21 Dupont Circle, #800
Washington DC, 20036

August 4, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama,

We, the undersigned organizations from the education, library, technology, public interest and legal communities are writing in response to the Office of Science and Technology Policy's call for ideas to strengthen the U.S. Open Government National Action Plan. To ensure that the value of educational materials created with federal funds is maximized, we call upon the President to issue a strong Administration policy to ensure that they are made available to the public as Open Educational Resources to freely use, share, and build upon.

The Federal Government currently invests billions of taxpayer dollars each year in programs that include the creation of educational, training, and instructional materials through grants, contracts, and other cooperative agreements. This investment produces educational resources ranging from innovative curricular resources to workforce training materials to English language learning tools. While these materials are created for the public good, they are generally not open to the members of the public who paid for them. At a time when educational opportunity, workforce development and access to knowledge are critical to America's future, these valuable publicly-funded resources should be openly available to students, teachers, businesses, workers and the public to use in new and innovative ways.

We are grateful for your Administration's leadership in advancing public access to publicly funded resources throughout the Executive Branch through actions such as your Executive Order 13642 of May 9, 2013, "Making Open and Machine Readable the New Default for Government Information" and the February 2013 Executive Directive, "Increasing Access to the Results of Federally Funded Scientific Research." Similarly, we applaud your Administration's leadership at the program level where Federal grantees are making freely available over the Internet under an open copyright license all of the curricular and job training materials created under the four-year, $2 billion Trade Adjustment Assistance Community College and Career Training (TAACCCT) Grant Program, jointly administered by the Departments of Labor and Education; the $60 million First in the World Program, administered by the Department of Education; the 2015 E-Teacher Scholarship Program administered by the Department of State; and the Career Pathways Innovation Fund and H-1B Ready to Work Partnership grant programs administered by the Department of Labor. We ask that your Administration take the next step and build on this strong foundation by generalizing these program-specific policies to become Executive Branch-wide policy for educational, training, and instructional materials created with federal funds.

The Impact of Open Educational Resources

Your Administration recognized the impact and value of Open Educational Resources in the open government initiatives announced in September 2014 as part of the Second Open Government National Action Plan. In this announcement, the U.S. formally expressed its commitment to Open Education and launched an initiative entitled "Promote Open Education to Increase Awareness and Engagement" stating that "there is a growing body of evidence that the use of open education resources improves the quality of teaching and learning, including by accelerating student comprehension and by fostering more opportunities for affordable cross-border and cross-cultural educational experiences." As barriers between formal classroom learning, online learning, and skills and certification-based learning are broken down, a wide range of educational materials, from training materials to public engagement and education materials can be adapted and reused for teaching and learning purposes.

Improving the quality of teaching and learning while expanding access to educational opportunities are directly in line with your goal for America to once again lead the world in college completion by the year 2020. Part of achieving this goal is providing greater access to high quality educational resources that enable all of the flexibility, efficiency and potential for innovative teaching and learning that the digital environment has to offer. Open Educational Resources respond to this need by providing students and teachers with free digital educational materials and supplementary resources under an open copyright license that permits them to keep and mark up their own copy, and permits them to share the original and their adapted copies with others over the Internet.

Increasingly, as education focuses on preparing all students for college and career, including acquiring the skills required for job readiness, student access to instructional materials, whether online, digital or traditional print, is critical to improving learning outcomes. In higher education, as we invest in preparing workers for technical careers, continued access to reference materials such as textbooks is important for efficient training and competitive results. Currently, student outcomes suffer as school districts struggle to provide up-to-date textbooks, and require students to share books and materials. In higher education, where textbook costs are borne directly by students, the rapid rise in prices too often forces students to skip required materials, alter their course of study, or even drop out because it is the straw that breaks the camel's back. This is particularly significant for community college students, where textbook costs comprise a larger portion of overall expenses.

Institutions, teachers and entrepreneurs across the country have already begun to leverage the power of Open Educational Resources to address these challenges, to reduce economic barriers for students and build more accessible, adaptable materials. In 2013, Tidewater Community College in Norfolk, Virginia became the first college in the nation to adopt an entire degree program that replaced traditional textbooks with Open Educational Resources. Dubbed the "Z-Degree," Tidewater's fully-open Business Administration program claims that it has saved students more than $250,000, reduced the direct cost of a degree by nearly 25%, and potentially increased tuition revenue to the institution from students who otherwise may have dropped out.[1] In Washington State, the nationally recognized Open Course Library

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[1] http://www.tcc.edu/academics/zdegree/docs/Z-Degree%20Booklet%20for%20Hewlett.pdf

program developed free, open or low-cost materials for the 82 largest courses at community and technical colleges, saving students more than $5.5 million – several times the state's investment in the program.[2] Finally, businesses are beginning to recognize the opportunity to build upon freely available materials and add value, rather than reinventing the wheel. Traditional textbook publisher John Wiley & Sons has partnered with open publisher OpenStax to offer enhanced supplements and teaching tools around a free and open textbook.

Open Educational Resources also offer significant educational benefits**.** Emerging evidence in both K-12 and higher education has begun to demonstrate that students using Open Educational Resources have the same or better academic outcomes than peers using traditional materials.[3] Recent analyses of state-developed Open Educational Resources aligned to the Common Core State Standards have found that these open curricular materials are better aligned to the standards than many other curricula currently on the market. For example, the New York State Department of Education has led the development of the openly licensed EngageNY curriculum, which two recent evaluations have found to be well-aligned with those standards.[4] With the Common Core standards' adoption in the vast majority of states, New York's investment has further benefitted students and school districts across the country. For example, the Duval School District in Jacksonville, FL recently adopted the EngageNY curriculum and saved $10 million over purchasing traditional, hardback textbooks.[5]

Governments in other countries are already taking meaningful steps to harness the power of Open Educational Resources. In Poland, where parents typically purchase their children's textbooks directly, the Ministry of Education launched a pilot program to develop open textbooks for public K-12 schools. With the release of Poland's first open textbook, a 1st grade primer that is openly licensed and free to all students, parents are expected to save approximately $27 million on textbook expenses in the first year, and up to $191 million by 2020. In Canada, the province of British Columbia launched a program to develop open textbooks for higher education, focusing first on the top 40 highest enrolled undergraduate subject areas, and later expanding to include 20 more textbooks aligned with targeted trades and skills training areas. So far, the program has saved students between $540,000-$721,000 in textbook costs – a number expected to double next year.

Opportunity for National Leadership

We therefore call upon you to take action by setting forth a strong Administration policy that will ensure that these valuable informational and educational assets created with Federal funds are unlocked and made available to the educators, students, investors, and innovators eager to put them to productive use. This initiative would build upon your Administration's existing commitments to meet the Open Government Partnership's grand challenges, specifically by improving public services and more effectively managing public resources. It would also build on the important steps your Administration already has taken to show that in an Open Government, when public funds are used to create

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[2] http://www.studentpirgs.org/resources/updated-cost-analysis-open-course-library
[3] http://openedgroup.org/review
[4] http://www.edweek.org/ew/articles/2015/03/04/most-math-curricula-found-to-be-out.html
[5] http://jacksonville.com/news/metro/2015-06-22/story/duval-schools-will-switch-textbooks-online-printouts-elementary-math

non-classified data, research, educational and other informational resources, the public should be able to freely access and share, invest in, innovate with and otherwise reuse these informational resources.

Your Administration has the economic and educational imperative to move forward to increase access to education, improve educational outcomes and workforce development, and spur innovation to make Open Educational Resources even more effective. To achieve these goals, Administration policy on access to federally funded educational materials should direct the agencies to adhere to these core principles:

1. **A broad definition of educational materials.** The educational, training, and instructional materials covered by the Order should include any unclassified information resource created, in whole or in part, with Federal funds designed to educate, instruct, train or inform. At the core, these would include learning materials, professional development resources and job training materials, but recipients of Federal funds create many other informational resources concerning, for example, public health, the environment, or energy that could be adapted for educational use if these were made freely available over the Internet under terms that permitted such adaptation.
2. **Free access through the internet.** Any covered information should be freely accessible through the Internet if in digital form.
3. **Conditions that enable reuse.** To maximize the value of these informational resources created with public funds, it is essential that recipients of Federal funds agree as a term and condition of such funding that they grant to the public broad copyright permission to reuse and adapt these materials for any purpose so long as the creator and the agency receive appropriate attribution.[6]
4. **Prompt implementation.** Agencies should be required to implement this policy in no more than 12 months. This action is well within the purview of existing procurement law and does not require notice and comment.
5. **Reporting to OSTP.** Agencies should report their progress and results to the Office of Science and Technology Policy.

Thank you for your consideration of this request.

Sincerely,

ACUTA, the Association for College and University Technology Advancement
Corinne M. Hoch, CEO

American Association of State Colleges and Universities (AASCU)
Muriel A. Howard, Ph.D., President

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[6] The global standard for public copyright licensing for copyrighted content is Creative Commons (http://www.creativecommons.org). Existing U.S. Government grant programs including the TAACCCT and First in the World Programs mentioned above, use the Creative Commons Attribution License (CC-BY). Releasing materials under a standard license, such as CC-BY allows for increased reuse and compatibility between materials produced by different institutions, including private charitable foundations and other national governments. CC-BY is the license that the White House requires as the default license for third-party content appearing on the whitehouse.gov web site. See https://www.whitehouse.gov/copyright

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