.-E. (2019). Authorial voice constructed in citation in literature reviews of doctoral theses: Variations across training contexts. *Journal of English for Academic Purposes*, 37, 11–21. <https://doi.org/10.1016/j.jeap.2018.11.001>

Recommended practices for attribution—Creative Commons. (n.d.). Wiki Creative Commons. Retrieved May 4, 2023, from https://wiki.creativecommons.org/wiki/Recommended_practices_for_attribution

Reid, A. (2019). Copyright Policy As Catalyst and Barrier to Innovation and Free Expression. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.3345684>

Seaman, J., & Seaman, J. (2023, April 21). *Behind the Curtian for the Curricula Adoption Processes in OER and non-OER Classrooms*. https://www.bayviewanalytics.com/reports/presentations/olc_innovate_20230421.pdf

Secker, J. (2010). *Copyright and E-learning: A guide for practitioners*.

Silbey, J., M. (2016). Fairer Uses. *Boston University Law Review*, 96:857, 856–868.

Swales, J. M. (2014). Variation in Citational Practice in a Corpus of Student Biology Papers: From Parenthetical Plonking to Intertextual Storytelling. *Written Communication*, 31(1), 118–141. <https://doi.org/10.1177/0741088313515166>

Wakaruk, A., Gareau-Brennan, C., & Pietrosanu, M. (2021). Introducing the Copyright Anxiety Scale. *Journal of Copyright in Education & Librarianship*, 5(1), Article 1. <https://doi.org/10.17161/jcel.v5i1.15212>

Watson, K., & Jeppesen, S. (2020). SETTLER FRAGILITY: Four Paradoxes of Decolonizing Research. *Revista de Comunicação Dialógica*, 0(4), Article 4.

<https://doi.org/10.12957/rcd.2020.55392>

West, A. (2009). Little Victories: Promoting Artistic Progress Through the Enforcement of Creative Commons Attribution and Share-Alike Licenses. *Florida State University Law Review*, 36(4), 30.

Wiley, D., & Iii, J. L. H. (2018). Defining OER-Enabled Pedagogy. *The International Review of Research in Open and Distributed Learning*, 19(4). <https://doi.org/10.19173/irrodl.v19i4.3601>

Zerkee, J. (2023, January 11). *Read about upcoming changes to the term of copyright protection in Canada* | SFU Library. <https://www.lib.sfu.ca/help/academic-integrity/copyright/copyright-term-extension>