

Open Education: Policies

Scenario

Mavinda Blythe, an associate professor of environmental science at Royal Heights University, is an advocate for open educational resources (OER), having used OER in her courses for several years. Colleagues from numerous disciplines seek her expertise as they adopt OER and open education practices (OEP). The more they use OER, the more Blythe and her colleagues have been frustrated that Royal Heights has not articulated an institutional commitment to OER or OEP. That gap has created confusion about how OER can be used at Royal Heights. Further, the absence of relevant policies leaves unanswered questions about how working with OER or incorporating OEP impacts promotion and tenure.

After discussing these issues with the provost, Blythe agrees to lead a committee to develop a comprehensive open education policy. She consults with colleagues at another university that had written open education language into its guide for faculty promotion and tenure. She talks with a librarian at a different institution that has developed a policy that supports faculty creation and sharing of OER. An online guide to developing open education policy, published by a nonprofit advocacy organization, provides invaluable advice.

Those resources and Blythe's further research help her guide the committee in developing an open education policy for Royal Heights. The committee starts by drafting a rationale for why an open policy is needed. They propose a series of actions that intentionally address issues such as the development, adoption, and sharing of OER and the integration of OEP into courses. The committee reviews existing employment contracts to determine who holds copyright to work produced with university funding because only the copyright holder can openly license a work. Much of their work is devoted to writing policies about how a professor's work in OER would be treated as part of promotion and tenure determinations. They clearly align the open education policy with the university's mission statement and strategic goals. The draft policy is discussed at length and then approved by the faculty senate. The administration endorses the policy, which is subsequently approved by the Royal Heights Board of Trustees. Having the policy in hand has sparked further interest in OER and OEP at the university, where more faculty are adopting OER.

1 What is it?

Open education policies are formal regulations regarding support, funding, adoption, and use of [open educational content](#) and/or [open education practices](#). Such policies can take many forms, including legislation from national, provincial, or state governments; institutional policies and guidelines; funder mandates; and [declarations](#) from influential bodies such as UNESCO. Increasingly, colleges and universities are developing open education policies, which link the use of OER and OEP to specific educational goals—such as making access to high-quality education more equitable and affordable—and express a concerted commitment to use OER and OEP for these purposes.

2 How does it work?

Open education policies are designed to support the creation, adoption, and sharing of OER and the design and integration of OEP into programs of study. Such policies identify open licensing standards, technical formats, and accessibility for OER, and they articulate appropriate and permitted uses of funds in support of OER and OEP. They promote good stewardship of those resources by sharing in public repositories. For example, foundations, governments, and other public entities often have open licensing policies to ensure the resources they fund or procure are OER and are shared broadly. Policies at colleges and universities support the academic use of OER and OEP. Policies by international nongovernmental organizations often seek to frame broad standards and articulate accepted practices for OER and OEP and to promote their adoption.

3 Who's doing it?

A notable example of an open education policy is the [US Department of Labor's](#) 2010 Trade Adjustment Assistance Community College and Career Training (TAACCCT) Grant Program, which requires that all educational materials created or revised with grant funding be openly licensed under the [Creative Commons Attribution License](#) ([skillscommons.org](https://creativecommons.org) is the public repository for TAACCCT resources). A [guide](#) to faculty reappointment and tenure at the University of British Columbia includes language about how contributions to open education repositories and resources can factor into decisions about

Open Education: Policies

promotion and tenure. The [California Community Colleges System](#) requires open licensing on publicly funded materials resulting from contracts and grants issued by its chancellor's office. The [Open Educational Resources Policy](#) at the University of Edinburgh sets the default to open and provides guidelines for the use of open licensing and OER in teaching and learning. The William and Flora Hewlett Foundation [requires grantee resources to be openly licensed](#), and the Bill & Melinda Gates Foundation requires all of the research (articles and data) it funds [to be openly licensed](#). The [OER Policy Registry](#) (to be merged with the [OER World Map](#) in 2018) maintains a database of current and proposed open education policies from around the world. SPARC maintains a similar [repository](#) of US state open education policies. The [OER Policy Development Tool](#) and [Institutional OER Policy Template](#) help institutions create open policies. The [Policy Brief on OER](#) helps national education policy makers understand the value of open education policies. The [Open Policy Network](#) helps national, state, and provincial governments create, adopt, and implement open policies.

4 Why is it significant?

Open education policies provide clarity and frameworks for creating, licensing, adopting, using, and sharing OER. Open policies can help define effective practices and guide more efficient development and scaling of OER and OEP. When issued by governments, such policies ensure that content created with public funding is openly licensed and made widely accessible to the public. Similarly, open policies issued by foundations guarantee that grant money generates OER, maximizing the impact and reach of foundation programs. Further, open education policies underscore the viability and value of OER in teaching and learning and can inculcate OEP at institutions including colleges and universities. Having a critical mass of open education policies in higher education is an important step in ensuring that OER and OEP are scaled and sustained across courses and institutions.

5 What are the downsides?

To effectively influence behaviors and practices, open education policies must be specific (with respect to open license requirements, downloadable files from public repositories, editable files that can be opened in nonproprietary applications,

accessibility requirements, etc.). Administrators who are charged with the development of open education policy may not fully understand the opportunities inherent in OER and OEP, particularly for learners. In these areas, training is vital to increase awareness of open policies and what they mean in practice. Consensus around certain open education definitions remains elusive, which presents a potential barrier to the development of universally adoptable policy. The grassroots ethos of the open education movement can sometimes be at odds with top-down pronouncements that are not fully informed by open education practitioners. Development of open education policy can be hindered by a lack of consensus about OER and OEP and a lack of clarity around related rewards. Flexible policies that shift the default setting to open can raise awareness and nudge behavior without invoking concerns about academic freedom.

6 Where is it going?

As more open education policies are adopted, a growing number of foundations, governments, and institutions are developing and implementing their own open policies. As OER and OEP continue to scale, governments, funders, educational institutions, and others will continue to refine and test new and more nuanced open education policies. Developers and users of such policies will continue to assess the assumptions that inform them and the scope. As the understanding and prevalence of OER and OEP continue to grow, broader adoption of open education policies will likely become more commonplace.

7 What are the implications for teaching and learning?

Open education policies are an essential lever for clarifying what can be gained by the use of OER and what constitutes effective OEP. As such, these policies are invaluable in efforts for OER and OEP to be better understood, sustainably funded, and more widely adopted in teaching and learning. Well-crafted policies that reflect institutional priorities while providing support for faculty will increase the acceptance and use of OER and will help scale OEP. The development of open education policies will help move OER and OEP from the periphery to the center of education practice. Once that goal is realized, learners worldwide will benefit from greater access to open, high-quality, highly flexible learning content and practices.