

# OER and Public Policy Overview and Opportunities

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SPARC, the Scholarly Publishing and Academic Resources Coalition, is an international alliance of academic and research libraries working to create a more open system of scholarly communication.

[www.sparc.arl.org](http://www.sparc.arl.org) • [@SPARC\\_NA](https://twitter.com/SPARC_NA)



Launched in Summer 2009

Built around the Student Statement on the Right to Research: access to research is a student **right**

International alliance of 77 graduate & undergraduate student organizations, representing nearly 7 million students

Link to full paper:

[bit.ly/OERpolicypaper](https://bit.ly/OERpolicypaper)

# Outline

- **Introduction**
- Defining OER Policy
- Types of OER Policy
- Opportunities
- Conclusion

public policy  
is about solving  
public problems



SPARC

Scholarly Publishing & Academic  
Resources Coalition [sparc.arl.org](http://sparc.arl.org)

@txtbks @R2RC



How can policymakers  
leverage #OER as a  
solution to public  
problems?

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**Open Educational Resources** (OER) are defined as teaching, learning, & research resources that reside in the public domain or have been released under an intellectual property license that permits their free use or re-purposing by others.

**Free + Reuse Rights**

“**OER** policies are laws, rules and courses of action that facilitate the creation, use or improvement of **OER**”

# OER Public Policy

Criteria for **our definition** of OER public policy:

1. Policy is formally adopted by a governmental entity
2. Policy directly relates to OER

# Policy Features

- **Forum:** the general system or level of gov't in which the policy operates.
- **Scope:** the limits of the policy, incl. timeframe and to whom it applies.
- **Actor:** the entity responsible for formally adopting a policy.

# Tweet-Sized Summary

“OER policy leverages #OER as a solution to public problems” @r2rc  
@txtbks #ocwglobal

# Our perspective

- As we're based in Washington D.C., we tend to be most familiar with North American policies
- The OER community in North America tends to place more emphasis on textbooks and course materials than those elsewhere
- We want to hear your perspective!

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# Types of OER Policy

Based on our review of OER policies, we identified four categories:

1. Licensing Policies
2. Resource Policies
3. Inducement Policies
4. Framework Policies



# licensing policies

insert open licensing into  
existing systems that create  
educational resources



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The logo for TAACCCT, featuring the letters in a stylized, outlined font.

TRADE ADJUSTMENT ASSISTANCE COMMUNITY COLLEGE AND CAREER TRAINING GRANT PROGRAM

## Program Summary

In 2009, the American Recovery and Reinvestment Act amended the Trade Act of 1974 to authorize the Trade Adjustment Assistance Community College and Career Training (TAACCCT) Grant Program. On March 30, 2010, President Barack Obama signed the Health Care and Education Reconciliation Act, which included \$2 billion over four years to fund the TAACCCT program.

TAACCCT provides community colleges and other eligible institutions of higher education with funds to expand and improve their ability to deliver education and career training programs that can be completed in two years or less, are suited for workers who are eligible for training under the TAA for Workers program, and prepare program participants for employment in high-wage, high-skill occupations. Through these multi-year grants, the Department of Labor is helping to ensure that our nation's institutions of higher education are helping adults succeed in acquiring the skills, degrees, and credentials needed for high-wage, high-skill employment while also meeting the needs of employers for skilled workers. The Department is implementing the TAACCCT program in partnership with the Department of Education.

### Announcements

- **04-16-2014:** The Obama administration will award \$450 million in grant funds to expand job-driven training partnerships between community colleges and employers. Grants are the final installment of a \$2 billion, four-year initiative. Read the press release [here](#).



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Discover the EU's role

Find Erasmus+ opportunities

Tools, Portals, & Partners

# Erasmus+

Erasmus+

The new European programme for Education and Training, 2014-2020



Shutterstock.com

## What are the next steps?

The Commission will provide **funding** for institutions working in this field through Erasmus+ and Horizon 2020. **Projects funded through Erasmus+** will have an **Open Access Requirement** to their educational materials, meaning they must be made openly and freely accessible through open licences.

The Commission is preparing a European summit on Education through IT with the future Italian presidency of the Council.

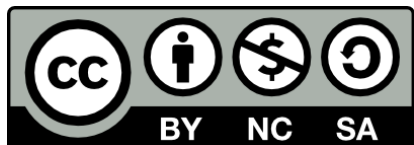




52,681 DECREE OF 26 SEPTEMBER 2011

AVAILABLE ON COMPULSORY LICENSING OF INTELLECTUAL WORKS PRODUCED WITH EDUCATIONAL OBJECTIVES, TEACHING AND RELATED WITHIN THE MUNICIPAL PUBLIC EDUCATION NETWORK.

Gilberto Kassab, mayor of São Paulo, in exercise of the powers conferred upon it by law, WHEREAS the Municipal Education owns the copyright on the works produced by it whose use by third parties, provided that for purposes not business depends on your prior written authorization; CONSIDERING the need to regulate the municipal level, the dissemination of works prepared by that Department, and the conditions of its use and reproduction by third parties as a measure of public policy that seeks to ensure discipline and democratic access to educational and pedagogical content public nature, hereby decrees: **Article 1** The



113TH CONGRESS  
1ST SESSION

# H. R. 708

To provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency.

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2013

Mr. DOYLE (for himself, Mr. YODER, and Ms. LOFGREN) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

---

## A BILL

To provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Access to Science  
5 and Technology Research Act of 2013”.



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## A BILL

5           (5) providing research papers as described in  
6           paragraph (4) in formats and under terms that en-  
7           able productive reuse, including computational anal-  
8           ysis by state-of-the-art technologies;



# 1,000+

## Congressional advocacy visits over the past 4.5 years



# RCUK Policy on Open Access and Supporting Guidance

## Compliance of Journals

RCUK recognises a journal as being compliant with this policy if:

The journal provides, via its own website, immediate and unrestricted access to the final published version of the paper, which should be made available using the Creative Commons Attribution (CC BY) licence, and allows immediate deposit of the final published version in other repositories without restriction on re-use. This may involve payment of an 'Article Processing Charge' (APC) to the publisher.

Or,

The journal consents to deposit of the final Accepted Manuscript in any repository, without restriction on non-commercial re-use and within a defined period. No APC will be payable to the publisher.

In this latter case, in STEM disciplines, RCUK will accept a delay of no more than six months between on-line publication and the final Accepted Manuscript becoming Open Access. In the case of papers in the arts, humanities and social sciences (which will mainly be funded by the AHRC and the ESRC), the maximum embargo period will be twelve months. Where funding for APCs is unavailable to an author during the transition period, longer embargo periods will be allowable (*see section 3.6*).

For further details on:

- **APCs:**  
section 3.5
- **Embargos:**  
section 3.6
- **Licences:**  
section 3.7
- **Repositories:**  
section 3.8
- **Accepted Manuscripts:**  
section 3.9
- **Transition period:**  
section 3.10





resource policies  
allocate resources directly  
to support creation, use  
and improvement of OER





# Digital Learning Department

Office of Superintendent of Public Instruction

## Open Educational Resources

As the Common Core State Standards for English Language Arts and Mathematics are implemented, school districts will be looking for instructional material to meet the new standards. Open Educational Resources (OER) may help fill that need.

OER are free and openly licensed educational materials that can be used for teaching, learning, and research. In April 2012, the Washington State Legislature passed bill [HB2337](#) (RCW [28A.300.803](#)), directing the Office of the Superintendent of Public Instruction to create a collection of openly licensed courseware aligned to the common-core standards and an associated awareness campaign to inform school districts about these resources.

# OPEN COURSE LIBRARY

download.remix.teach

### COURSES AND MATERIALS

Free to download, edit and use

### ABOUT

What is the Open Course Library?

### RESOURCES

Publications, OCL history, ...



## Welcome to the Open Course Library

A collection of high quality, free-to-use courses that you can download and use for teaching. All content is stored in Google docs making it easy to access, browse and download.

Unless otherwise specified, this work is licensed under a Creative Commons Attribution 3.0 Unported License

Funded by the Bill & Melinda Gates Foundation and the Washington State Legislature

Managed by the Washington State Board for Community and Technical Colleges

[Contact Us](#)



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Resources Coalition [sparc.arl.org](http://sparc.arl.org)

@txtbks @R2RC



inducement policies  
call for or incentivize  
actions to support OER



# Minnesota State Legislature

## Minnesota Senate

### SF 1236 3rd Engrossment - 88th Legislature

Five percent of the fiscal year 2015 appropriation in this subdivision is available in fiscal year 2015 when the Board of Trustees of the Minnesota State Colleges and Universities (MnSCU) demonstrates to the commissioner of management and budget that the board has met at least three of the following five performance goals:

(4) by 2014, MnSCU must collect data on the number of Open Educational Resources (OER) tools and services offered and formulate a plan to actualize a one percent reduction in expenses directly related to the cost of instruction incurred by students; and (5) reallocate \$22,000,000 that became available through expense realignment in fiscal year 2014.



# Sixty-third Legislative Assembly of North Dakota In Regular Session Commencing Tuesday, January 8, 2013

HOUSE CONCURRENT RESOLUTION NO. 3009  
(Representatives Beadle, Heilman, N. Johnson, Sanford, Mock)  
(Senators Flakoll, Miller)

A concurrent resolution directing the Legislative Management to study the use of open textbooks in the North Dakota University System, including options to develop partnerships with other states to use open textbooks.

**WHEREAS**, a North Dakota University System student pays an estimated average of \$1,100 per year for academic course textbooks; and

**WHEREAS**, high textbook costs create a financial burden for students to attend a higher education institution which may limit student access to higher education; and

**WHEREAS**, open textbooks are published under a license that enables students to obtain free or low-cost versions of electronic or printed academic textbooks; and





13.3025.01000

Sixty-third  
Legislative Assembly  
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3013

Introduced by

Representatives Beadle, Heilman, N. Johnson, Looysen, Sanford, Mock, Oversen  
Senator Flakoll

1 A concurrent resolution urging the State Board of Higher Education and faculty members of  
2 North Dakota University System institutions to increase the use of open textbooks for academic  
3 courses in order to reduce the financial burden to higher education students.

4 **WHEREAS**, a North Dakota University System student pays an estimated average of  
5 \$1,100 per year for academic course textbooks; and

6 **WHEREAS**, high textbook costs create a financial burden for students to attend a higher  
7 education institution which may limit student access to higher education; and

8 **WHEREAS**, open textbooks are published under a license that enables students to obtain  
9 free or low-cost versions of electronic or printed academic textbooks; and

10 **WHEREAS**, the use of open textbooks can significantly reduce higher education costs for  
11 students which increases student access to higher education; and

12 **WHEREAS**, the use of open textbooks among all North Dakota University System  
13 institutions and other states' higher education systems for common core courses may result in  
14 efficiencies reducing state costs related to higher education;

15 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**  
16 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

17 That the Sixty-third Legislative Assembly urges the State Board of Higher Education and  
18 faculty members of North Dakota University System institutions to increase the use of open  
19 textbooks for academic courses in order to reduce the financial burden to higher education  
20 students; and

21 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution  
22 to each member of the State Board of Higher Education, to the Chancellor of the North Dakota  
23 University System, and to each North Dakota University System institution president.

affordability.

address the issue of textbook



framework policies  
create pathways or  
mitigate barriers for  
action to support OER



## MEMORANDUM OF UNDERSTANDING

### OPEN EDUCATIONAL RESOURCES

This Memorandum of Understanding is effective as of March 13, 2014

BETWEEN:

**Alberta Ministry of Innovation and Advanced Education**

As represented by the Premier of Alberta  
("Alberta")





LAW OF THE REPUBLIC OF INDONESIA  
NUMBER 12 YEAR 2012  
ON  
HIGHER EDUCATION

WITH GOD'S MERCY  
PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

- a. That the 1945 Constitution of the Republic of Indonesia mandates that the Government develop and implement a national education system to improve faith, devoutness and morals in the framework of developing the intellectual life of the nation and advancing science and technology by upholding religious values and national integrity for better civilization and welfare of mankind;
- b. That higher education as part of the national education system plays a strategic role in developing the intellectual life of the nation and advancing science and technology by taking into account and applying the sustainable humanities and cultivating and empowering Indonesian people;



# Overlap of Policy Types

- Governments can have overlapping OER policies that span multiple categories & interoperate
- Example: MoU between Canadian provinces is a **framework policy**, but the individual province's policy to support the creation of OER would be a **resource policy**.

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# Licensing Policies

- Most clear opportunity - uses existing systems to generate OER
- All governments fund educational resources at some level, so can adopt licensing policies
- Opportunity to extend beyond education into research, data, etc.
- Capitalize on momentum for policies on Open Access and Open Data

# Resource Policies

- Can be challenging where funding is scarce, but can be strategic:
- Opportunity to pool resources to develop OER everyone can use
- Provide funding to fuel sustainable business models
- Support adoption (equally imp.)

# Inducement Policies

- Opportunity to leverage existing resources or authority
- Can be low-overhead way to advance OER, as a first step
- Particular opportunity around performance-based funding

# Framework Policies

- Broadest category, broadest opportunity
- Frameworks for collaboration between countries for maximum benefit
- Remove barriers or change existing structures like tenure & promotion

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# Conclusions

- Public policy can leverage OER as a solution in a wide variety of ways
- Policy changes can advance OER as a solution
- Actions and opportunities exist at all levels of government
- Advocates should choose the type or types of policies to pursue strategically

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