

A primer on children's book creation in the global South

**Second edition** 

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## 1. Why a second edition?

In 2018 we published an open licensing primer for early literacy publishers on open licensing, with a brief section for authors and illustrators.<sup>1</sup> So much has changed since then that we decided to take a fresh look at the issues and challenges, this time giving full attention to content creators, such as publishers, authors, illustrators, and teacher, all of whom have a stake in producing high quality and cost effective materials for education. We also include lessons learned from the COVID-19 lockdowns, technology challenges that still impede access to digital content, and the tradeoffs between digital access and print.

In addition, this expanded edition is intended for use by governments, funders, NGOs, and others that commission children's content and plan to use open licensing to do so. These organizations are as important as the content creators for whom we wrote the first edition of this primer. Both they and the content creation sector should understand the licensing and economic issues involved so that budgeting and funding align with a system of **fair compensation** for content creators and producers. Our work in writing and producing this updated primer is based on both past and new research.

This expanded primer on content creation for early literacy will examine:

- Open licensing and Creative Commons.
- Technology and open licensing.
- What open licensing is used for in education.
- Why open licensing is important to members of the educational publishing ecosystem (governments, funders, NGOs, and content creators, for example).
- Cost and payment conditions for publishers, authors, and illustrators.
- Contracts.

## 2. Digital disruption to the publishing ecosystem

Until recently, the book publishing supply chain offered a tried and tested way to produce content. Publishers commissioned books, paid authors, illustrators, designers, and others. They arranged for printing and distribution. Books were protected by copyright.

But technology and licensing changes have disrupted traditional publishing practices everywhere, including in Africa. Digitized content creation processes have been used by publishers for decades, first for content management, then to make digital publications available for a fee, and now also for openly licensed resources. E-books, and online distribution of content have become a normal part of the publishing industry. Digital publishing eliminates some of the costs and overheads associated with traditional publishing, but also introduces some new costs.

Digital technology has brought an end to the 'neatness' of traditional supply and value chains in publishing. Digital platforms and devices have disrupted a linear chain or end-to-end process with something more complicated. Digitization can complement print and, in certain circumstances, may even replace it entirely.

Digitization and online availability of content also shifts the burden of access to content and printing from the publisher to the reader. With digitization, publishers do not incur printing costs, but users of the resource must pay if they want to read. Mobile phones, tablets, computers, and other devices must be purchased and available, as must Internet technology and data. Printing requires a printer, paper, and ink.

Just as there have been shifts in production, licensing regimes have also changed. Copyright and 'all rights reserved' is now complemented with open licensing and 'some rights reserved'. Each innovation can impact on how content creators can be compensated and earn a viable income.

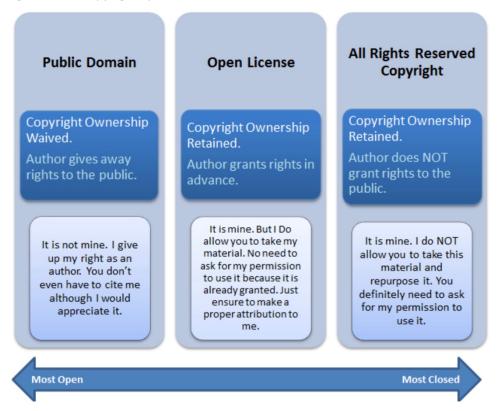
<sup>&</sup>lt;sup>1</sup> Butcher, N., Levey, L., & von Gogh, K. (2018). *Open Licensing Made Plain: A Primer on Concepts, Challenges, and Opportunities for Publishers*. Retrieved 26 January, 2022, from <a href="http://www.earlyliteracynetwork.org/content/open-licensing-made-plain-primer-concepts-challenges-and-opportunities-publishers">http://www.earlyliteracynetwork.org/content/open-licensing-made-plain-primer-concepts-challenges-and-opportunities-publishers</a> (CC BY licence)



## 3. The significance of open licensing

Open licensing permits users to share, and, in some instances, translate or otherwise adapt, the work of others without requiring written permission. Open licences thus give more choice about how content may be used. Open licensing does not replace copyright, but it does replace 'all rights protected' with 'some rights protected'. Open licences can be applied to any creative work, including music, books, articles, photos, and videos. Output can be online and offline. Some licences only permit sharing, while others enable sharing and adaptation. Unless explicitly stated otherwise, all open licences **require** that the original work, author, and publisher be acknowledged.

Figure 1:The copyright spectrum<sup>2</sup>



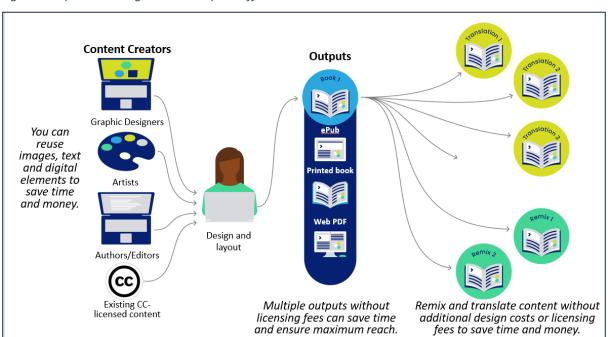
Open licences can greatly enhance the number of resources available to children, particularly in their mother-tongue language. This is particularly important to young children because research has shown that children learn to read more readily if they are taught in their mother tongue.<sup>3</sup> Open licences are the lynchpin that allows content to be adapted and expanded. The figure below shows how open licensing can be translated and otherwise modified to enhance outreach and user engagement with content, as well as reducing financial outlays over the long run.

<sup>&</sup>lt;sup>3</sup> See Loud and Clear: Effective Language of Instruction Policies for Learning, World Bank. https://documents1.worldbank.org/curated/en/517851626203470278/pdf/Effective-Language-of-Instruction-Policies-for-Learning.pdf



<sup>&</sup>lt;sup>2</sup> Riverside Community College, United States. https://library.rcc.edu/c.php?g=734342&p=5850978

Figure 2: Open licensing has a multiplier effect<sup>4</sup>





Box 1: The advantages of Creative Commons licences

- √ They create conditions for maximum potential value created from of all resources, more efficiency, and better stewardship of public funds.
- $\sqrt{\phantom{a}}$  The public has legal access to the education, research, and data resources funded by governments and other agencies.
- $\sqrt{}$  Resources are available for reuse and value-add on by anyone, including individual citizens, educators, scientists, public sector employees, entrepreneurs, and commercial businesses.
- $\sqrt{\phantom{a}}$  Content creators have a better chance of being paid for their work.
- √ Because CC licences cannot be revoked or changed after the fact, governments and organizations that apply these licences have rights over the content for the duration of the copyright.

<sup>&</sup>lt;sup>4</sup> Butcher, N, Levey, L, and von Gogh, K. (2022). *Open Licensing in Education: A World Bank Toolkit*. Washington DC: The World Bank <a href="https://www.earlylearningnetwork.org/content/open-licensing-education-world-bank-toolkit">https://www.earlylearningnetwork.org/content/open-licensing-education-world-bank-toolkit</a>



Figure 3:Stakeholders and benefits



### 3.1 Creative Commons

CC licences permit copyright owners to keep their copyright and determine the extent to which others are legally allowed to reuse material. They do not require permission from the licence holder. CC does not replace copyright; it supplements copyright to permit the copyright holder to determine how others are allowed to reuse material. The licences range from very permissive, allowing copying, modification, and commercial use, to those that are more restrictive, for example, permitting distribution of a work in its original form, but no modification.

There are seven licences, including public domain (CCO), which does not need attribution. Six build on the CC Attribution licence (CC BY). These six licences require that the content creator or publisher receives full credit for the work. Each licence has an abbreviation, bulleted below, and a symbol, as shown in figure 4.

#### The licences are:

- **Public domain (CCO)** allows full sharing and adaptation, without attribution, either because the material is already in the public domain or because the author has waived all rights.
- Attribution (CC BY) allows sharing and adaptation for any use, including for commercial purposes.
- Attribution-share alike (CC BY-SA) allows the user the same rights, but content must be licensed under identical terms as the original CC resource.
- Attribution-non-commercial (CC BY-NC) gives the user the same rights as CC BY, but not for commercial purposes.
- Attribution-non-commercial-share alike (CC BY-NC-SA) requires the user to apply the same rights as the original CC terms, but for non-commercial use only.
- Attribution-no derivatives (CC BY-ND) gives the user the right to distribute content, but not to alter it in any way.
- Attribution-non-commercial-no derivatives (CCY BY-NC-ND) gives the user the same rights as CC BY-ND, but not for commercial purposes.



















OTHERS CAN COPY, DISTRIBUTE, DISPLAY, PERFORM AND REMIX THE WORK IF THEY CREDIT THE CREATOR'S NAME AS REQUESTED BY THE CREATOR.



### NO DERIVATIVE WORKS

OTHERS CAN ONLY COPY, DISTRIBUTE, DISPLAY, OR PERFORM VERBATIM COPIES OF THE CREATOR'S WORK.



### SHARE ALIKE

OTHERS CAN DISTRIBUTE THE CREATOR'S WORK ONLY UNDER A LICENSE IDENTICAL TO THE ONE THE CREATOR HAS CHOSEN FOR THEIR WORK.



### NON COMMERCIAL

OTHERS CAN COPY, DISTRIBUTE, DISPLAY, PERFORM AND REMIX THE CREATOR'S WORK BUT FOR NON-COMMERICAL PURPOSES ONLY.

It is essential for content creators to understand the ramifications of CC licensing because rights and obligations are chosen according to the licence used. Although Robert Harrington was writing about authors in the scholarly community, his points are equally valid for authors writing content for children:<sup>6</sup>

Also authors need to be very careful about which license they use. If an author is adamant that they do not want their work used by another party to make money, then they need to know to use CC BY-NC. If an author does not want their work to be the basis of a derivative work then ND comes into play and so on.

### 3.2 Open licensing and illustrators

Book illustrators typically receive a flat fee, either per illustration or per book. *Good Stories Don't Grow on Trees: A Guide to Effective Costing of Storybooks in the Global South*, referred to elsewhere, provides numerous examples of payments that illustrators receive from both commercial and NGO publishers in different countries.

https://www.earlylearningresourcenetwork.org/system/files/resourcefiles/Good stories don%27t grow on trees v2.pdf



<sup>&</sup>lt;sup>5</sup> https://theindiedesign.co/creative-commons-royalty-free-public-domain-licenses/

<sup>&</sup>lt;sup>6</sup> Robert Harrington. Copyright, Creative Commons, and Confusion. The Scholarly Kitchen. April 20, 2020, downloaded on May 17, 2022 from <a href="https://scholarlykitchen.sspnet.org/2020/04/20/copyright-creative-commons-and-confusion/?informz=1">https://scholarlykitchen.sspnet.org/2020/04/20/copyright-creative-commons-and-confusion/?informz=1</a>.

There are special issues relating to the work of illustrators and open licensing to which everyone should pay careful attention when contracts are written and signed. Alisha Niehaus Berger, former Global Children's Book Publisher and Director, Literacy at Room to Read wrote the following:<sup>8</sup>

Broad open licensing, like CC-BY, does not mean that a creator cannot continue to monetize their work...It is important to note that an open license may be granted only to the instance of the work in question—for example, if an illustrator grants an open license to a digital platform for their book to be mounted online, it does not necessarily mean the high-resolution Photoshop files on an illustrator's computer automatically are part of that open license. The extent of the license depends on the language of contract signed by the illustrator, and on what assets the illustrator is required to share per that license.

Often, online books have a different format than printed books, and may be in differing qualities of resolution and cropping. Per a CC-BY licence, any new party can use the online version of the illustrations...However, other parties may find barriers to using the openly-licensed format of the work [and] find it easier to pay the illustrator for a higher resolution file and/or for adaptations of the original work. In this way, open licensing may open doors for other income through online exposure for the illustrator.

As Berger notes, illustrators should pay attention to contract details, including who owns the final product, i.e., the artwork. They can monetize their creative work beyond the content for which they were commissioned:

As an illustrator, you're not actually selling art, but the rights of reproduction.

### 3.3 How Creative Commons is used in education

Open licensing is now used widely for various educational purposes, from early childhood literacy to university, with Creative Commons licences being used most frequently. Likewise, many scholarly publications, both monographs and journals, are now licensed openly. Some researchers also circulate the data that they collect in open access format, although the data are typically stripped of identifying markers.

Institutions are creating and using Open Educational Resources (OER), the term used for any educational materials that are freely available and carry an open licence. UNESCO, which has worked on OER since 2002<sup>9</sup> to build consensus on the principles of creating and using educational content that is free to use, share, and adapt without requesting permission, has been a strong proponent of open licensing at all educational levels. These efforts bore fruit with unanimous adoption of the UNESCO OER Recommendation<sup>10</sup> by member states at the organization's General Conference on 25 November 2019. Governments will be required to report on their progress towards achieving the Recommendation's objectives every four years.

### 3.4 Ways that CC licences are used for early literacy content

Below are some examples to show how different CC licences have been used by organizations for early literacy content on their platforms.

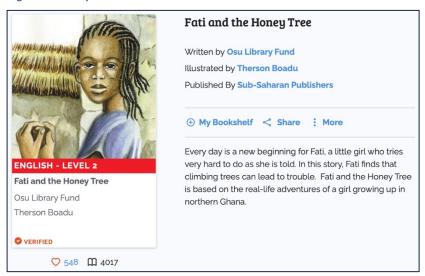
<sup>&</sup>lt;sup>10</sup> http://portal.unesco.org/en/ev.php-URL ID=49556&URL DO=DO TOPIC&URL SECTION=201.html



<sup>&</sup>lt;sup>8</sup> Personal communication to Lisbeth Levey from Alisha Berger, 12 July 2018, quoted in Butcher, N., Levey, L., & von Gogh, K. (2018, August). *Open Licensing Made Plain: A Primer on Concepts, Challenges, and Opportunities for Publishers*. Retrieved 27 July 2021, from <a href="http://www.earlyliteracynetwork.org/system/files/resourcefiles/Primer on open licensing for African">http://www.earlyliteracynetwork.org/system/files/resourcefiles/Primer on open licensing for African</a> publishers 21.8.2018.pdf?file=1&type=node&id=38&force= (CC BY license)

<sup>&</sup>lt;sup>9</sup> Open Educational Resources (OER). (2020, May 13). Retrieved July 31, 2021, from <a href="https://en.unesco.org/themes/building-knowledge-societies/oer">https://en.unesco.org/themes/building-knowledge-societies/oer</a>

Figure 5: Storyweaver<sup>11</sup> uses a **CC BY** licence



With more than 45,000 books in over 300 languages, StoryWeaver is the oldest and largest online storybook platform. All content creators and publishers are acknowledged on the StoryWeaver platform. It also gives information on how many times the story has been read and the number of languages into which it has been translated.

Fati and the Honey Tree was written through the Osu Library Fund and published by Sub-Saharan Publishers. The print book in English is sold through its publisher. All content creators have been paid for their work. The online version is free with a CC BY licence. Fati was first mounted on StoryWeaver in three

Ghanaian languages and has now been translated to 22 languages. It is also available on African Storybook in English.<sup>12</sup>

Figure 6: Literacy Cloud<sup>13</sup> uses both **CC BY** and **CC BY-NC**.



Literacy Cloud is an initiative of the US non-governmental organization (NGO), Room to Read. <sup>14</sup> The site is Room to Read's online library, containing approximately half of the books Room to Read has created around the world. All content creators were paid for their work on these titles. Some funders who work with Room to Read require a CC licence. Literacy Cloud uses both CC BY and CC BY-NC.

<sup>14</sup> https://www.roomtoread.org/

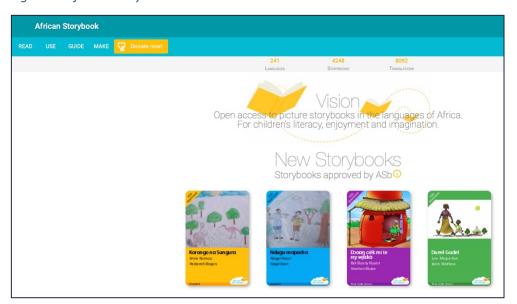


<sup>11</sup> https://storyweaver.org.in/en/

<sup>12</sup> https://www.africanstorybook.org/reader.php?id=31833

<sup>13</sup> https://literacycloud.org/

Figure 7: African Storybook<sup>15</sup> uses both a CC BY and CC BY-NC licence

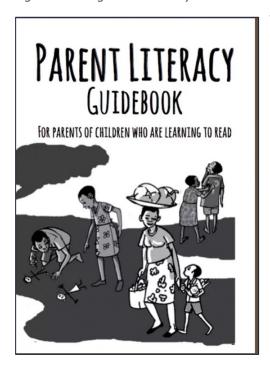




African Storybook, which includes stories in more than 4,000 African languages, uses CC BY and CC BY-NC licences, depending on the wishes of the author.

ASb stories can be read online, downloaded to read in PDF, downloaded to print in PDF, and downloaded to EPub. You can also find several guides, on video and in writing.

Figure 8: Mango Tree Literacy Lab<sup>16</sup> uses a **CC BY-NC-SA** licence



The NGO, Mango Tree Literacy Lab (MTLL) in Lira, Uganda creates content with a CC BY-NC-SA licence. This *Parent Literacy Guidebook*<sup>17</sup> is available in English and in Leblango, the language spoken in this part of Uganda. Readers wishing to use MTLL content must agree to share the resource using the same licence as applied to the original, in this case CC BY-NC-SA.

<sup>&</sup>lt;sup>17</sup> https://www.mangotreelitlab.org/ files/ugd/52195f 67c95fc0a59345c8882b40c3efd84920.pdf



<sup>15</sup> https://www.africanstorybook.org/

<sup>16</sup> https://www.mangotreelitlab.org/

Figure 9: Vula Bula<sup>18</sup> uses a CC BY-NC-ND licence





The Molteno Institute for Language and Literacy, <sup>19</sup> a South African NGO, has created a business model that entails switching from copyright protected to open licensing for the online version of its *Vula Bula*<sup>20</sup> graded reading series in eleven South African languages. Online materials in PDF format are free; print copies are sold. Molteno restricts its online resources to a non-commercial and non-derivative (CC BY-NC-ND) licence so that the integrity of its *Vula Bula* literacy methodology can be retained. It develops its early reading materials in South African languages rather than translating English-language texts because, when text is translated from one language to another, the words may not achieve the desired early literacy objectives in the new text.

Likewise, Siyavula is a South African NGO that produces open textbooks in mathematics and science in English and Afrikaans that are aligned to the South African curriculum as set by the Department of Basic Education (DBE). It licenses some versions of its textbooks only as CC BY-ND, while other versions carry a CC BY licence. Textbooks that feature a DBE logo are branded with a CC BY-ND licence to prevent any changes without permission; the DBE logo does not appear in the CC BY version. The ones in the latter category are downloadable in ePUB format to allow for easy adaptation. Governments that want to share their content, but do not want to have it adapted, should think about using a ND licence, as do Molteno and Siyavula.<sup>21</sup>

## 4. Cost recovery and contracts

Publishers are concerned with cost recovery and a sustainable income. Cost drivers include:

Box 2: Publisher cost drivers<sup>22</sup>

#### **Cost drivers**

- Project management
- Writing fees
- Illustration
- Quality control (editing and proofreading)
- Design and layout
- EPUB creation/digital upload/curation
- Translation

<sup>&</sup>lt;sup>22</sup> Neil Butcher. *Open Licensing Business Models for Publishers*. 27 June 2019. <a href="https://www.edu-links.org/sites/default/files/media/file/Butcher.Business models presentation for GRN webinar 20.06.27.pdf">https://www.edu-links.org/sites/default/files/media/file/Butcher.Business models presentation for GRN webinar 20.06.27.pdf</a>



<sup>18</sup> https://vulabula.molteno.co.za/

<sup>19</sup> https://molteno.co.za/

<sup>&</sup>lt;sup>20</sup> https://vulabula.molteno.co.za

<sup>&</sup>lt;sup>21</sup> For a detailed discussion of MILL, Siyavula, and ND licensing, see *Closed or Open? Ubongo's Switch from Copyright Protected to Creative Commons Licensing*. Lisbeth Levey and Kirsty von Gogh. 20 November 2020 on 12 September 2023 from <a href="https://www.earlylearningresourcenetwork.org/system/files/resourcefiles/Ubongo policy brief 1611.pdf">https://www.earlylearningresourcenetwork.org/system/files/resourcefiles/Ubongo policy brief 1611.pdf</a>

Content creators understandably worry about receiving a fair return for their labour. Governments and donors want to understand how open licensing works to be able to create a funding model that will appropriately pay content creators. The issue of cost recovery is of utmost significance to all stakeholders, although the reasons may be different.

Parents, teachers, and other content users have costs of their own. Internet charges if material is online, devices, and printers, paper, and other print-related consumables are just three major categories.

Sometimes, content creators volunteer their time and do not expect to be paid; their goal is to ensure that quality resources are available to everyone. This is the case of the South African NGO Book Dash.<sup>23</sup> Not everyone can afford to donate time, however. This primer is intended to assist those who need information on calculating costs and contracts.

A book contract outlines the obligations and rights of each party, including the exact type of licence to be used and who owns the copyright. For authors and illustrators who are providing content for a work that will employ a CC BY licence, language such as this can be used:<sup>24</sup>

I have the right to licence my contribution under a Creative Commons Attribution 4.0 Licence. I do not require anyone else's permission to grant this licence.

I understand that this licence means anyone is free to share (copy and redistribute the material in any medium or format) and adapt (remix, transform, and build upon the material) my contribution for any purpose, even commercially, and I cannot revoke these freedoms.

The language can be changed, depending on the CC licence terms being used. The contract should also include how much the author, illustrator, or other content creators will be paid and when. Payment can be determined by a set or fixed fee agreed upon in advance. Although there are some exceptions with set fees (discussed below), the entity that commissions the work owns the intellectual property (IP) and can assign a CC licence to it.

In instances for which an educational work is commissioned, governments want to ensure that they own the IP rights so that they can adapt, share, and reprint the resource. This step confirms that public and donor funding are used for the greatest possible public good. *Open Licensing in Education: A World Bank Toolkit* discusses in detail the reasons why IP ownership should be retained by government.<sup>25</sup>

When a work bears an open licence, authors and illustrators do not lose rights to their creative output. This is described below.

The Read@Home Copyright Guide gives two examples on decisions to use set fees for payment. (See box three).

Box 3: Example of a set  $fee^{26}$ 

A local writer who may have also been a teacher is hired to create an early literacy storybook of 24 pages and will be paid a fee instead of a royalty. The fee should reflect the amount the teacher would have been paid in their teaching position, pro-rated to the time involved in creating the storybook. Normally, this amount would then be increased by 15–20% to compensate for the fact that the work is temporary, not full time. If the writer is still teaching full time, the publisher will normally negotiate a fee that reflects an hourly rate and is acceptable to the teacher.

<sup>&</sup>lt;sup>26</sup> World Bank (2021). Read@Home: *Copyright Guide*. Washington, DC: The World Bank. Downloaded 1 September 2023 from <a href="https://thedocs.worldbank.org/en/doc/3c02f6956bbc8428ba6b9cf8909438f9-0140012022/related/Read-Home-CopyrightGuide-World-Bank.pdf">https://thedocs.worldbank.org/en/doc/3c02f6956bbc8428ba6b9cf8909438f9-0140012022/related/Read-Home-CopyrightGuide-World-Bank.pdf</a>



<sup>&</sup>lt;sup>23</sup> https://bookdash.org/

<sup>&</sup>lt;sup>24</sup> Book Dash contributors' agreement. (See Appendix 2.)

<sup>&</sup>lt;sup>25</sup> Butcher, N, Levey, L, and von Gogh, K. (2022). *Open Licensing in Education: A World Bank Toolkit*. Washington DC: The World Bank <a href="https://www.earlylearningnetwork.org/content/open-licensing-education-world-bank-toolkit">https://www.earlylearningnetwork.org/content/open-licensing-education-world-bank-toolkit</a>

A publisher hires a local writer, who is also a literacy worker, to create an early literacy storybook of 24 pages. The writer takes a week away from her job to write the storybook. The fee should reflect the amount the literacy worker would have been paid in her professional position, pro-rated to the time involved in creating the storybook. Normally, this amount would then be increased by 15–20% to compensate for the fact that the writing work is temporary. If the writer is still working full time and is writing outside work hours, the publisher will normally negotiate with the writer to determine a fee that reflects a mutually acceptable hourly rate.

Essential points a set fee contract must include:

- The type of service to be performed.
- Scope of work.
- The duration (start and end dates).
- Payment terms.
- IP rights, licence information, and who owns the rights.

Box 4: Example of language for payment terms<sup>27</sup>

| PAYMENT                                                                                         |                                                                                               |
|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| The client agrees to pay a fee of \$ be paid upfront before the work begins. This pric project. | for the complete work, and of this, \$ will e (includes/does not include) the expenses of the |

The bullets on this page and the box 2 example are relevant to all content creators. It is incumbent on them to understand the IP terms to which they are agreeing in their contract.

Some content producers pay more than the going rate as a way of strengthening local publishing. Room to Read sometimes releases its content with a CC BY-NC licence, but other times uses all-rights-reserved copyright to protect local book creators and enable the publishing ecosystem to profit from sales. In Colombo and elsewhere where Room to Read works, the organization tries to pay its book creators 20 to 50 percent more than local rates, taking into consideration the time and skills required and the length of the book development process. Room to Read also tries not to overpay to avoid 'distorting local market dynamics' and to keep local rates in balance.

## 5. Why set fees can be advantageous to content creators

Authors typically receive payments through royalties, the extent of which varies from country to country. In South Africa, many publishers typically pay ten to twelve percent of net receipts, but this varies among publishers and the type of book being published. <sup>28</sup>

Even though royalty payments have been the traditional way authors have been paid for their work, obtaining payment can be vexatious. For example, sometimes publishers are not paid for textbooks that have been ordered by government, schools, and booksellers, thus creating a cash flow problem for the publisher.

Late royalty payments have been a problem everywhere in the world. See the bullets below for a few instances:

• In India in 2017, the Consumer Disputes Redressal Forum, directed a Delhi-based publishing house to compensate an author with ₹50,000 (about \$US645) for not paying her the royalty on the book that she had written.<sup>29</sup>

<sup>&</sup>lt;sup>29</sup> 'Publishing house asked to pay royalty'. *The Hindu*. October 14, 2017. Downloaded on May 30,2022 from <a href="https://www.thehindu.com/news/cities/Delhi/publishing-house-asked-to-pay-royalty/article19863667.ece">https://www.thehindu.com/news/cities/Delhi/publishing-house-asked-to-pay-royalty/article19863667.ece</a>



<sup>&</sup>lt;sup>27</sup>Downloaded 1 September 2023 from <a href="https://www.pandadoc.com/fixed-price-contract-template/">https://www.pandadoc.com/fixed-price-contract-template/</a>

<sup>&</sup>lt;sup>28</sup> Publishers' Association of South Africa. 'How to get published'. PASA, 2021. https://publishsa.co.za/how-to-get-published/

- In 2018, Caine Prize 2016 winner, Lidumalingani Mqobothi wrote that the Kenyan publishing house, Kwani? Trus
  refused to release his royalties.<sup>30</sup>
- Also in Kenya, authors accuse publishers of reducing the royalty percentage that they receive for textbook sales
   because publishers are engaged in price wars.<sup>31</sup>
- In the United States, PublishersLunch reported in 2021 that authors were having troubles with Diversion Books in terms of late royalty payments.<sup>32</sup>

In an email communication, Mahesh Pathirathna of Room to Read wrote about the uncertainty of royalty payments:<sup>33</sup>

Royalty payments require detailed reporting, regular follow ups, transparency, and accountability from publishers. There are so many anecdotes to show how royalty payments are inefficient and doing great injustice to book creators simply through lack of commitment from publishers

Financial problems all along the book chain can also negatively impact royalty payments to authors. In Nigeria, late payments from booksellers to the publisher deleteriously affect both an author's income and that of the publisher. In 2017, Kofo Okunola of Cassava Republic Press (one of Nigeria's most successful publishers) explained that:<sup>34</sup>

Yes, it is a constant battle trying to juggle the need to sell books and worrying about whether the outlets will pay once they have sold your books. Non-payment from retailers makes it difficult to pay authors' royalties and it affects our own cash flow that will allow us to pay salaries, production cost and work with new authors.

He went on to say that the situation creates mistrust between publishers and authors.

Illustrators, designers, editors, and other members of the content creation ecosystem work according to set fees. Authors may wish to evaluate applying a set fee rather than a royalty payment to ensure that they are paid for their work. In box 2 above, for example, content creators can negotiate for a percentage of their payment in advance.

## 6. Technology and open licensing

Technology and the Internet have transformed the book production chain worldwide. There are also numerous platforms, both those that are openly licensed and those that are copyright protected, which make children's books available in digital format, sometimes for offline use. The table in appendix one lists some of them, with different licensing conditions and terms of use. Although these platforms focus on storybooks, several of them offer primary-grade textbooks in mathematics and the sciences. Additionally, all use some kind of Creative Commons licence, although e-Kitabu has uploaded copyright protected content on its platform in addition to using open licensing, as has Worldreader. Although it is possible to make small digital print runs from these platforms, only Book Dash has the correct files available to allow large-scale printing. This issue is discussed further in this primer.

During the COVID pandemic when schools were closed across the world, many governments resorted to distance education using radio, television, and the Internet. Accessing education and the various online storybook platforms is problematic for many, however. A December 2020 report by the United Nations Children's Fund (UNICEF) shows that Internet inequities cut across regions and income levels. Two-thirds of children and young people under 25 do not have Internet at home. Even more revealing:<sup>35</sup>

<sup>&</sup>lt;sup>35</sup> United Nations Children's Fund and International Telecommunication Union, 'How many children and young people have internet access at home? Estimating digital connectivity during the COVID-19 pandemic.' UNICEF, New York, 2020. Downloaded on May 23, 2022 from <a href="https://data.unicef.org/resources/children-and-young-people-internet-access-at-home-during-covid19/">https://data.unicef.org/resources/children-and-young-people-internet-access-at-home-during-covid19/</a>



<sup>&</sup>lt;sup>30</sup> 'Kwani? Trust is Refusing to Release My Royalties, Says Lidudumalingani. Otosirieze Obi-Young'. *brittle paper*. August 28, 2018. Downloaded on May 30, 2022 from <a href="https://brittlepaper.com/author/otosirieze/">https://brittlepaper.com/author/otosirieze/</a>

<sup>&</sup>lt;sup>31</sup> 'As publishers engage in vicious price wars, authors lose millions'. David Muchunguh. *The Nation*. May 30,2021. Downloaded on May 30, 2022 from https://nation.africa/kenya/news/education/authors-lose-millions-in-publishers-price-wars-3418898

<sup>32</sup> https://lunch.publishersmarketplace.com/2021/04/authors-accuse-diversion-books-of-unpaid-royalties/

<sup>33</sup> Email to Lisbeth Levey from Mahesh Pathirathna, May 31, 2022

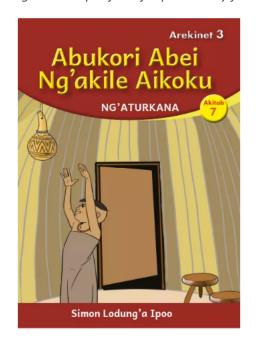
<sup>&</sup>lt;sup>34</sup> Anote Ajeluorou, 'Book industry reels in debt as publishers, booksellers bicker'. The Guardian (Nigeria). April 2, 2017. Downloaded June 4, 2022 from https://guardian.ng/art/book-industry-reels-in-debt-as-publishers-booksellers-bicker/

The report finds significant inequities between countries, regions, wealth groups and urban-rural settings. For example, only 5 per cent of children and young people in West and Central Africa have internet access at home compared to the 33 per cent global average. Differences are starker yet between rich and poor countries, with only 6 per cent of children and young people in low-income countries having internet access compared to 87 per cent in high-income countries.

Additionally, even when Internet is available, many families in the global South lack devices to use it. In its 2020 report, the Global System for Mobile Communications Association (GSMA) reported that in 2020, although there were 850 million mobile connections, only 300 million of them were mobile Internet users.<sup>36</sup> Moreover, even in homes with a mobile phone connected to the Internet, the high cost of paying for data and a reluctance of caregivers to let their child use the phone may make it difficult to access platforms to read online or download stories.

For these reasons, the World Bank's Read@Home initiative<sup>37</sup> decided to create a different kind of platform, one that makes available to governments and other relevant agencies all the files necessary for large print runs, using a CC licence.<sup>38</sup> The Early Learning Resource Network <sup>39</sup> focuses on textbooks, teacher guides, and books for reading practice in languages children know, particularly underserved languages.

Figure 10: A platform for print-ready files



## Abukori Abei Ng'akile Aikoku (Level 3 Book 7)

#### Details

Reading level: Level 3: Independent reader who still needs some help

Type: Graded reader
Author: Simon Lodung' a Ipoo
Illustrator: Arthur Makali & Simon Odero

Publisher: Read@Home Country: Kenya

Year of publication: 2021 Number of pages: 12

Language: No'aturkana

Licensing condition: Creative Commons: Attribution 3.0 IGO

DOWNLOAD PRINT-READY COVER

DOWNLOAD PRINT-READY TEXT

The platform also offers tools and guidance, such as parent engagement materials, procurement support information, and a print cost calculator.

<sup>39</sup> https://www.earlylearningresourcenetwork.org/

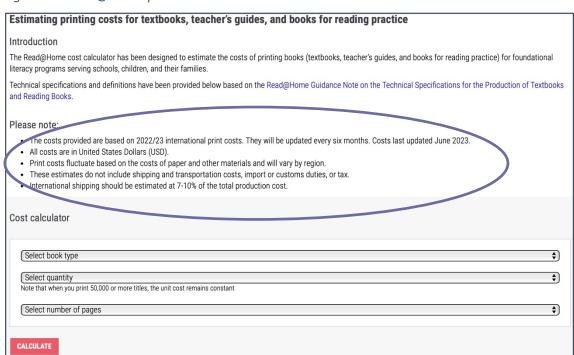


<sup>&</sup>lt;sup>36</sup> The Mobile Economy Sub-Saharan Africa 2020. (2020). GSMA. Downloaded 22 August 2021 from <a href="https://www.gsma.com/mobileeconomy/wp-content/uploads/2020/09/GSMA">https://www.gsma.com/mobileeconomy/wp-content/uploads/2020/09/GSMA</a> MobileEconomy2020 SSA Eng.pdf

<sup>37</sup> https://www.worldbank.org/en/topic/education/brief/read-at-home

<sup>&</sup>lt;sup>38</sup> Print-ready files are PDF files that have been correctly prepared so that they can be printed by a commercial printer. Print-ready PDF files will have been created using DTP software to meet the specifications required for litho or offset printing. For example, images need to be high resolution and specific colours need to be used to ensure a high-quality publication can be printed.

Figure 11: Read@Home print cost calculator





The calculator notes some, but not all, of the variables. Duty and taxation on paper are not included in the calculator, for instance. The East African Community, for example, instituted new tariffs for 2023/24 that have gone up for paper from 10 to 35 percent.<sup>40</sup> Taxes on paper and other consumables should be taken into consideration when calculating costs.

The easy availability of print-ready files ensures that the funder of educational and reading materials will have ready access to the content it has paid to produce. It should not have to pay a second time over for adaptations or large print runs: 41

If care is taken to ensure that commissioned publishers and other content developers are required to use open licences for all materials – including, the desktop-publishing (DTP) and print-ready PDF files – and these are in turn shared in online repositories such as through <a href="https://www.earlyliteracynetwork.org/books">https://www.earlyliteracynetwork.org/books</a>, then it can be much quicker and less expensive to translate and customize these reading materials, including for large print runs, than if the copyright is held by a single publisher or organization. Likewise, access to these files would facilitate cost-effective repeat large print runs, while also enabling small printers to undertake smaller print runs to meet localized needs at affordable prices. Small publishers would also be able to customize content for their local market.

## 7. Fuzzy licensing

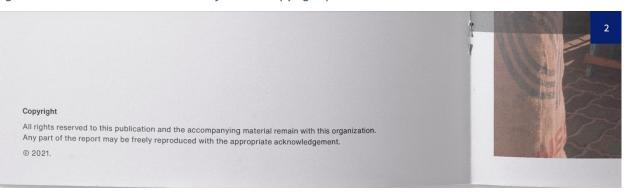
Governments often upload educational content for online use or downloading. Funders and international agencies do the same. These resources are free to the user, but licensing information is sometimes either non-existent or confusing, which is detrimental to those who do not know whether they have the right to download or share the materials. This was exacerbated during the COVID-19 lockdowns, when governments and funders worked to upload resources as quickly as possible for use by students and their teachers. The figure below was extrapolated from an official website with the identifying information removed.

<sup>&</sup>lt;sup>41</sup> Butcher, N, Levey, L, and von Gogh, K. (2021). Open Licensing in Education: A World Bank Toolkit. Washington DC: The World Bank. Downloaded on 10 September 2023 from <a href="https://www.earlylearningresourcenetwork.org/content/open-licensing-education-world-bank-toolkit">https://www.earlylearningresourcenetwork.org/content/open-licensing-education-world-bank-toolkit</a>



<sup>&</sup>lt;sup>40</sup> *Tax News Update*. 6 July 2023. Downloaded on 12 September 2023 from <a href="https://globaltaxnews.ey.com/news/2023-1308-east-african-community-implements-tariff-changes-for-the-financial-year-2023-24">https://globaltaxnews.ey.com/news/2023-1308-east-african-community-implements-tariff-changes-for-the-financial-year-2023-24</a>

Figure 12: Neither one nor the other: free but copyright protected<sup>42</sup>





The copyright statement above is used by many governments and international agencies. Their educational content can be read, downloaded in PDF format, printed, and circulated, without requesting permission. Because it is protected by all-rights-reserved copyright, reproducing this content is actually illegal.

# 8. Creative Commons and intellectual property (IP) protection

Creative Commons licences are designed in conformity to copyright law. These licences apply worldwide and last for the duration of the copyright because the licences are built on copyright. They are not revocable.<sup>43</sup>

But IP thieves are respecters of no licence, whether it be all-rights-reserved copyright or openly licensed. (CC licensed content is still copyright protected, but it allows users certain sharing and adaptation rights.) The reality is that no one is completely protected once any content is available in print or in a digital format. Some examples:

- In Indonesia, some merchants specialize in pirated books and use apps like Telegram to advise customers of new books.<sup>44</sup>
- In Kenya, publishers believe that revisions to the country's copyright law will further weaken their ability (both book and media) to enforce their rights for digital content. They already reportedly lose:
  - as much as 14.31 billion Kenyan shillings annually (US\$125.9 million), [with] a loss to the government of 16.25 billion shillings in taxes each year (US\$142.9 million).<sup>45</sup>
- In Colombia, publishers tried to fight back by educating consumers, including children, on how book piracy hurts the people who produce books. Colombia's publishers estimate that, in 2019, they lost about \$US58.5 million in book piracy. The image below is an example of the publishers' efforts to fight piracy. 46

<sup>&</sup>lt;sup>45</sup> Porter Anderson. IPA and Kenyan Publishers Blast 'Unacceptable' Copyright Bill. *Publishing Perspectives*. February 14, 2022. Downloaded May 18, 2022 from <a href="https://publishingperspectives.com/2022/02/ipa-and-kenyan-publishers-blast-unacceptable-copyright-bill/">https://publishingperspectives.com/2022/02/ipa-and-kenyan-publishers-blast-unacceptable-copyright-bill/</a>. (2020, January 30). *Introducing Publishing's People to Readers: Colombia's Campaign Against Book Piracy*. Publishing Perspectives. Retrieved 7 August 2021 from <a href="https://publishingperspectives.com/2020/01/colombia-campaign-against-book-piracy-introduces-publishing-people-to-readers/">https://publishingperspectives.com/2020/01/colombia-campaign-against-book-piracy-introduces-publishing-people-to-readers/</a>



<sup>&</sup>lt;sup>42</sup> Butcher, N, Levey, L, and von Gogh, K. (2021). Open Licensing in Education: A World Bank Toolkit. Washington DC: The World Bank. Downloaded on 10 September 2023 from <a href="https://www.earlylearningresourcenetwork.org/content/open-licensing-education-world-bank-toolkit">https://www.earlylearningresourcenetwork.org/content/open-licensing-education-world-bank-toolkit</a>

<sup>&</sup>lt;sup>43</sup> Frequently Asked Questions. (n.d.). Retrieved May 16, 2022, from <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> This article was published in <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> Downloaded on May 18, 2022 from: <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> This article was published in <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> Downloaded on May 18, 2022 from: <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> This article was published in <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> This article was published in <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-cc-licenses-operate</a>
<sup>44</sup> This article was published in <a href="https://creativecommons.org/faq/#how-do-cc-licenses-operate">https://creativecommons.org/faq/#how-do-c



Three of the educational cards in Colombia's anti-piracy campaign describe for students and other readers the roles of the author, illustrator, and editor

If all content can be stolen, no matter what type of licence is used, why does open licensing matter? Open licences may reduce the incentive for and incidence of IP theft because they legalize sharing content and minimize some of the reasons for theft and piracy. Openly licensed resources that are posted online and stolen can be easily discovered through the many available plagiarism checkers, some of which are free. Creative Commons also has tips on what to do if CC-licensed work is misused.<sup>47</sup> Content creators and producers with government or funder contracts run no financial risk if a book is pirated or plagiarized. Content with a fuzzy licence can run into greater problems because there are no rules, neither all-rights-reserved copyright nor Creative Commons.

What happens when someone wants to copy verbatim from an OER or other openly licenced material? This is not plagiarism if the content is attributed to the original author and the CC licence terms are observed.

Additionally, some authors use open licensing as a marketing tool or to increase the impact of their scholarship. Research has shown that open access publishing increases the circulation of academics' work and citations. Other openly licensed educational content can receive more visibility, distribution, and use. *Fati and the Honey Tree* (figure 5 above) continues to be sold in print form, but over 4,000 people have read it online – readers who might not have access to the print version.

Box 5: The StoryWeaver experience with open licensing and IP<sup>48</sup>

StoryWeaver has chosen the most liberal of the creative commons licenses, the CC- BY 4.0 license, which allows users to copy, modify and distribute content in any format for any purpose, including commercial use. CC BY mandates appropriate attribution to the creators of the work. Given that our goal was to empower communities and to be as open as possible, our license choice allows us to fulfill our mission better than a traditional copyright model. Being one of the largest platforms for openly licensed children's storybooks, we have seen cases of proper attribution and cases where users have not attributed as per the license tenets. We maintain both positive and negative reinforcement, by giving visibility to those who have used StoryWeaver content appropriately. We also reach out to users and platforms that have not complied with the license guidelines with warnings and requests for amendments.

<sup>&</sup>lt;sup>48</sup> Purvi Shah email to Lisbeth Levey, 27 September 2023



1 arvi Silari

<sup>&</sup>lt;sup>47</sup> What to Do if Your CC-Licensed Work is Misused. (n.d.). Creative Commons. Retrieved August 30, 2021, from <a href="https://creativecommons.org/misuse-of-works/">https://creativecommons.org/misuse-of-works/</a> (Carries a CC BY licence.)

# 9. The dominance of educational content in the publishing industry

Traditionally, publishers have been responsible for the entire process of bringing a book to market and financing the costs involved. Cost drivers can include sourcing and paying for authors, illustrators or photographs, book designers, copy editors, translators, if necessary, proofreaders, cover design, printing, warehousing, and distribution.

Bookseller payment problems impacting on publishers on their authors are discussed above. In 2020, Richard Ali, the Nigerian novelist and co-founder of Parrésia Publishers<sup>49</sup> referred to Nigerian publishing as a 'foolish undertaking.' He said:<sup>50</sup>

Book publishing in Nigeria is a foolish undertaking; a publisher is a sort of fool. Yet we do it, yet we do it, because we believe in it. The truth is, every single aspect of book publishing in Nigeria is a challenge—from sourcing for paper, which is mostly imported, to publishing the books to distributing and marketing them, to getting your money back from bookstore owners all the while trying to maintain skeletal staff and keep a website and social media running. Maybe the question should be framed differently. There's no aspect of publishing in Nigeria that is not a challenge.

Even if only some of these obstacles have a negative impact on a publisher's bottom line in the global South, it can be a massive problem. And Ali did not mention book piracy in his litany of woes.

Walter Bgoya, one of the first African publishers on the continent and founder of Mkuki na Nyota Publishers<sup>51</sup> in Tanzania grouped education, books, and publishers to argue for the centrality of their roles in development:<sup>52</sup>

Put simply, education is the foundation of development, and it is generally agreed, teachers are the most critical input in education. Books are the close second. To my knowledge there isn't a single country in Africa that can claim to be meeting all its textbooks needs and needs of other books — reference books and so on... The African Union and every individual African country must understand this: without books there can be no development and without African publishers there can be no African books.

Bgoya does not address open licensing and his books are protected by all-rights-reserved copyright. Nevertheless, his thoughts on the significance of books to development, are pertinent. Moreover, he is considered by some as an 'icon among African publishers' because of his innovations, thoughtfulness, and long history in the field.

Many publishers depend on contracts to produce educational content, particularly textbooks. In the United States, textbook publishing currently accounts for 31.87% of the publishing industry's revenue.<sup>54</sup> In Mexico, 'over 75.1% of the publishing revenue is attributed to the educational publishing segment'.<sup>55</sup>

house-and-mkuki-na-nyota-19722020/4CCDCBA8CE690DD61FE2CD2E6B983DAF

<sup>55</sup> Educational Publishing Market Statistics. Dimitrije Curcic. 13 June 2023. Downloaded on 18 September 2023 from <a href="https://wordsrated.com/educational-publishing-market-statistics/">https://wordsrated.com/educational-publishing-market-statistics/</a> - : ":text=The US educational publishing generated, industry%27s revenue in the US.



<sup>49</sup> https://www.parresia.com.ng/

<sup>&</sup>lt;sup>50</sup> Damiete Braide, Interview with Richard Ali. The Sun. May 30, 2020. Downloaded on June 6, 2022 from <a href="https://www.sunnewsonline.com/book-publishing-in-nigeria-is-a-foolish-undertaking-richard-ali/">https://www.sunnewsonline.com/book-publishing-in-nigeria-is-a-foolish-undertaking-richard-ali/</a>

<sup>51</sup> https://mkukinanyota.com/

<sup>&</sup>lt;sup>52</sup> Reaching for the Stars with a Spear: Interview with Tanzanian publisher Walter Bgoya. Liesbeth Nonkululeko Kanis. *African Dynamics Blog*. November 27, 2021. Downloaded on June 6, 2022 from <a href="https://minorafricandynamics.wordpress.com/2021/11/27/reaching-for-the-stars-with-a-spear/">https://minorafricandynamics.wordpress.com/2021/11/27/reaching-for-the-stars-with-a-spear/</a>

<sup>&</sup>lt;sup>53</sup> Dreams and constraints of an African publisher: Walter Bgoya, Tanzania Publishing House and Mkuki na Nyota, 1972–2020. Maria Suriano. Journal of the International Institute. August 2021. Downloaded on 18 September 2023 from <a href="https://www.cambridge.org/core/journals/africa/article/dreams-and-constraints-of-an-african-publisher-walter-bgoya-tanzania-publishing-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publisher-walter-bgoya-tanzania-publishing-publishing-publishing-publisher-walter-bgoya-tanzania-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-publishing-pub

<sup>&</sup>lt;sup>54</sup> Educational Publishing Market Statistics. Dimitrije Curcic. 13 June 2023. Downloaded on 18 September 2023 from <a href="https://wordsrated.com/educational-publishing-market-statistics/">https://wordsrated.com/educational-publishing-market-statistics/</a> :~:text=The US educational publishing generated,industry%27s revenue in the US

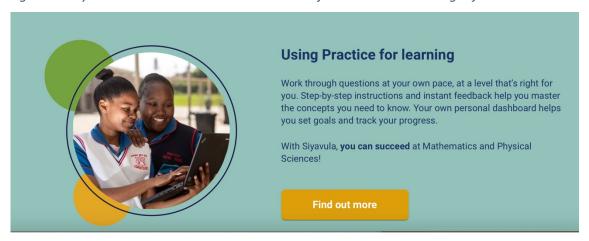
Similar current data for countries in Africa are hard to locate because, except for South Africa, publishing association do not publish annual reports. From anecdotal reports, it appears that educational publishing plays an important perhaps the most important, role in the book sector. A few examples:

- South Africa's publishing industry is centred on education.<sup>56</sup>
- According to a 2022 article, the Kenya Publishing Association (KPA) reports that up to 90 percent of Kenya's book market comes from education, which is why textbooks are so often pirated.<sup>57</sup>
- About 80 percent of books published by indigenous publishers in Nigeria are educational textbooks. A response
  to a known demand probably caused by education demand.<sup>58</sup>

It is understandable that many African publishers are afraid that their income stream will dry up if educational content is openly licensed. Their fear is misplaced, however, if they understand how to manage their revenue and cost streams.

- Publishers should remember that all cost drivers should be accurately planned for, including contracts that fairly pay content creators.
- Even if a textbook is openly licensed, there are value added services for which users must pay. This practice is employed by the South African NGO, Siyavula, for example.
- By using a model of fixed prices, publishers are not subject to the vicissitudes of cash flow problems, such as when bookstores do not pay for the textbooks they order.
- Depending on the licence used, publishers can sell copies of the content, particularly if it is bundled with additional material, a collection of storybooks for example, or supplemental reading resources.

Figure 14: Siyavula has a Creative Commons licence for textbooks but charges for value-added services



### 9.1 The role of local languages in educational content

The language in which a book is published is also a factor in demand and potential sales. In 2018, the African publishing specialist, Hans Zell, wrote that many publishers are reluctant to publish in African languages because there is no financial incentive to do so:<sup>59</sup>

Many publishers tend to argue—and, one could say, with a good measure of justification—that publishing in African languages can only be financially viable if there is a in fact a market for those books, either in the form of government guarantees or incentives, or other tangible support. Combined with the low incomes of most of

https://www.academia.edu/36334936/Publishing in African Languages A Review of the Literature



<sup>&</sup>lt;sup>56</sup> https://www.researchandmarkets.com/reports/4968426/publishing-of-books-and-other-publications-in?utm source=dynamic&utm medium=GNOM&utm code=ws99cf&utm campaign=1349529+-

<sup>+</sup>South+Africa%27s+Industry+for+the+Publishing+of+Books+and+Other+Publications,+2019&utm exec=joca220gnomd

<sup>&</sup>lt;sup>57</sup> Book Piracy Denies Publishing Industry 40pc Of Market Share. Kenya News. 4 June 2022. Downloaded on 18 September 2023 from https://www.kenyanews.go.ke/book-denies-publishing-industry-40pc-of-market-share/

<sup>&</sup>lt;sup>58</sup> Publishing and Book Trade. A course for the National Open University of Nigeria (NOUN). 2022. Downloaded on 19 September 2023 from <a href="https://nou.edu.ng/coursewarecontent/LIS413.pdf">https://nou.edu.ng/coursewarecontent/LIS413.pdf</a>

<sup>&</sup>lt;sup>59</sup> Hans Zell, Publishing in African Languages: A Review of the Literature. 2018, African Research & Documentation. Journal of SCOLMA -The UK Libraries and Archives Group on Africa. Downloaded on June 1, 2022 from

the regions where these African languages are spoken, it means that the market for books simply cannot be expected to develop without such support.

Educational content in mother-tongue languages, including storybooks, is often fully funded by international donors and governments for the social good and not for profit. The importance of local language in education is now well recognized. Many African governments now mandate that local languages be used in teaching grades one to three, although there are not enough textbooks in those languages and the number of those that are available is limited. Moreover, local language textbooks in the latter grades are hard to identify.

Funders have picked up the slack in commissioning, contracting for, and producing early readers in various indigenous languages. These materials would benefit from open licensing and fee for work contracts because there is virtually no commercial market for them. Online platforms, such as African Storybook and StoryWeaver, make availability and translation of this content possible but writing directly in mother-tongue language is preferred. The Zenex Foundation has worked with content development organizations to develop hundreds of graded readers and storybooks in nine indigenous South African languages. The Ulwazi Lwethu project makes these titles available as print-ready PDFs hosted on the Early Learning Resource Network.<sup>61</sup>

## 10. Governments and funders

Governments and funders of education, including textbook provision, have a stake in using open licensing. This is discussed earlier on this primer. The World Bank, which is the largest source of external financing for education in the global South, <sup>62</sup> does not require use of open licences, but its own publications have carried a CC licence since 2012. <sup>63</sup> USAID has a strong preference for the use of open licensing, and, since 2015, the majority of USAID primary grade reading programmes have required implementing partners to work towards a CC BY licence. <sup>64</sup> Now, with the unanimous passage of the UNESCO OER Recommendation, ministries of education have an even stronger stake in open licensing because their government will almost certainly have approved the Recommendation.

Box 6: An example of donor-government-and NGO collaboration

The REACH Trust Fund was an initiative of the World Bank to support organizations committed to make more effective use of educational resources.<sup>65</sup>

With support from the REACH Trust Fund, Room to Read partnered with South Africa's Department of Basic Education, Electric Book Works, African Storybook, and a group of small South African publishers, local authors, illustrators, and designers to produce books for young readers. The books were published in five underserved South African languages: Sepedi, siSwati, Xitsonga, Tshivenda, and isiZulu. Twenty original stories were written and illustrated in these languages and quickly and inexpensively translated into other languages. The titles are all available online at the One Day, One Book website<sup>66</sup> as printready PDFs and e-books. More than 100,000 print copies have also been distributed to South African children.

All members of the book production and content creation ecosystem were paid for their work.<sup>67</sup>

<sup>&</sup>lt;sup>67</sup> Downloaded on 19 September 2023 from <a href="https://documents1.worldbank.org/curated/en/711001582092887118/pdf/Room-to-Read-s-REACH-Project-in-South-Africa.pdf">https://documents1.worldbank.org/curated/en/711001582092887118/pdf/Room-to-Read-s-REACH-Project-in-South-Africa.pdf</a>



<sup>&</sup>lt;sup>60</sup> See Loud and Clear: Effective Language of Instruction Policies for Learning, World Bank.

 $<sup>\</sup>underline{https://documents1.worldbank.org/curated/en/517851626203470278/pdf/Effective-Language-of-Instruction-Policies-for-Learning.pdf}$ 

<sup>61</sup> https://www.ulwazilwethu.org.za/Meet\_our\_Project\_Partners

 $<sup>{}^{62} \, \</sup>underline{\text{https://www.worldbank.org/en/topic/education/overview-2}}$ 

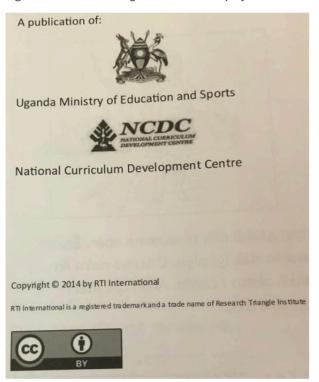
<sup>63</sup> https://openknowledge.worldbank.org/pages/faq/en

<sup>&</sup>lt;sup>64</sup> Open Licensing of Primary Grade Reading Materials: Considerations and Recommendations. Sofia Cozzolino and Cable Green. October 2019. Downloaded on 20 September 2023 from <a href="https://inee.org/sites/default/files/resources/GRN Open Licensing of Primary Grade Reading Materials">https://inee.org/sites/default/files/resources/GRN Open Licensing of Primary Grade Reading Materials 0.pdf</a>

<sup>65</sup> https://www.worldbank.org/en/programs/reach

<sup>66</sup> https://onedayonebook.org/

Figure 15: CC licensing but no memory of it



Innovations in licensing will not work unless there is an institutional memory of why these changes took place and what they were. Uganda is a case in point. In 2019, the Mango Tree Literacy Lab wanted to make copies of 2014 textbooks produced by RTI in the United States under contract from USAID and with assistance from Uganda's National Curriculum Development Centre. Per US regulations, the books had a CC BY licence.

The problem was that neither of the NCDC officials with whom Mango Tree met knew whether CC licensing had received final approval:<sup>68</sup>

Both NCDC officials recognized that there had been internal discussions about the Creative Commons licensing of these materials, but suggested that NCDC had yet to determine if it recognized the open licensing agreement.

Mango Tree ultimately continued its project to print copies of the reader because of the great need in the community. They had the legal right to do so because of the CC BY licence.

It is important to remember that use of a CC licence does not necessarily mean the loss of control. Governments that do not want to see their textbooks changed or adapted in any way can use a non-derivative licence, as does Siyavula at the request of the DBE. See *Open Licensing in Education* for a longer discussion of the benefits of open licensing to governments and funders.<sup>69</sup>

## 11. Summing up

Because governments and funders will begin to stipulate CC licences more often, it is incumbent on all educational stakeholders to understand the ramifications of open licensing and plan for appropriate steps to ensure fair payment.

Essential steps include:

- Training/upskilling of all players involved to understand open licensing, especially authors, illustrators, and government. Developing skills around correctly archiving and sharing open content is critical to the correct use and reuse of the resources. Different stakeholders may require different types of training.
- Payment for all services does not obviate the need to build in quality assurance processes (editing and proofreading, checking print readiness, etc.).
- Contracts should lay out the implications of the selected licence for all content creators.
- Working files, such as InDesign files, should be made available to copyright holders so they can update and adapt content. Print-ready files should also be available. These files can all be made available on the World Bank's Early Learning Resource Network.<sup>70</sup>

All steps entailed with open licences, contracts, and requirements are summarized in *Open Licensing in Education: A World Bank Toolkit*.

<sup>&</sup>lt;sup>70</sup> To share content on the Early Learning Resource Network, email info@earlylearningresourcenetwork.org



<sup>&</sup>lt;sup>68</sup> Case Study on Open Licensing of Early Grade Textbooks in Uganda. Craig Esbeck. Mango Tree Literacy Lab. July 2020. Downloaded on 23 September 2023 from <a href="https://www.earlylearningresourcenetwork.org/system/files/resourcefiles/Open Licensing of Early Grade Textbooks in Uganda.pdf">https://www.earlylearningresourcenetwork.org/system/files/resourcefiles/Open Licensing of Early Grade Textbooks in Uganda.pdf</a>

<sup>&</sup>lt;sup>69</sup> https://www.earlylearningnetwork.org/content/open-licensing-education-world-bank-toolkit

Figure 16: What is required?

Explicitly embed use of open Verify that final payments for licences into projects at the design phase (in Intermediate contracts are linked to full handover of all intellectual Targets, Results Frameworks, property to government or other Disbursement-Linked appropriate agency under open Indicators, etc). licences. Work with governments to Work with governments to ensure that use of open licences ensure that use of open licences is clearly stated in all steps of is clearly stated in all steps of the procurement process (EOIs, RFPs, tenders, etc) and in all contracts the procurement process (EOIs, RFPs, tenders, etc) and in all contracts with service providers. with service providers. Support capacity development of all key Verify that all materials are stakeholders to use open licences openly licensed prior to paying effectively in all the above processes. content development or design fees. Upload all project-funded content to the www.earlylearningnetwork.org and other global or regional platforms to guarantee that it will remain accessible after projects.





## 12. Appendix One: Digital Platforms in the global South

| Platform and location                                                                                                                  | Kinds of children's                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Licence conditions                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                        | content                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | License solidions                                                                                                                                                                                                                                                                                                                         |
| African Storybook (ASb) <sup>71</sup> Physically located in South Africa but serving African children throughout Africa and worldwide. | The ASb website has thousands of openly licensed picture storybooks in the languages of Africa for children's literacy, enjoyment, and imagination. It is aimed at children aged two to ten.                                                                                                                                                                                                                                                                                                                                                                                       | ASb uses CC BY and CC BY-NC licences, depending on the wishes of the author.  ASb stories can be read online, downloaded to read in PDF, downloaded to print in PDF, and downloaded to EPub                                                                                                                                               |
| Book Dash <sup>72</sup> Based in South Africa with some books created in other African countries.                                      | Book Dash is a South African NGO that relies on volunteers to write, illustrate, and design storybooks for young children.  Book Dash Book Dash designs and implements innovative publishing and distribution models to serve its vision that 'Every child should own a hundred books by the age of five'. It gathers top creative professionals to volunteer their time and talent to create beautiful, diverse, and open-licensed children's books that anyone can freely translate, print and distribute. The books are primarily in English and other South African languages. | Book Dash uses a CC BY licence. Stories can be read online or downloaded as an EPub. Book Dash also makes available all the necessary files for large print runs.                                                                                                                                                                         |
| eKitabu <sup>73</sup> A US limited liability company (LLC), located in Nairobi, Kenya, with plans to scale up to 12 countries.         | eKitabu is an online book platform, which works with several publishers to upload children's stories and textbooks (through tertiary level) online. Publishers include ASb,                                                                                                                                                                                                                                                                                                                                                                                                        | eKitabu has a free site, with content available at no charge to the public. The materials available on this page include ASb, all with a CC licence; books published by USAID's Kenya Tusome project that have no licence at all; and some textbooks that are fully copyright protected and may not be legally shared without permission. |

<sup>71</sup> https://www.africanstorybook.org/

<sup>72</sup> https://bookdash.org/ 73 https://www.ekitabu.com/





| Platform and location                                                                                                                      | Kinds of children's                                                                                                                                                                                                                                                                                                         | Licence conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                            | content                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                            | Moran Publishers,<br>Mountain Top<br>Publishers, and Oxford<br>University Press Online.                                                                                                                                                                                                                                     | Content may be read online or with the eKitabu app.  eKitabu also has contracts with the Kenyan Ministry of Education and other agencies. <sup>74</sup>                                                                                                                                                                                                                                                                                                                           |
| Global Digital Library (GDL) <sup>75</sup> Based in Norway and including stories from around the world.                                    | GDL is a flagship activity of the Global Book Alliance (GBA). <sup>76</sup> It collects content from several platforms, including ASb, Book Dash, <sup>77</sup> StoryWeaver, and the Asia Foundation, <sup>78</sup> with a focus on reading instruction books and storybooks for leisure reading in mothertongue languages. | GDL primarily uses CC BY and CC BY-SA for its content.  Content can be read online and can be translated by registered users. Offline access is not possible. Even though content is CC licensed, there is no format that allows adaptation, other than translation.                                                                                                                                                                                                              |
| Literacy Cloud by Room<br>to Read <sup>79</sup><br>Room to Read is a US-<br>based NGO that works in<br>Asia, Latin America, and<br>Africa. | Literacy Cloud <sup>80</sup> platform provides books for reading pleasure aimed at early readers.                                                                                                                                                                                                                           | Literacy Cloud content is released with a CC BY or CC BY-NC licence.  Unfortunately, Literacy Cloud formatting does not permit on or offline reading in a way that will allow any kind of adaptation. Stories are either read online or from the user's offline library. They cannot be saved.                                                                                                                                                                                    |
| StoryWeaver <sup>81</sup> Based in India, with a focus on South Asia.                                                                      | StoryWeaver has stories for emergent readers through level four in 314 languages.                                                                                                                                                                                                                                           | StoryWeaver uses CC BY for all stories published on its platform.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Worldreader (WR) <sup>82</sup> United States WorldReader is an international NGO, which makes available stories and educational materials. | Worldreader, which was founded in 2010, supports reading programmes in the US, East Africa, West Africa, India, Latin America, and the Middle East and North Africa. Books are in English and other languages (52 in all).                                                                                                  | Worldreader has uploaded both CC-licensed and copyright protected content from publishers to its platform. It signs licences with publishers for their copyrighted material. Its BookSmart app can be downloaded on both apple and android devices and read online.  All content on the app is free. Some of it is openly licensed; some resources have no licence; and some are copyright protected. It is not always stated under which terms publishers release their content. |

<sup>&</sup>lt;sup>74</sup> See: 'Digital books firm eKitabu inks more deals this year,' *Business Daily*, September 25, 2018. Downloaded on May 22, 2022 from https://www.businessdailyafrica.com/bd/corporate/companies/digital-books-firm-ekitabu-inks-more-deals-this-year-2220740

<sup>81</sup>https://storyweaver.org.in/ 82 https://www.worldreader.org/





<sup>75</sup> https://digitallibrary.io/

https://www.globalbookalliance.org/

<sup>77</sup> https://bookdash.org/ 78 https://www.letsreadasia.org/

<sup>79</sup> https://www.roomtoread.org/

<sup>80</sup> https://literacycloud.org/

## 13. Appendix Two: Book Dash Contributor's Agreement83

### Explanation

When you participate in any way in a Book Dash, you help create intellectual property that belongs to you: stories, images, translations and more. Legally, you own the copyright in your contribution, but it would often be impossible to say where your contribution ends and another participant's begins. All participants sign this simple agreement to open-license our contributions using a Creative Commons Attribution licence. You can find out more about Creative Commons licences at https://creativecommons.org/licenses.

Your contribution is everything you bring or produce on the day (the books and all their component parts). This way, others can re-use what we make (for instance by printing our books or translating them into other languages), as long as they give credit to the Book Dash participants involved. The Book Dash organisers will make the electronic files you help create available online for other projects to share, adapt and reproduce.

### Media

Please also understand that any photographs or media taken of you at the Book Dash could be used publicly, along with your name.

### Agreement

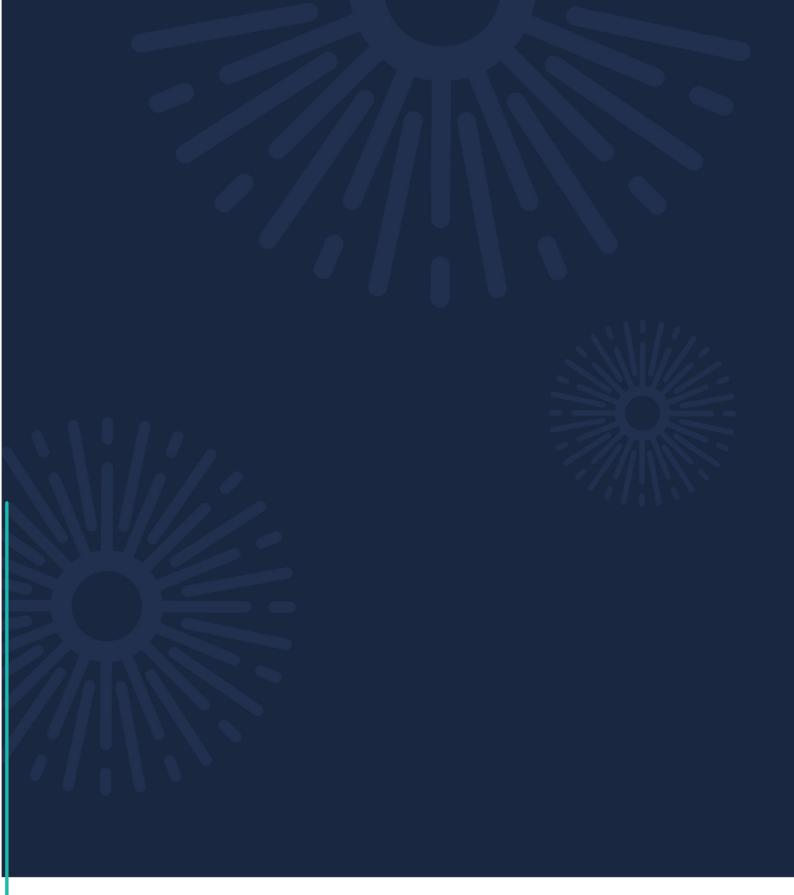
If you are under 18 must get your parent or guardian to sign to show consent to this agreement.

By participating in this Book Dash, I (named above) licence my entire contribution under a Creative Commons Attribution 4.0 Licence (<a href="http://creativecommons.org/licenses/by/4.0/">http://creativecommons.org/licenses/by/4.0/</a>). I have the right to licence my contribution under a Creative Commons Attribution 4.0 Licence. I do not require anyone else's permission to grant this licence. I understand that this licence means anyone is free to share (copy and redistribute the material in any medium or format) and adapt (remix, transform, and build upon the material) my contribution for any purpose, even commercially, and I cannot revoke these freedoms.

| Full name          |  |
|--------------------|--|
| Email address      |  |
| Phone number       |  |
| Book Dash location |  |
| Book Dash date     |  |
| Signed             |  |

<sup>83</sup> https://bookdash.org/wp-content/uploads/2014/07/contributor-agreement.pdf





This primer is part of NBA's work to provide guidance to the educational publishing ecosystem on open licensing.

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