

Guide to Using the "Agreement to Contribute to Openly Licensed Project"

The [AGREEMENT TO CONTRIBUTE TO OPENLY LICENSED PROJECT](#) is a document that outlines the understanding made between student and instructor when embarking on the creation of an openly licensed project. The template was created by the University of Hawai'i (UH) System Open Educational Resources (OER) Committee, reviewed by UH's Office of the University General Counsel (OGC), and is available for use by faculty at any UH campus.

Directions to Use the Document

- File > Make a copy
This will save a copy of it to your personal Google Drive. You will be able to edit that copy.
- Go to the **highlighted** places in the "Project Description" section (section I) and "Student Agreement" section (section II) and insert the project name, your name, the course number and name, and your affiliated campus as indicated..
- Carefully read the document and make any changes that you believe would enhance the agreement. Add your name, signature, and the current date in the "Signatures" section of the document (section VII). Save this *final* document as a PDF.
- Plan to have an informed discussion about the agreement with your students. This might include discussing the agreement with the entire class or meeting with each student individually to discuss the project, the Creative Commons licenses, self-identification options (including using a pseudonym), and what the agreement will entail.
 - Emphasize that the students own the copyright to their work. The CC license they are agreeing to is, firstly, permission for UH, but ultimately for the world community.
 - You may contact [your OER campus leads](#) to arrange for a short presentation about the Creative Commons licenses.
 - Be sure to discuss the use of pseudonyms and what is/is not appropriate if the student chooses to utilize one.
 - Discuss examples of websites/portfolios that could be included, and why that is a good thing for academics.
 - Know that students may need time to digest the information and to make a decision. Provide students with at least a week to review the materials and consider their comfort level with participating in the project.
- Share the *final* document with your students. Instruct them to read it, select a license, assign identification, and then sign/date the agreement if they will be participating in the project. Digital signatures ([example](#)) are acceptable, but consult with your OER campus leads beforehand to ensure that your process will be suitable.

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- If they decline to do so, it is your responsibility to provide them with an alternative assignment. If students do not wish to participate, they should not complete the Agreement Form. If a student revokes permission before publication, the previously completed Agreement Form should be marked as annulled.
- Collect the completed Agreement Forms then:
 - Share a copy with your OER campus leads so that the UH OER Committee can archive those and have quick access in case any future issues arise.
 - Keep them organized in a manner that best fits your organization style. Examples include:
 - Combine all the signed PDFs, separated by course, into one single file.
 - Give each student's individual file a unique name (e.g. DoeJohn_MOA_ENG100_Sp2021) and file them in a special folder specifically for that course.

Important Notes

- The Agreement Form must be completed by all students who collaborate on the project. In order to avoid situations where a student may argue that they were pressured into giving up the rights to their work or that they were given a bad grade in retaliation because the student did not consent to having their work in the project, we recommend introducing this project to students as planned and showing them the contract, but waiting until after they have completed the class and received their grade to have them complete and submit their contract. If the former student declines, their work should not be incorporated into the project.
- All employees of the State of Hawai'i are subject to Hawai'i State Ethics Code (links to all the statutes in the Hawai'i State Ethics Code can be found here: [Chapter 84 of the Hawai'i Revised Statutes](#)). The Hawai'i State Ethics Code may prohibit you from commercially profiting off of the use of a current or former student's work in most situations. There are very limited circumstances where a faculty member would be able to profit from use of a student's work and, therefore, we recommend that you seek guidance from the Hawai'i State Ethics Commission as to what uses are and are not permissible under the law before using or incorporating a student's work in a commercial manner. To get ethics advice from an attorney at the Ethics Commission, please email ethics@hawaiiethics.org or call (808) 597-0460.
- Remember that the CC licenses students choose may affect the license you place on the complete project. See this Wiki with information about license compatibility: https://wiki.creativecommons.org/wiki/Wiki/cc_license_compatibility. Talk about your goals for the project when you discuss it with your students, so that they can consider that while selecting the license for their Materials. Explain what a derivative is and emphasize

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that selecting a CC BY-ND or CC BY-NC-ND license would essentially negate their participation in and contribution to the project.

- When creating your project, it's important for you to give appropriate credit and to clearly delineate variations in CC licensing for materials that have a different license than the one chosen for the overall project. These are [best practices for attribution](#).
- Make note of the different selections students make. Should you wish to track selections via a spreadsheet, you may use the [Tracking Student Selections for Openly Licensed Project template](#).
 - When you make a copy of the document, name it with purpose. Group tracking information by course and specify the course number and semester. Use different sheets for different courses.
 - If you keep the signed agreement forms as separate files, consider using the Notes field (or adding a new column) to paste a link to each student's signed agreement form.
- If a student contacts you at a later date about this agreement and wishes to change the license they had agreed to, it's important to note that Creative Commons licenses are irrevocable. [See here](#) for more information about things to consider when someone changes their mind about the CC license they'd chosen.
 - Suggested response to student: Creative Commons licenses are irrevocable which means that it's a legal agreement that can't be canceled, even if you change your mind.
 - You may wish to respect the student's wishes, however, by removing their materials from future iterations of your project.
 - Should you need legal advice, you can reach out to UH's Office of the University General Counsel (OGC) by submitting this online [Legal Services Request form](#). If the request is urgent and requires immediate attention or if you have been served with a lawsuit, you may contact OGC directly at (808) 956-2211.

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