# Software license constituent group meeting notes

## Adobe (MK: section under review by Adobe)

We surveyed the group to see who had CLP, ELA, and/or ETLA agreements. We noted that different campuses have different ETLA terms. We discussed who had different types of agreements – those covering all FTEs up front, or agreements based on uptake rate.

Adobe remarked that at the Enterprise level, no two agreements are the same, due to local needs, regulations, etc. Adobe prefers to have discussions with institutions regarding utilization patterns & products.

Sometimes contracts may have higher or lower costs per copy depending on utilization rates.

Q: Are ETLA contracts the only ones that can be modified?
A: No. Contact Trevor Bailey tbailey@adobe.com if your local team seems to be struck on contract negotiation issues. (Trevor Bailey, Director, Worldwide Education, Abode Systems Incorporated, United States)

Q: Are licensing consortiums permitted?
A: Yes, but additional licensing discussion is needed due to the complexity.

Adobe says that systemic contract problems can be fixed. It often helps if institutions can point to statute or outline areas where university Regents can act with the force of law. Contract issues that merely affect business issues (as opposed to statute) are harder to fix.

The group discussed CLP (Cumulative, Transactional) and ETLA (campuswide) models

Reference:

* <http://www.adobe.com/volume-licensing/education/enterprise-agreement.html> (EEA)
* <http://www.adobe.com/volume-licensing/education/cumulative-licensing-program.html> (CLP)
* <http://www.adobe.com/products/creativecloud/faq.html> (see What is an ETLA?)

Creative Cloud applications for use in student labs are available only via EEA agreements, not CLP. CLP licenses are perpetual.

Next year, some licensing plans will be merged, CLP and VIP licensing plans will be built out
(<http://www.adobe.com/volume-licensing/business/adobe-value-incentive-plan.html>)

Q: What about concurrent licensing?
A: The named user model makes concurrency obsolete.

Q: Are there FERPA & BAA editions of Creative Cloud contracts?
A: Adobe utilizes Amazon Web Services. Amazon lists its HIPAA compliance components.

Remark – Adobe has to sign an agreement, too. Just having Amazon sign isn’t sufficient. Adobe had believed that Amazon’s compliance was automatically extended to cover Adobe, but this is not the case.

It was reiterated that there is no concurrency permitted for Creative Cloud applications.

Q: What about use in VCL?
A: (from Adobe- It’s not allowed. Photoshop barely runs, unless there is an exceptionally high-performance environment. And any video experience would be poor. Adobe wants the user experience to match that when used in the standalone environment. But testing for VCL use is ongoing, and there should be an announcement in mid 2014.

Q: Can we see a better product roadmap for CC? 18 months would be nice. Too often the answer is , “Talk to your rep.”
A: A slide will be forthcoming.

Conversation turned to the price of CC. A participant from a small liberal arts college remarked that moving from 150 concurrent licenses to (in the same lab) 250 CC licenses caused his costs to rise four or fivefold. Adobe replied that an EEA or ETLA program could cut costs.

An informal survey was taken. A significant number of attendees believed that CC is much more expensive than CS6. No one believes it to be less expensive.

Some mentioned that their campuses need to budget three years in advance. Big Adobe price jumps are then impossible to accommodate.

One person remarked that his campus had an ELA agreement and then almost immediately had to turn around and buy an ETLA agreement. Adobe’s response was that this was necessary due to SEC guidelines. Adobe announced a change their method of recognizing revenue at the MAX event this year.

General remark – It’s still very confusing – a visual map is needed.

Q.: Has the situation of co-terminating multiple EEA agreements been cleaned up?
A.: Yes. (Previously if one ordered some EEA products, and then a few more later, separate agreements were needed… with different contract renewal dates.)

General remark – So often, the “solution” to Adobe issues is “have your rep come in”. But this gets repeated over & over again, often without much progress being made. Adobe then suggested that one or more Educause webinars could be a productive way to solve many problems.

Q. What should one do to solve reseller problems?
A: Go straight to your Adobe rep. Then s/he will contact the channel sales team.

(I had also written down the email address t.sam@adobe.com, here, but I have no remarks)

I believe this is when Adobe folks excused themselves.

Nathan Sorensen nathans@mhec.org from the Midwestern Higher Education Compact (12 member states) told the group about their recent technology committee formed by CIOs and procurement officers to find an alternative to Adobe Creative Suite. (<http://www.mhec.org/> <http://mhectech.org/> contract site). An RFP was released in July, and a letter of intent was sent to Corel. They are in contract negotiations with Corel and plan to wrap things up by November 30th. They are aiming to be able to extend the contact to 41 of the 50 states as well.

Q. Who else responded to the RFP?
A: SREF, Flatirons, Sharp School. Gov Connect sent regrets.

## Microsoft

Enoch Remick, Senior Director, Worldwide Public Sector – Academic Licensing
Eric Herzog, Senior Product Manager

The BIG news was the announcement of the Student Advantage Program, in which Office 365 ProPlus will be offered to students at no additional charge if all your faculty and staff are already licensed for Office (Office Professional Plus 2013 or Office 365 ProPlus) via EES or OVS-ES.

An FAQ is at
<http://blogs.technet.com/b/microsoft_in_education/archive/2013/10/15/student-advantage-and-office-365-proplus-faq.aspx>

The program goes into effect on December 1st. There will be plenty of details to work out between now and then.

From the FAQ, and mentioned in the meeting:

**What is included with Office 365 ProPlus subscription license?**

* Office 365 ProPlus for PC (Office 2013 ProPlus base applications)
* Office 365 ProPlus for Mac (Office for Mac 2011 base applications)
* Office Mobile for iPhone
* Office Mobile for Android

**How many machines/devices can I run this subscription on?**

Each subscription license allows you to run Office on up to five machines being Mac or PC. You can also run Office Mobile for Android or Office Mobile for iPhone on up to 5 mobile devices.

**Is this a full version Office and available for offline use?**

Yes, this is full Office on the PC, Mac, iPhone, and Android platform and all are available for offline use.

===== back to the meeting questions ===

Q: How does this change what I have now?
A: This is an additive SKU/new product. It does not replace what you already have, but gives you an additional option. Keep in mind that the existing Student Desktop package includes Windows upgrades, CALs, and an Office subscription license which converts to perpetual upon graduation. What you have now can still be used.

There are two different SKUs that people discuss:

* Office 365 ProPlus (new product, installs and updates from the cloud, runs locally)
* Office Professional Plus 2013 (traditional install, what most of us are used to)

Q: My campus already has the Student Option in EES. Do I get a refund?
A: No. The products are different. (There was talk of some campuses negotiating a refund, but at this point in time there is not a plan for refunds. Readers of these notes should not interpret this particular answer as official Microsoft policy.)

Remark from several- Covering all the staff/faculty at my campus will be difficult. We’ll have to set up some sort of cost recovery mechanism.

Q: Does my institution need to distribute DVDs?
A: No the software is distributed and updated electronically.

Q: Does my campus have to use Office 365?
A: Yes, your campus has to set up an Office 365 tenant. You may start with zero-cost SKUs, and only add or activate the Office 365 functionality you want to use.

Q: What work will my IT staff have to do on an ongoing basis?
A: Your staff will have to provision and de-provision new and graduating students. Hopefully this will be able to be done via scripting and directory synchronization which depends upon the degree of integration of on premises directory and Office 365.

Q: How is the product activated?
A: Product activation happens at the time of download/install for PC and Mac versions. For iPhone and Android Mobile apps, activation happens when the apps are launched for the first time and you “sign in” using your Office 365 credentials. It must “phone home” to Microsoft once every 30 days. This is similar to KMS activation, but with a 30-day interval and without needing to connect to the domain.

Q: What happens at the end of student status?
A.: There will be a transition path to a paid license. The details are forthcoming. Without a paid license, the functionality would degrade. Today’s option would be to migrate from Student Advantage to Office 365 Home Premium (maintain apps / migrate data).

Q.: How does the Home Use Program relate to Student Advantage?
A.: Home Use Program (and Work-at-Home) are separate licenses specifically for licensed faculty/staff.

Q.: How will this affect sales at campus bookstores?
A.: Office 365 University remains available for campus bookstores regardless if the institution chooses to use Student Advantage benefits.

Remarked by several - Office 365 with five installs will be something that faculty won’t have (without paying substantial amounts). Because the faculty will have a noticeably different Office experience than students, it will limit the value of the Student Advantage program and hinder its adoption. Microsoft should make Office 365 available to faculty, too, for free, or at a very low cost.

Q.: My campus only has partial coverage under EES. What then?
A: Customers would need to have Office coverage under EES (including Campus) or OVS-ES. The very nature of EES/OVS-ES is that desktop platform products must be licensed organization wide – that organization may be a college at a given university… Might highlight in the negative as well – Office via Select / Select Plus or Open or Full-Packaged Product or OEM would not be eligible for Student Advantage.

It does have to be a real organization. For example, you can’t cover the staff in central IT with Office Pro Plus in a Campus Agreement EES and expect that all the university students are covered for Office Pro because we have a central lab or two. But something like a College of Business can be an organization within a university, and it (business school) is a legitimate org unit for this purpose and for its business school students.

**General Remark** – We \*must\* move forward in a thoughtful way… vs. “Ready… FIRE!... Aim”

Q.: Will we lose lab coverage?
A.: No. Student Advantage is incremental to EES coverage – labs are covered with the faculty/staff licensing.

Q.: Do students need to login to Office 365?
A.: Yes in order to install the products or only on first run of the Office Applications if the computer was imaged for them.

For more information, conference attendees could visit the Microsoft booth and speak with James Baker or Mark Garcia. There will also be webinars each Tue, Wed, Thu.

Q.: What’s the general procedure?
A.: You’ll need to sync your Active Directory with the O365 cloud service. Start by asking your account team about how to proceed. http://fasttrack.office.com/ offers pilots with 50 users, and you can proceed from there.

Other pending integration questions: Office 365 vs. local KMS, and Shibboleth authentication with an Office 365 tenant.

There was some discussion of whether shibboleth could be sued to quickly get up Office 365 for students. Later research indicates no.

Q.: (from many) Some were adversely affected by Wave 14 🡺 15 upgrades occurring at critical times such as the start of the semester. Can there be some academic institution blockout dates covering critical times such as finals, or the end of the school year? Can this be written into contracts?
A.: Due to economies of scale at the Microsoft data centers, scheduling blockout times for migrations would be difficult and future functionality will enable the ability to choose updates more individually across the service

General remark – There are widely varying perceptions regarding the stability of Office 365.

Q.:The question of rebates for those with existing student options was revisited.
A.: Rebates are unlikely, as Student Advantage is a new plan.

Q.: Can Microsoft guarantee for how long Office 365 Professional Plus would be free for students?
A.: No timespans were mentioned, but it was remarked, “it’s kind of hard to put toothpaste back into the tube.”

Marg Knox gave the general advice to sign agreements with as long a term as you can.

General remark – So many items named “Office 365” leads to confusion.

Q: How does any of this affect virtual labs & CALs?
A.: Be careful regarding the number of CALs you have. Virtualization pools call for a Business Desk exception from Microsoft.

Microsoft’s J baker will produce for us a brief paper explaining virtual elements. It is not ready yet.

Marg suggested the Microsoft’s next step should be A VCL license. Eric Herzog said they’ll get some notes together.

General question – What sort of notice should we give to students? Enoch remarked that handling the transition well is important.

The Student Advantage program is not available in mainland China.

## Everything Else

### Oracle

Does Oracle have consortium licensing? SUNY indicated they have one as does University of Texas and other Systems. These are not really consortium licensing

* SUNY does
* Weblogic
* Not PeopleSoft (UT has a site license across the entire System).

Use IPEDs report. A situation with adjunct professors counts was mentioned. If they are not in your iPeds reports, Marg Knox indicated she did not know why Oracle would require you to count them (i.e., if they are more like the occasional guest lecturer).

### Net+

Khalil mentioned some items I wasn’t able to record.

* A BAA for Box should be available soon.
* Net+ is for everyone, not just Internet2 members
* Questions about Internet2 NET+ Services? <http://www.internet2.edu/netplus/>
Email netplus@internet2.edu
* Also working on developing a community support model with Microsoft

## Miscellany

Some reported “construction debris” referencing an old company in a Microsoft EULA. The company no longer exists. This makes thing rough when the legal department has to be called in.

There was discussion about purchasing fragmentation. These days anyone and everyone buys computing-related services. Whereas a few years ago contracts were made between universities and companies, today contacts are being made by (and often marketed to) individuals and companies. It can thus be hard to know what a campus “owns”. One group reported that they withhold service or reimbursement on terms bought personally in order to discourage ad hoc buying.

DropBox, e-discovery issues were discussed. Click-thru agreements are hard for the legal department to deal with. Some campuses require their OGC to review everything. Embedded URLs in contracts are a frequent bugaboo.

“Articulate” is a good vendor to work with. Does this refer to <http://www.articulate.com/> ?

There was a remark about the difficulty of inventorying outside licenses – “We don’t know what we’re looking for.”

LANDesk automatically cancels Dropbox.

Q.: Do common licensing templates exist?
A:.Net+ contracts are available for review & the insertion of state addenda.

Can we have further discussion at lunch? – Yes if we can find a way to communicate the location to those interested. Perhaps next year we will arrange for a lunch table in advance.