

Statement on Student Rights in Open Environments

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Introduction

Students have specific protections while they are students so that their private information is not compromised and so that they can access their educational records. Legally, these student protections are codified in FERPA law.

With new and emerging open environments and pedagogical practices, it is important to take a broader view of how the spirit of student protections in FERPA can be extended to adequately account for open student work.

We, the authors, have a longstanding commitment to the value of open student research and scholarship, as well as student rights while working and publishing openly. As new tools, platforms, and practices related to digital scholarship and open pedagogy emerge, it is important to continue to focus on student rights while working on course projects or guided research that may be shared openly.

Value of Open Student Work

The value of open student scholarship and open pedagogy includes (but is not limited to) the following:

- Students have tangible products that they can add to portfolios and otherwise use to satisfy degree and graduation requirements.
- Students have intellectual products that they can carry with them after graduation.
- Students participate in public discourse and have the potential to have a public impact.
- Students can engage with communities and community organizations in ways that are not possible with closed work.
- Students may have the opportunity to learn technologies and tools that support digital content and open publishing
- Students may have the opportunity to learn new approaches to research, information analysis, and scholarly communication and presentation. Examples might include openly available digital oral history, public writing, book or zine authorship, data visualization, online exhibit curating, etc.

Student Rights and Responsibilities

Students have the following rights in open scholarship, research, publishing, and course environments:

- Students have the right to contribute their ideas and labor to an open project, or to choose not to contribute. Students must complete course assignments for credit, but students have the right to choose whether or not that work will be made openly available or included in open class projects.
- Students have the right to be identified as the creator of their work or to remain anonymous. If they choose to be identified as the creator, students have the right to use the name or pseudonym of their choosing to identify themselves.
- Students have the right to retain the copyright to works they produce.
- Students have the right to choose how their work will be used. This includes assigning an appropriate Creative Commons license or adding a statement to accompany their work. If a group project assigns a Creative Commons or other license, students have the right to opt in or out of participation based on the group license.
- Students have the right to be credited for their work in all circumstances, including individual and group projects and contributions to faculty scholarship. Students have the right to be consulted about how their credit will appear.
- Student learning is central, and students should not be required to perform labor for open projects that does not have educational value. Examples of tasks that students should not be asked to do include bulk scanning, bulk digital file processing, bulk metadata work that does not include a meaningful learning component, etc.
- Student learning is iterative and often experimental. Students have the right to determine whether or not their work is ready for a public audience.
- Students have the right to prioritize their learning, privacy, and well-being above any other considerations.
- Students have the right to advocate for themselves and exercise their rights without negative repercussions.

Students have the following responsibilities in open environments:

- Students must learn about and understand the meanings and implications of making their work openly available.
- Students must clearly indicate whether or not they want their work to be openly available.
- Students must clearly indicate whether and how they want to be identified in association with their work.
- Students must clearly indicate how they want their work to be used by others.
- Students must communicate any questions to their instructor.

Recommendations for faculty

In order to support students working in open environments, faculty may wish to consider the following recommendations:

- Intentionally teach (and/or collaborate with library instructors to teach) student rights and responsibilities in courses that involve open student work. Include discussions of

advantages and disadvantages of public engagement, privacy and digital identity, and copyright and Creative Commons.

- Structure syllabi and instructional time so that open student work and related topics such as Open Access and Creative Commons are built into the course and not added on as an afterthought
- Design open scholarship assignments to include all students in all aspects of the learning experience, regardless of whether or not they choose to make their work openly available
- Facilitate students explicitly indicating their choices about open work. Options include a learning activity with written responses, click-through agreements and personal username selections, or online or print agreement forms.
- Remain neutral about student choices related to open work, and separate these student choices from grading rubrics
- Engage with student questions about open access and open work