

What can I share in the Open Resource Exchange?

You can share any Education Resource (activity, lesson plan, unit, process, reference material, instruction sheet, etc.) in the Open Resource Exchange that you have created yourself and that you want to share under a Creative Commons Attribution 3.0 license (CC-BY). Here are five Education Resource development scenarios to help you determine whether or not your project can be submitted.

1. You made your Education Resource from scratch using only things (pictures, written words, artwork, handouts, etc.) that you created yourself.
You can upload your Education Resource.
2. You made your Education Resource using a mix of your own material and other people's material that carries a Public Domain designation or a CC-BY license. Perhaps you started with two Education Resources from the *Vital Signs* Open Resource Exchange, revamped one completely to suit a new habitat or essential question, and incorporated only the assessment tool from the second. Just for fun, you illustrated it with an image from a Species Observation.
You can upload your Education Resource. Make sure you attribute all the material that you did not create yourself to those who did in the way they specified.
3. You created your Education Resource using material (such as music, written words, pictures, videos, artwork, activities, lesson plans, process, reference material, instruction sheet, etc.) that other people created and that carry another Creative Commons license or a Copyright. You must make sure your use of their work is a "Fair Use" before you can upload your Education Resource.

How can you tell if you have made "Fair Use" of other people's licensed material?

Your use of copyrighted or licensed material is considered "Fair Use" if you added value to, changed the purpose of, or otherwise transformed the original material. You can determine if you have made "Fair Use" of copyrighted material by answering the following questions:

- Would someone who can access the Education Resource that you have created still want to purchase the original material for its original purpose? In other words, is your Education Resource different enough from the original material that no one would think that one could replace the other?
- Is your use of the copyrighted material different from the use for which it was created? In other words, have you used it to achieve a different learning objective, teach a different concept, or illustrate a different point?
- Have you added cultural value to the original material? In other words, will many people benefit from changes you have made to the original material and/ or how you have used it?

If your answer to these questions is yes, you have most likely transformed the copyrighted material enough to have your use of the copyrighted work be considered "Fair Use." You can upload your Education Resource.

4. Education Resources that reproduce copyrighted material without adding value to it, repurposing it, or otherwise transforming it may **not** be posted in the Open Resource Exchange.
5. You found copyrighted materials online that proved invaluable. You know you can't post them in the Open Resource Exchange, but you want others to know about them and use them.

You can share any online resources by pasting **the link** to them into a document and uploading the document. To maximize the usefulness of your link, include a short description in your document describing why you found the resource valuable.

These can be complicated issues and this is not legal advice. If you are still unsure whether or not you have made "Fair Use" of copyrighted material there are some online resources to help you learn more, including the "Shepard Fairey and Fair Use" Challenge available at the Project New Media Literacies Learning Library. If you still need help determining whether or not you have made "Fair Use" please contact vitalsigns@gmri.org with your question and write "Creative Commons" in the subject line.