

What is Creative Commons?

for Teachers and Students

This information guide was jointly developed by the ARC Centre of Excellence for Creative Industries and Innovation through Creative Commons Australia and the Copyright Advisory Group of the Ministerial Council of Education, Employment, Training and Youth Affairs.

You can find this and other Creative Commons fact sheets at <http://www.smartcopying.edu.au/scw/go/pid/956>. For further information contact Creative Commons Australia at info@creativecommons.org.au.

Creative Commons (CC) is an internationally active non-profit organisation that provides free licences for creators to use when making their work available to the public. These licences help the creator to give permission for others to use the work in advance under certain conditions.

Every time a work is created, such as when a journal article is written or a photograph taken, that work is automatically protected by copyright. Copyright protection prevents others from using the work in certain ways, such as copying the work or putting the work online.

CC licences allow the creator of the work to select how they want others to use the work. When a creator releases their work under a CC licence, members of the public know what they can and can't do with the work. This means that they only need to seek the creator's permission when they want to use the work in a way not permitted by the licence.

The great thing is that all CC licences allow works to be used for educational purposes. As a result, teachers and students can freely copy, share and sometimes modify and remix a CC work without having seeking the permission of the creator.

Standard rights and obligations

CC provides six core licences, each of which allow members of the public to use the material in different ways. While there are different CC licences, all CC licences include certain standard rights and obligations.



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User rights

Every CC licence allows you to:

- Copy the work (eg. download, upload, photocopy and scan the work);
- Distribute the work (eg. provide copies of the work to teachers, students, parents and the community);
- Display or perform the work (eg. play a sound recording or film in class, or stage a play to parents);
- Communicate the work (eg. make the work available online on the school intranet, learning management system or on a class blog); and
- Format shift verbatim copies of the work (eg copy a MP3 version of music onto a CD or an MP4 version of a film onto a DVD to play in class).

Source: Adapted from 'Baseline Rights', http://wiki.creativecommons.org/Baseline_Rights 

Some CC licences also let you make other uses, however these are the base user rights provided for all CC material.

User obligations

When you use any CC material, you must:

- always attribute the creator of the work (for information on how to attribute a work, see information guide, 'How to Attribute Creative Commons Material' at <http://www.smartcopying.edu.au/scw/go/pid/956>);
- get permission from the creator to do anything that goes beyond the terms of the licence (e.g. making a commercial use of the work or creating a derivative work where the licence does not permit this);
- keep any copyright notice attached to the work intact on all copies of the work;
- indicate and link to the licence from any copies of the work; and
- where you make changes to the work, acknowledge the original work and indicate that changes have been made (eg by stating 'This is a French translation of the original work, X').

In addition, when you use any CC material, you must not:

- alter the terms of the licence;
- use the work in any way that is prejudicial to the reputation of the creator of the work;
- imply that the creator is endorsing or sponsoring you or your work; or
- add any technologies (such as digital rights management) to the work that restrict other people from using it under the terms of the licence.

Source: Adapted from 'Baseline Rights', http://wiki.creativecommons.org/Baseline_Rights 

Optional Licence Elements

Along with the basic rights and obligations set out in each CC licence, there are a set of 'optional' licence elements which can be added by the creator of the work.

These elements allow the creator to select the different ways they want the public to use their work. The creator can mix and match the elements to produce the CC licence they want. This process is a simple and quick way for creators to indicate how they wish their work to be used.

Each element has its own icon and abbreviation, making them easy to identify. There are four standard licence elements:



Attribution (BY)

You must credit the creator, the title and the licence the work is under. This is compulsory for all Creative Commons licences. For more information on how to attribute a work, see information guide, 'How to Attribute Creative Commons Material' at <http://www.smartcopying.edu.au/scw/go/pid/956>.



Non-commercial (NC)

Any use of the work must be for noncommercial purposes only. For example, file sharing, educational use and film festivals are all allowed, but advertising and for-profit uses are not.



No Derivative Works (ND)

The work can only be used exactly how it is. The work cannot be adapted or modified in any way. This means you will need to get extra permission if you want to remix the work, crop a photo, edit down text or use a song in a film.









Share Alike (SA)

Any new work produced using this material must be made available under the same licence as the original work. So, for example, if you remix a work under an Attribution-Share Alike licence, you have to release the new work you create under an Attribution-Share Alike licence.

Six standard Creative Commons licences

These elements are mixed and matched to create the six standard CC licences. The table below lists these licences and the different conditions which attach to each.

Licence	Symbols	Type of use	You can
Attribution (BY)		Commercial and non-commercial	<ul style="list-style-type: none"> • Copy; • Adapt or modify; • Redistribute (publish, display, publicly perform or communicate the work); and • License to others.
Attribution-Noncommercial (BY-NC)		Non-commercial only	<ul style="list-style-type: none"> • Copy; • Adapt or modify; • Redistribute (publish, display, publicly perform or communicate the work); and • License to others.
Attribution-Share Alike (BY-SA)		Commercial and non-commercial	<ul style="list-style-type: none"> • Copy; • Adapt or modify; • Redistribute (publish, display, publicly perform or communicate the work); and • License to others on the same terms as the original work.
Attribution-No Derivative Works (BY-ND)		Commercial and non-commercial	<ul style="list-style-type: none"> • Copy; • Redistribute (publish, display, publicly perform or communicate the work) verbatim copies; and • License to others
Attribution-Noncommercial-Share Alike (BY-NC-SA)		Non-commercial only	<ul style="list-style-type: none"> • Copy; • Adapt or modify; • Redistribute (publish, display, publicly perform or communicate the work); and • License to others on the same terms as the original work.
Attribution-Noncommercial-No Derivative Works (BY-NC-ND)		Non-commercial only	<ul style="list-style-type: none"> • Copy; • Redistribute (publish, display, publicly perform or communicate the work) verbatim copies; and • License to others

Myths about Creative Commons

Below are some myths that you might hear about Creative Commons.

CC is anti-copyright

CC believes in copyright and the right of creators to control the use of their work. CC just provides voluntary tools to let creators manage their own copyright.

You can do anything you want with CC materials

CC materials are not free of copyright. The creator of the work does not lose their copyright in the work, but rather chooses to share the work with the public under certain conditions. If you breach the licence by using the material in a way not permitted, standard copyright law applies.

All CC licences are non-commercial

Some people think that you are never allowed to make commercial use of a CC work. This is not true. There are a number of CC licences which allow commercial use work.

Why should Schools and TAFE use CC?

Teachers and CC

Although teachers can rely on statutory licences and education exceptions set out in the Australian Copyright Act to copy and communicate material, there are very restrictive rules dictating when a teacher is able to:

- Copy an entire work or large portions of a work;
- Modify and remix a work; and/or
- Make the work available to parents and the community.

Using CC material is a good alternative because:

- Teachers can copy an entire work without limitation;
- There is a lot of CC material that teachers can modify and remix;
- Parents and the community can freely access the work; and
- CC material is available for free and not subject to licence fees.

Students and CC

Students can also benefit from using CC material in their class and homework tasks. Students copy and communicate material under the fair dealing provisions in the Copyright Act. These provisions are complex, making it difficult for a student to:

- Copy an entire work or large portions of a work;
- Modify and remix a work; and/or
- Make the work available to parents and the community.

Using CC material is a good alternative because:

- Students can copy an entire work without limitation;
- There is a lot of CC material that students can modify and remix; and
- Parents and the community can freely access the work.

Things to think about before using Creative Commons material

Below are some questions you should ask yourself before using CC material.

Am I following the licence?

If you breach the CC licence by using the work in a way not permitted by the licence, standard copyright law applies and you may be liable for copyright infringement.

Do I think that the material is infringing?

As with all works you find online, you should always be on the look out for copyright infringement. The simple fact is that many people infringe copyright accidentally because they do not know that they are not allowed to post material online. Creators who are using CC licences are more copyright aware, and hence tend to make this mistake less often. However, it is still a good idea to use your common sense. If the work contains commercial music, television or movies you should try to contact the person who posted the work online to ensure that they have the permission to make the work available in that manner before you use it.

How do I want to license my end product?

It is always important to think about what end use you want for your work at the very beginning. If you wish to make your work available under a CC licence, you need to decide which licence you intend to use for your work as this will determine what CC material you can include in your work.

More useful links

- 'Choosing a License', <http://creativecommons.org/about/licenses>
- Licence Icons and Licence Badges, <http://creativecommons.org/presskit>
- Licence Icons and Licence Badges usage policy, see 'Creative Commons Trademark policy' at <http://creativecommons.org/policies>