

Action Area 2: Developing Supportive Policy¹

1 Introduction

The Universal Declaration of Human Rights (UDHR) states that all people have inalienable rights and fundamental freedoms that include the right to receive and impart information and ideas through any media, regardless of frontiers (Article 19) and the right to education (Article 26).² UNESCO has a constitutional commitment to ‘the free exchange of ideas and knowledge’ and supports sharing of knowledge using technologies. Digital skills and competencies are increasingly important to enable citizens to participate actively in digital transformation that supports sustainable development, to benefit from lifelong learning and employability opportunities, and to respond to global challenges. It is also important for the global community to anticipate future crises that may impact teaching and learning. This is necessary to lay the foundation for the systematic and sustainable integration of good practices for knowledge sharing and learning support in the post-COVID-19 era. It is thus essential that the global community acts to enable universal access to information and knowledge.

In this global context, Open Educational Resources (OER) can be a vehicle for realizing Articles 19 and 26 of the UDHR and for catalyzing quality education in a digitized world. OER are defined as ‘learning, teaching and research materials in any format and medium that reside in the public domain or are under copyright that have been released under an open license, that permit no-cost access, re-use, re-purpose, adaptation and redistribution by others.’ An open license is one that respects the intellectual property rights of the copyright owner, while granting the public the rights to access, re-use, re-purpose, adapt, and redistribute educational materials.³

¹ These guides have been prepared by UNESCO, as part of its programme of support to governments and educational institutions in implementation of the UNESCO OER Recommendation. They draw heavily on in-depth background papers prepared by OER experts from around the world in each of the five Action Areas: Prof. Melinda dP. Bandalraia (building the capacity of stakeholders to create, access, re-use, adapt and redistribute OER); Dr Javiera Atenas (developing supportive policy); Dr Ahmed Tlili (encouraging inclusive and equitable quality OER); Dr Tel Amiel (nurturing the creation of sustainability models for OER), and Ms Lisbeth Levey (facilitating international cooperation). We are deeply grateful for their assistance and expert knowledge. Preparation of the text of the final guides was done with support from Neil Butcher and Alison Zimmermann of OER Africa.

The tables of possible actions for governments and institutions are adapted from an OER Recommendation Actions Matrix, which outlines practical activities that governments and educational institutions can consider operationalizing under the five action areas of the Recommendation. The Matrix was first developed in November 2019, using inputs from members of the Network of Open Orgs (NOO). The NOO is coordinated by Open Education Global (OEG) and aims to support the implementation of the UNESCO OER Recommendation. Its membership includes OEG, Community College Consortium for OER-Open Education Global, OER Africa, Open Education Policy Hub-Lab, Creative Commons, Institute for the Study of Knowledge Management in Education, European Network for Catalysing Open Resources in Education (ENCORE+), International Council for Open and Distance Education (ICDE), ICDE OER Advocacy Committee, Scholarly Publishing and Academic Resources Coalition (SPARC), SPARC Europe, European Institute for Learning, Innovation and Cooperation and the International Community for Open Research and Education, Centrum Cyfrowe, Wikimedia Foundation, Multimedia Educational Resource for Learning and Online Teaching (MERLOT)-SkillsCommons, together with representatives from higher education institutions (including University of Barcelona, University of Bonn, and Politecnico di Milano-METID, amongst others) and inter-governmental organizations such as the Commonwealth of Learning and UNESCO.

² Universal Declaration of Human Rights. <https://www.ohchr.org/en/human-rights/universal-declaration/translations/english>

³ Recommendation on Open Educational Resources (OER). UNESCO. <https://www.unesco.org/en/legal-affairs/recommendation-open-educational-resources-oer>

OER development provides opportunities to enhance the experience of learners and educators, as well as benefit educational communities and broader society by providing access to educational resources and teaching methodologies that can be adapted according to the needs of each context, either cultural or situational. However, operationalizing OER creation, adaptation and use poses a range of challenges to educational decision-makers and stakeholders. UNESCO developed the 2019 Recommendation on Open Educational Resources (referred to as ‘the OER Recommendation’ for brevity in some parts of this document) to respond to the need to drive OER adoption. The Recommendation was adopted by consensus of all 193 Member States at the 40th Session of the UNESCO General Conference, following a two-year consultative process. It is the first UNESCO normative instrument for technologies and education and requires Member States to monitor and report on its implementation every four years.

1.1 The aim of the OER Recommendation

The OER Recommendation aims to assist Member States at the national level by supporting the development and sharing of openly licensed learning and teaching materials, benefiting students, teachers and researchers worldwide. It supports the creation, use and adaptation of inclusive and quality OER, and facilitates international cooperation in this field through five Action Areas, namely (i) building the capacity of stakeholders to create, access, re-use, adapt and redistribute OER; (ii) developing supportive policy; (iii) encouraging inclusive and equitable quality OER; (iv) nurturing the creation of sustainability models for OER, and (v) facilitating international cooperation. In addition, it contributes to the building of open and inclusive knowledge societies, and to the achievement of the 2030 Agenda for Sustainable Development, namely SDG 4 (Quality education), SDG 5 (Gender equality), SDG 9 (Industry, innovation, and infrastructure), SDG 10 (Reduced inequalities within and among countries), SDG 16 (Peace, justice and strong institutions) and SDG 17 (Partnerships for the goals). Operationalizing the Recommendation remains a challenge for governments and institutions, as it requires a range of policies, capacity-building, and strategies to fully realize its potential in facilitating the achievement of these SDGs.

1.2 Objective of these Guidelines

In essence, governments and institutions are concerned with key skill areas for OER implementation: (1) project management skills for OER content acquisition (that is, finding, adapting and creating materials, with clear and rigorous policies and strategies for procurement); (2) applying quality management criteria to be confident that the quality of OER is high, relevant and suitable to context; and (3) ensuring that users (such as teachers/educators, learners and community development initiatives) have the capacity to find and use resources that are located online. These key issues can be tackled when policy and decision makers unpack the Recommendation and put into process concrete actions. The overall objective of these Guidelines is to support governments and institutions in their implementation of the Recommendation, by providing concrete recommended actions.

The targeted stakeholders for these Guidelines are those responsible for learning, which includes ministries responsible for education (K–12 and tertiary), information and communication technology (ICT), human resources development, and youth. Institutions include those that provide education in the formal and informal sectors, in urban and rural contexts. Specific stakeholders impacted by strategies to implement include teachers, educators, learners, governmental bodies, parents, educational providers and (ICT) infrastructure providers, researchers, research institutions, civil society organizations (including institutions, education support personnel, teacher trainers, educational policy makers, cultural institutions [such as libraries, archives and museums] and their users, ICT professional and student associations), publishers, the public and private sectors, intergovernmental organizations,

copyright holders and authors, media and broadcasting groups and funding bodies. The range is extensive; thus, it is critical to identify practical ways in which they can act to promote and use OER.

These Guidelines cover Action Area 2 of the Recommendation: developing supportive policy, by providing: a description/overview of the recommendations; an introduction to the specificities addressed in the implementation of Action Area 2; a matrix of actions recommended for governments and institutions to implement each point of Action Area 2; a discussion on the specificities related to Action Area 2; and examples of good practice (from different regions and contexts) in implementation of Action Area 2.

The Guidelines offer advice on how to operationalize Action Area 2 of the Recommendation. They are not prescriptive, but aim to offer suggestions for activities, as well as background on the specificities for the Action Area. Users are encouraged to contextualize the elements of these Guidelines as appropriate for their specific national and institutional contexts.

2 Description of Action Area 2

Action Area 2 of the OER Recommendation focuses on developing supportive policy, and in particular:

- Developing and implementing **policies and regulatory frameworks that encourage that educational resources developed with public funds are made available on an open license or in the public domain**, as applicable.
- **Encouraging the development of legal, or policy frameworks to stimulate the creation, access, re-use, re-purposing, adaptation and redistribution of quality OER** consistent with national copyright legislation and international obligations, **including through the integration of quality assurance mechanisms for OER**.
- **Developing and implementing incentives for stakeholders** (teachers, other knowledge creators) **to promote professional development and academic merit for the integration of OER in professional practice** (e.g. the creation of communities of practice and expert networks). This would also include incentives for publishing source files and accessible OER using standard open file formats in public repositories.
- **Embedding OER policies and guiding principles into national and/or institutional policy frameworks and strategies and aligning them with other Open Solutions** policies and guiding principles such as those for Open Access, Open Data, Open-Source Software and Open Science.
- **Adjusting, enriching, and/or reforming curricula to exploit OER potential**, including through the integration of different teaching methods and forms of assessment to motivate the active use, creation and sharing of OER and the assessment of OER on inclusive and equitable quality education.
- **Supporting research on** the impact of OER, and promoting the means to document, articulate and disseminate good practices.
- **Developing and implementing policies that apply the highest standards to privacy and data protection** during the production, use of OER, OER infrastructure and related services.

3 Implementing Action Area 2

Because OER can function as a catalyst for quality education, its development can drive a series of opportunities to enhance the experience of learners and educators and benefit educational communities and the society at wide by providing access to educational resources and teaching methodologies that can be adapted according to the needs of each context, either cultural or situational. Supportive policy developed by government and institutions needs inclusive approaches

to foster dialogue and involve the educational communities to promote the adoption, development, and reuse of OER, considering a wide range of stakeholders. Inclusive approaches require an approach characterized by sustainable, participatory policy making. This could occur at different levels, by governments and institutions, and through intergovernmental consortiums and communities of practice.

Supportive policies can be embedded in larger related policies and/or guiding principles and/or be part of focused OER initiatives. Policies and guiding principles need to address diverse aspects, including support for the professional recognition and development of stakeholders (such as teachers and librarians), as well as issues of privacy and data protection, funding and curriculum development at both the institutional and governmental level. Policies can also be linked to documents related to other Open Solutions, such as Open Access to scholarly knowledge, Free and Open-Source Software, Open Science, and Open Data.

Policies can also be focused on specific programmes, departments, or institutions. For example, a normative document by the Ministry of Education in Brazil demands that all resources purchased for basic education with ministry funds should be openly licensed and made available in a public repository.⁴ Institutions can also define policies that are focused specifically on OER. The OER policy at the University of Edinburgh, for example, encourages the adoption of OER, aligns it with institutional principles, and provides guidance to its adoption.⁵

Table 1 below presents suggested actions that governments and institutions can consider in developing supportive policies.

Table 1 Suggested Action Area 2 activities for governments and institutions

Governments	Institutions
<p>Action: (a) developing and implementing policies and/or regulatory frameworks which encourage educational resources developed with public funds that are openly licensed or dedicated to the public domain as appropriate, and allocating financial and human resources for the implementation and evaluation of policies.</p>	
<ul style="list-style-type: none"> • Define clear goals associated with implementation of OER (e.g. increase access, improve quality, reduction of cost, fostering of innovation, localization of materials) that can serve to support development of new policies and revision of existing policies • Review existing national education policies to learn from what other governments are doing • Ensure that copyright and intellectual property policies and legislation of the country enable and support use of standard, international open licences (e.g., Creative Commons licences) generally • Create, adopt, and implement open licensing policies that require publicly funded educational resources created with public funds be openly licensed under standard, international open licences (e.g., Creative Commons licences) 	<ul style="list-style-type: none"> • Define clear institutional goals associated with implementation of OER (e.g. increase access, improve quality, reduction of cost, fostering of innovation, localization of materials) that can serve to support development of new policies and revision of existing policies • Review existing institutional policies and strategies globally to learn from what other institutions are doing • Ensure that copyright and intellectual property policies of the institution enable and support use of standard, international open licences (e.g., Creative Commons licences) generally • Conduct detailed reviews of all existing institutional policies and stakeholder consultations to assess the extent to which policies support and/or impede the implementation of the UNESCO OER Recommendation and outline

⁴ http://educacaoconectada.mec.gov.br/images/pdf/portaria_451_16052018.pdf

⁵ <https://www.ed.ac.uk/files/atoms/files/openeducationalresourcespolicy.pdf>

Governments	Institutions
<ul style="list-style-type: none"> • Conduct detailed reviews of all existing educational policies and regulations and accompanying stakeholder consultations to assess the extent to which policies support and/or impede the implementation of the UNESCO OER Recommendation and outline proposed revisions to policies to ensure stronger alignment • Where feasible and as policies/regulations come up for revision, revise existing policies and regulations in line with outcomes of the above policy review process • Ensure that OER considerations are taken into account in development of any new policies and regulations affecting education, including those devised as part of the adaptation of education provision in response to emergency situations, regardless of their focus area • Allocate financial and human resources for the implementation and evaluation of policies 	<ul style="list-style-type: none"> proposed revisions to policies to ensure stronger alignment • Where feasible and as policies come up for revision, revise existing policies in line with outcomes of the above policy review process • Ensure that OER considerations are taken into account in development of any new policies and regulations affecting education, including those devised as part of the adaptation of education provision in response to unforeseen emergencies disrupting education, regardless of their focus area • Allocate financial and human resources for the implementation and evaluation of policies
<p>Action: (b) encouraging and supporting institutions to develop or update legal or policy frameworks to stimulate the creation, access, re-use, re-purpose, adaptation and redistribution of quality OER by educators and learners in a manner consistent with national copyright legislation and international obligations; and to develop and integrate a quality assurance mechanism for OER into the existing quality assurance strategies for teaching and learning materials.</p>	
<ul style="list-style-type: none"> • Prepare national policy development guidelines (drawing, as appropriate, on existing, openly licensed materials already produced) to guide institutions in development of supportive legal and policy frameworks • Run capacity-building sessions with institutional senior management and/or OER champions to support implementation and use of guidelines • Consider introduction of national policies to mandate incorporation, as appropriate, of specific provisions around OER and open licensing by educational institutions • Consider provision of financial or other relevant incentives for institutions adopting policies that are conducive to using and sharing educationally effective OER • Develop and integrate quality assurance mechanisms for OER into the existing quality assurance strategies for teaching and learning materials 	<ul style="list-style-type: none"> • Support institutional departments in revising promotion and tenure policies to give credit to sharing one's educational resources as OER, and publishing one's research in open access journals • Consider introduction of institutional policies to mandate incorporation, as appropriate, of specific provisions around OER and open licensing by educators and educational departments • Consider provision of financial, promotional, and other relevant incentives for educational departments adopting policies that are conducive to using and sharing educationally effective OER and open-access publishing • Develop and integrate quality assurance mechanisms for OER into the existing quality assurance strategies for teaching and learning materials
<p>Action: (c) developing mechanisms to create communities of practice, promote teacher professional development using OER, create networks of experts of OER and properly recognize OER creation as a professional or academic merit.</p>	
<ul style="list-style-type: none"> • Establish and facilitate national communities of practice for teachers and other kinds of educators around OER • Establish a community of practice for leaders and decision makers tasked with implementing OER • Establish government funded capacity charged with building an open education culture of 	<ul style="list-style-type: none"> • Establish and facilitate institutional communities of practice for staff around OER • Identify suitable national and international communities of practice in OER and encourage staff to join and participate in those communities • Establish institutional capacity charged with building an open education culture of

Governments	Institutions
<p>collaboration and sharing through communities of practice</p> <ul style="list-style-type: none"> Establish, alongside communities of practice, and in cooperation with libraries where possible, the role of a clearing house supporting those seeking existing OER to find it Identify suitable international communities of practice in OER and encourage stakeholders in the education system to join and participate in those communities Review job descriptions of employees under direct control of government to include specific responsibilities associated with OER creation, adaptation, and use Review government human resource (HR) incentives to assess the extent to which they encourage and/or impede shifts in practice towards educationally effective OER practices. Based on the HR assessment, adjust government HR incentives as needed to encourage the adoption of OER and effective OER practices 	<p>collaboration and sharing through communities of practice</p> <ul style="list-style-type: none"> Review job descriptions of staff to assess the possibility of including specific responsibilities associated with OER creation, adaptation, and use Review institutional HR incentives to assess the extent to which they encourage and/or impede shifts in practice towards educationally effective OER practices Based on the HR assessment, adjust institutional HR incentives as needed to encourage the adoption of OER and effective OER practices
<p>Action: (d) developing mechanisms to support and incentivize all stakeholders to publish source files and accessible OER using standard open file formats in public repositories</p>	
<ul style="list-style-type: none"> Publish standards that can be used to achieve interoperability between open file formats so that OER can be shared across platforms with minimal issues Ensure that these standards cover imaging, text, audio, and video functions 	<ul style="list-style-type: none"> Test the usability of open file formats before proposing which ones to use for OER Develop awareness around large open repositories such as Figshare⁶, where authors of OER can publish and make their work available to a large audience, with the benefit of increasing citations Select appropriate file formats for use across the institution and balance this with the use of proprietary software that the institution may already use for other purposes Create user-friendly guidelines for using open file formats that are easily uploaded and downloaded in a variety of repositories, making it easier and faster for users to publish OER
<p>Action: (e) embedding OER policies into national policy frameworks and strategies and aligning them with other open policies and guiding principles such as those for Open Access, Open Data, Open-Source Software, and Open Science.</p>	
<ul style="list-style-type: none"> As part of policy review and development processes outlined in point (e) above, incorporate references to other key 'open' solutions Build strong working relations among government Ministries and departments to enable formulation of clear policy linkages in policies covering different aspects of government openness Consider existing policies for other areas of open (Open Access, Open Science, etc.), assess the extent to which the rationale for these policies is the same or similar to that for OER, and, where 	<ul style="list-style-type: none"> As part of policy review and development processes outlined in point (e), incorporate references to other key 'open' concepts Where relevant, consider existing institutional policies for other areas of open (Open Access, Open Science, etc.), assess the extent to which the rationale for these policies is the same or similar to that for OER, and, where appropriate, reuse that same rationale and language for OER Develop enabling mechanisms to support and incentivize stakeholders to publish source files and

⁶ <https://figshare.com/>

Governments	Institutions
<p>appropriate, reuse that same rationale and language for OER</p> <ul style="list-style-type: none"> • Develop enabling mechanisms to support and incentivize stakeholders to publish source files and accessible OER using standard open file formats in public repositories 	<p>accessible OER using standard open file formats in public repositories</p> <ul style="list-style-type: none"> • Encourage the use of Open-Source Software to produce, adapt and store OER • Encourage the use of OER as a key component to fostering the development of capacities in the science sector (Reference UNESCO Recommendation on Open Science 2021)
<p>Action: (f) addressing the inclusion of OER in transforming education, adjusting, enriching or reforming curricula and all forms of learning so as to exploit OER potentials and opportunities, and encouraging the integration of different teaching methods and forms of assessment to motivate the active use, creation and sharing of OER; and assessing the impact of OER on inclusive and equitable quality education.</p>	
<ul style="list-style-type: none"> • Through suitable consultative processes, define clear national metrics for tracking OER use and effectiveness, with particular emphasis on measuring the extent to which take-up and use of OER and open licensing lead to positive, transformative educational improvements for students • Establish targets for education providers to transform existing curricula and teaching practices into OER and open pedagogy • Ensure that metrics for tracking OER use and effectiveness include clear disaggregation to track the extent of impact with respect to diversity, including for gender, and inclusion across the education system • Commission research and project evaluations to understand the transformative impact on educational experiences and learning outcomes for students • Issue calls for and/or commission OER initiatives that tackle global or local challenges as stipulated in the key development challenges such as the UN SDGs, and the UN Secretary-General's 12 Commitments from 'Our Common Agenda' and consider implementing special OER Awards in this category • Ensure financial and human resources to implement and evaluate OER policies in the medium or long term 	<ul style="list-style-type: none"> • Through suitable consultative processes, define clear institutional metrics for tracking OER use and effectiveness, with particular emphasis on measuring the extent to which take-up and use of OER and open licensing lead to positive, transformative educational improvements for students • Establish targets for educators and educational departments to transform existing curricula and teaching practices into OER and open pedagogy • For tertiary institutions' schools of education, encourage postgraduate students to experiment with integrating OER into their teaching and instructional design practices. • Ensure that metrics for tracking OER use and effectiveness include clear disaggregation to track the extent of impact with respect to diversity, including for gender, and inclusion across the institution • Commission research and project evaluations to understand the transformative impact of OER on educational experiences and learning outcomes for students • Support knowledge creation in formative and summative assessment practices through collaborative activities focused on OER-led authentic assessment, aiming to build skills and competencies in learners such as creativity and data literacy, and evaluating these skills
<p>Action: (g) encouraging and supporting research on OER, through relevant research programmes on OER development, sharing and evaluating, including the support of digital technologies (such as artificial intelligence).</p>	
<ul style="list-style-type: none"> • Assess existing barriers to national education goals and research how broad adoption of OER and open education practices might remove (some of) those barriers. • Establish and, where feasible, earmark funds for research programmes on different aspects of OER practices • Collaborate with universities to encourage postgraduate and postdoctoral research activities focused on OER practices 	<ul style="list-style-type: none"> • Assess existing barriers to institutional education goals and research how broad adoption of OER and open education practices might remove (some of) those barriers. • Establish and, where feasible, fund specific research projects on different aspects of OER practices • For tertiary education institutions, encourage postgraduate and postdoctoral research activities focused on OER practices

Governments	Institutions
<ul style="list-style-type: none"> Identify key government research questions related to OER and support evidence-based decision-making that answers those questions, either using existing research or commissioning new research 	<ul style="list-style-type: none"> Identify key institutional research questions related to OER and support evidence-based decision-making that answers those questions, either using existing research or commissioning new research
<p>Action: (h) developing and implementing policies that apply the highest standards to privacy and data protection during the production and use of OER, OER infrastructure and related services.</p>	
<ul style="list-style-type: none"> Ensure that policy review and development processes outlined in (ii) (a) include issues of privacy and data protection and that resulting policies apply the highest standards in this regard. Develop and fund infrastructure and policy implementation for data protection and privacy during the production and use of OER and provide guidelines to institutions in this regard. Develop policy to support FAIR⁷ (findability, accessibility, interoperability, and reusability) data and ensure infrastructure to enable FAIR principles. 	<ul style="list-style-type: none"> Ensure that policy review and development processes outlined in (ii) (a) include issues of privacy and data protection and that resulting policies apply the highest standards in this regard. Policies should anticipate how OER activities are going to interact with the spectrum of institutional and vendor-operated, open and closed, non-profit and commercial systems and services, considering governance and privacy as fundamental pillars that enable the exercise of the rights of learners and educators, guaranteeing in practical terms the right to privacy in the context of digital learning environments

3.1 Sustainable, Participatory, and Open Policy-Making

While many governments and institutions do not have specific policies or strategies on OER, those that do put a focus on developing policy for the adoption and development of OER. Though these policies and strategies may prioritize different focusses (such as licensing and content production, capacity building, access to resources, recognition of learning, quality assurance, digital infrastructures) most have in common the idea of enabling inclusive and equitable quality education. OER policies must aim to steer profound cultural changes,⁸ which can take time. Thus, they should be viewed as medium- and long-term work with educational communities to change the ethos and culture of their practice.

Establishing a culture of openness and collaboration

Where there is already some awareness or interest in promoting OER public policy, clearly specifying *openness* as a criterion is essential to initiate policy changes. Where little awareness exists, there is a need to ensure that there is ‘buy-in’ into the idea of OER and a clear understanding of its benefits to the wider public. These sensitization efforts can take place, for example, in the form of day-long workshop with experts from civic organizations and academia⁹. OER policies should promote collaborative and participatory co-creation activities within educational communities with a view to creating public value. This value principle can be a factor in policy effectiveness, as the sense of co-ownership in a community can enhance the shared responsibility to establish and achieve policy goals. It is important to outline participatory processes to develop OER policy. This will include encouraging the creation of communities of practice that support policy implementation by developing resources and OER practices. Also important will be to support and monitor the adoption and impact of such policies in a participatory manner. All stakeholders impacted by OER, including teachers, researchers, librarians and copyright experts, institutional senior management, government advisors, local and international OER and policy experts, and students, can contribute to identifying contextual needs and conditions for OER policy. Once developed, OER policies should continue to instil a *culture of openness*,

⁷ Wilkinson, M.D., Dumontier, M., Aalbersberg, I.J. et al. 2016. The fair Guiding Principles for scientific data management and stewardship. *Scientific Data*. 3, 160018.

⁸ Corral & Pinfield, 2014

⁹ For example, the Open Education Policy Game is one way facilitate this discussion. <https://aberta.org.br/oe-game/>

characterized by transparency, trust and collaboration within, across and beyond educational institutions.

Aligning OER policies with copyright and intellectual property regulations

Policies should be aligned with copyright and intellectual property regulations otherwise the first obstacle these policies may face is the inability to openly license content because of regulatory frameworks. Also, it is important to ensure cohesion and coherence amongst educational strategies, including OER and other openness policies at national and institutional levels, to prevent duplication of efforts and to share activities and platforms whenever possible. OER should enable and support the educational sector in strengthening its capacity by providing opportunities and arenas to develop practices and resources that are contextual and relevant to the countries' strategic educational priorities.

Co-creation of policies

Co-creation in the form of Open Government Partnerships (OGP) can support governments to ensure the development OER policies that consider the principles of public innovation and participation, as observed in the policy cultures of certain governments. For example, OGP member countries have developed commitments in the field of OER education thanks to the open governance round tables.

OER policies embedded in broader frameworks

Institutional policies can be embedded within or aligned with national and institutional copyright frameworks, ICT and digital literacy strategies digital education strategies, sector wide curriculum policies or developed as standalone policies integrated in a wider educational policy environment. OER policies can be understood in an inclusive way, as these aim to opening aspects of education by openly sharing resources, teaching practices and methodologies, as well as activities and dynamics for learning, so OER policies should conceived from an integral and inclusive perspective of practices which act to 'opening up' aspects of educational landscapes with a focus on social inclusion, equity, and diversity.¹⁰

Adapting existing norms and regulations

One pathway to create a viable strategy or begin the process of transformation towards the opening of resources, is to identify how existing ancillary norms and regulations can be leveraged or altered to promote OER (instead of beginning from a 'clean slate' perspective that may require significant financial and resource investment). These include existing policies and programmes that currently deal with the procurement of educational resources (such as national textbook programmes); grant-funding provided through public agencies to educational or research institutions which result in products of educational value; and funding mechanisms used for specific projects or initiatives which make use of public funds (such as professional development for teachers). Once these are identified, work can be done to amend or modify existing policies, or promote the development of new policies, by enacting regulatory frameworks that support the development of OER products and related services that align with national and international standards as well as the interest and values of the OER stakeholders.

¹⁰ Stagg & Bossu 2016; Cronin, 2017; Havemann, 2020; Campbell, 2020, Atenas et al. 2020

3.2 Examples of Good Practice

Austrian University Development Plan (GUEP) 2022–2027:¹¹ This technical-strategic planning instrument guides the development and strategic orientation of the 22 public universities in Austria. It is the core strategy for the performance agreements with individual universities. It defines and prioritizes the systems and goals that affect Austria’s university system towards improving the quality and efficiency of university teaching, the expansion of knowledge and innovation transfer, locational advantages, and the social Responsibility of Universities. Social responsibility entails: Services to Society; Gender Justice, Diversity and Social Inclusion, and Responsible Science. OER is explicitly mentioned as an action item until 2024: ‘*Use of Open Educational Resources (OER) to increase self-learning ability and ubiquitous unrestricted access to knowledge*’ (p. 40).

Towards a National Policy on Open Educational Resources in Bangladesh:¹² This Commonwealth of Learning (COL) report supports the adoption of a national OER policy in Bangladesh. It recognizes that the use and integration of OER in teaching and learning not only saves money for learners, but also empowers teachers to create learning resources that are suitable for their learners in specific contexts by reusing already available materials. Hence, OER adoption offers huge possibilities for transforming teaching and learning environments. The Government of Bangladesh published a draft OER policy in 2018 for comments by the public.¹³

Guidelines for an Open Education Policy in Public Education in Uruguay:¹⁴ To achieve the goal of truly inclusive education, these policy development guidelines acknowledge the necessity of providing access to high-quality educational resources that enable flexibility, quality and innovation in teaching and learning.

Towards an Open Educational Resources Strategy for the Republic of Zambia:¹⁵ This COL report provides context and purpose for the adoption of OER in Zambia and initiates a draft OER strategy for the country. The introductory section presents the current education system in Zambia with reference to structure, access, equity, and quality and identifies national-level education agencies. In support of OER integration, the second section explores the status of ICT in education in Zambia, acknowledging national and international projects and initiatives, as well as the main associated ICT policies, objectives, and strategies. The third section focuses on the concept of OER and related licensing, its importance for Zambia, and some current OER initiatives in the country. The fourth section presents a draft OER strategy in consultation with the Ministry of General Education of the Republic of Zambia.

Scholarly Publishing and Academic Resources Coalition (SPARC) Open Government Partnership (OGP):¹⁶ SPARC is a non-profit advocacy organization that supports systems for research and education that are ‘open by default and equitable by design’.¹⁷ SPARC OGP is a multilateral initiative that aims to secure commitments from governments to promote a range of good practice, including open

¹¹ Austrian University Development Plan (GUEP) 2022 to 2027 <https://www.bmbwf.gv.at/dam/jcr:3a22c2b2-45d1-49dd-8898-112d44d0d39c/GUEP%202022%20-%202027.pdf>

¹² Commonwealth of Learning (COL): Bangladesh Towards a National Policy on Open Educational Resources in Bangladesh <https://oasis.col.org/items/08d249a4-8e94-45d1-8aef-1a6f7e5459f4>

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http://shed.portal.gov.bd/sites/default/files/files/shed.portal.gov.bd/notices/7b7773cd_7ab0_462b_89e2_0a2bf4c647f2/199.pdf

¹⁴ Lineamientos para una política de Educación Abierta en la Educación Pública de Uruguay <https://redreay.org/2018/10/01/lineamientos-para-una-politica-de-educacion-abierta-en-la-educacion-publica-de-uruguay/>

¹⁵ Commonwealth of Learning (COL): Towards an Open Educational Resources Strategy for the Republic of Zambia <https://oasis.col.org/items/433f01be-9855-4568-b349-7d9fe17dc2d3>

¹⁶ SPARC. OGP Open Education Commitments. <https://sparcopen.org/our-work/opengoveducation/countries/>

¹⁷ SPARC FAQ. <https://sparcopen.org/who-we-are/frequently-asked-questions/>

education. Member countries (including Brazil, Chile, Greece, Romania, Slovak Republic, Spain, and the United States) have National Actions Plans (NAPs). For example, Brazil, in its 3rd NAP, commits to establish a new model for assessing, purchasing, fostering, and distributing digital educational resources, in the context of digital culture through incorporation in educational policy. Romania's 3rd NAP supports the creation of the Virtual School Library, a publicly accessible digital library populated with OER.

Finland's Open Education and Educational resources National Policy 2021–2025: This policy focuses on opening education through the promotion of OER and Open Education Practices (OEP).¹⁸

Ireland: Enabling Policies for Digital and Open Teaching and learning:¹⁹ In response to recognition that within institutions there was a lack of policies for aspects such as blended and online learning, lecture recording, virtual classrooms, digital assessment, OER, the National Forum for the Enhancement of Teaching and Learning in Higher Education developed this guide as a five-step process to ensure that policymaking is meaningful, inclusive, collaborative and intentionally equitable.

FAIR Guiding Principles for scientific data management and stewardship:²⁰ These principles can be used as a guideline for institutions and to develop policies for OER digital assets that ensure findability, accessibility, interoperability, and reuse.

¹⁸ Open Science Coordination in Finland, Federation of Finnish Learned Societies: Open Education and Educational resources. National policy and executive plan by the higher education and research community for 2021–2025 <https://avointiede.fi/sites/default/files/2020-12/final-version%20eng%20oppimislinjaus%201.pdf>

¹⁹ National Forum for the Enhancement of Teaching and Learning in Higher Education: Enabling Policies for Digital and Open teaching and Learning. <https://hub.teachingandlearning.ie/resource/guide-to-developing-enabling-policies-for-digital-and-open-teaching-and-learning/>

²⁰ FAIR Guiding Principles for scientific data management and stewardship. <https://www.go-fair.org/fair-principles/>