*Bündnis Freie Bildung

Free Education Alliance – Position Paper
(February 2015)

How to Strengthen Open Educational Resources

Content

The position paper at a glance

Anyone can use Open Educational Resources (OER) without significant legal or technical barriers thanks to open licenses and free software. A key feature of Open Educational Resources is that they can also be modified and republished. International organizations such as UNESCO and the European Commission have called for greater engagement with OER to make education fairer and more participative. In addition to making educational resources that have been funded by tax revenue available to the general population, Open Educational Resources also open up innovative new opportunities for learning and teaching.

In this context, the Free Education Alliance, a coalition of persons and organizations working to promote Open Educational Resources, has taken the following positions:

1. It is up to the public sector to come out in full support of OER and develop a comprehensive OER strategy.
2. The public sector also has a responsibility to create and sustainably develop parameters and structures for the promotion of OER.
3. At the current stage, there is a need for targeted support of the creation and use of OER that can and should bring together the public sector and emerging OER communities in collaborative efforts.

About the Free Education Alliance

The **Free Education Alliance (Bündnis Freie Bildung, BFB)** is a coalition of organizations and individuals with the common goal of establishing and promoting Open Educational Resources (OER) in politics and society. The alliance was founded on the initiative of Creative Commons Deutschland, Open Knowledge Foundation Deutschland and Wikimedia Deutschland and is a forum for organizations, institutions and individuals working for open licenses in education. The Free Education Alliance is a network that strives to encourage public debate on Open Educational Resources and put forward concrete proposals on how to strengthen the role of OER in the teaching and learning landscape.

The present position paper also includes recommendations for action. These are aimed primarily, but not exclusively, at Germany's legislative and executive branches – in so far as they are responsible for regulating, developing and deploying educational resources **in the country's various educational sectors** – especially **education ministries and agencies** as well as **parliaments and governments at the federal and state level**.

Open Educational Resources (OER) are freely accessible to everyone

The Internet has greatly expanded the range of available educational resources. It has made interactive teaching and learning concepts possible outside of the classroom. This greatly expanded potential in every type of educational resource is far from being fully exploited. Copyright law tightly regulates the use and reuse of most resources in school, training, adult education and college settings. This is especially true for resources that are specially designated for instructional use at schools but are not expressly permitted to be edited. Open Educational Resources are different. They are expressly designed for free use and adaptation, suitably licensed for use by the general public, and as such can be used without payment of license fees.

Open Educational Resources (OER) are teaching and learning materials that are freely accessible and, thanks to appropriate licensing (or because they are in the public domain), they can be edited, developed and shared without additional permission.[1] Our definition is based on UNESCO's detailed and widely recognized definition of OER[2], which was most recently endorsed at the 2012 World OER Congress in Paris. It defines Open Educational Resources as "*teaching, learning and research materials in any medium, digital or otherwise, that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions[3]. Open licensing is built within the existing framework of intellectual property rights as defined by relevant international conventions and respects the authorship of the work.*"

An open license[4] is typically understood to be permission for the general public to use, modify and redistribute works. A license of this sort removes critical legal reservations that would otherwise stand in the way of using and adapting educational resources. The full potential of open licenses can only be achieved when they are internationally standardized and thus recognizable. Educational resources licensed in this way can then be combined with one another.

To ensure free access to OER, we also consider the use of **free and open technologies**, especially open standards[5] and free software, to be indispensable to the creation and distribution of digital OER. Digital OER need to be available in at least one open file format, even if they are also

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[1] As an introduction we recommend the lecture: Deutsche UNESCO-Kommission (2013). Was sind Open Educational Resources? Und andere häufig gestellte Fragen zu OER, Bonn, URL: http://www.unesco.de/oer-faq.html (2014-12-01)

[2] UNESCO (2012). Pariser Erklärung zu OER, URL: http://www.unesco.de/fileadmin/medien/Dokumente/Bildung/Pariser_Erklärung_zu_OER.pdf (2014-12-01)

[3] This means, for example, the necessity to attribute the original author or to share the new content under the same or a compatible license.

[4] A license is only understood as "open", if it meets the requirements of the Open Definition. See also: http://opendefinition.org

[5] Defined by the declaration of Geneva from the Europe Open Community (2008): "Standards and Future of the Internet", URL: http://www.openforumeurope.org/library/geneva/declaration/manifesto-with-logos-final.pdf (2014-12-01)

available in proprietary formats. Only open formats and programs can guarantee unrestricted and platform-independent usability and adaptability of OER at the technical level. Software that is intended to be OER or to be developed and used to create and use OER must be properly licensed as free software or open source software.[6]

OER are a tool for fair, participative education

In our view, OER are ideally suited to moving us a great deal closer to the overall social goal of **educational justice** because they entail low barriers to accessing educational content for all learners, both at the national and global level, regardless of their individual economic situation. The use of standardized licenses, free software and open standards helps narrow the digital divide. At the same time, the call for educational justice and the release of content as OER is also connected with the expectation that educational resources produced with **public funding** – i. e. tax revenue – **should also "belong to" the general public**.

Educational resources like OER that have been cleared of copyright also enable greater **participation** on the part of learners and thus give teachers greater creative freedom. Teachers and learners can jointly shape the development and use of such resources without prohibitive legal and technical barriers. The corresponding legal regulation or license permits teachers and learners to exchange learning resources without any additional procedures for clarifying rights. OER thus makes participative open learning and teaching environments possible.

The **European Commission** has recognized the potential of OER and called for broad implementation of OER in the education sector.[7] Several publications by the German federal government's **National IT Summit** have

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[6] Binding are licenses that qualify as Free Software licenses by the Free Software Foundation
(https://www.gnu.org/licenses/license-list.html) or are approved as open by the Open Source Initiative
(http://opensource.org/licenses).

[7] "Opening up Education: Innovative teaching and learning for all through new Technologies and Open Educational Resources", COM
(2013) 654 final from September 25th 2013, URL: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2013:0654:FIN:EN:PDF

backed this call.[8] OER are also an integral component in the fulfillment of the UN's **Millennium Development Goals**[9] and Germany's **Charter for the Future**, which the Federal Ministry for Economic Cooperation and Development (BMZ) submitted to Chancellor Angela Merkel in 2014.[10]

Commitment to OER at all levels of education policy

Despite the great potential and internationally recognized significance of OER among institutions such as UNESCO and the European Commission, the promotion of OER is **still underdeveloped in Germany**. A study by Technologiestiftung Berlin on the potential of OER in Berlin presented and compared the activities of government agencies in all German states and concluded[11] *"[...] that there are already scattered OER approaches in the individual German states but, judging by indicators in the openness index, the phenomenon has not yet entered the mainstream." (p. 11)*

The German **federal government and Federal Ministry of Education and Research (BMBF)** need to clearly position themselves in favor of OER and build on the initial start-up funding in the 2015 budget[12]. The individual states and local authorities also need to show their commitment by clearly positioning themselves and initiating activities for OER. The state of Berlin[13]

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[8] Amongst others, the final report 2013 of the project group "Intelligente Bildungsnetze" (Smart Educational Networks) of Germany's national IT-Summit demands the use of open licenses for all publications derive from publicly financed research projects (see http://www.it-gipfel.de/IT-Gipfel/Navigation/mediathek,did=633030.html). In addition, OER is mentioned various times as an improvement to knowledge transfer in the paper "Nutzen und Anwendungen Intelligenter Bildungsnetze" (http://www.it-gipfel.de/IT-Gipfel/Navigation/mediathek,did=664844.html) (2014-12-01)

[9] Die UN Milleniumskampagne Deutschland (o.J.). Die UN-Milleniumsentwicklungsziele. URL: http://www.un-kampagne.de/index.php?id=90 (2014-12-01)

[10] Federal Ministry for Economic Cooperation and Development (BMZ), Projektgruppe Zukunftscharta (Hrsg., 2014), Berlin, URL: https://www.zukunftscharta.de/ecm-politik/zukunftscharta/de/home/file/fileId/2864 (2014-12-01)

[11] Dobusch, Leonhard; Heimstädt, Maximilian & Hill, Jennifer (2014). Open Education in Berlin: Benchmark und Potentiale, Berlin: Technologiestiftung Berlin, URL: http://www.technologiestiftung-berlin.de/fileadmin/daten/media/publikationen/140514_Studie_OER.pdf (2014-12-01)

[12] Web-post by Saskia Esken on 14.11.2014, URL: http://www.saskiaesken.de/aktuelle-artikel/digitale-bildung-wird-im-haushalt-erhoeht (2014-12-01)

[13] Berliner Zeitung (2014). Digitale Plattform revolutioniert das Lernen. On 14.5.2014 by Martin Klesmann, URL: http://www.berliner-zeitung.de/berlin/schulen-in-berlin-digitale-plattform-revolutioniert-das-lernen,10809148,27127802.html (2014-12-01)

and the city of Cologne[14] have already set a fine example in this regard. A clear commitment by policymakers to OER and the development of a comprehensive strategy for OER at the federal and state level will be critical in stimulating the development of OER and ensuring widespread adoption.[15]

Vision: To create parameters and structures for the promotion of OER

There are numerous starting points for how to selectively promote the development and use of OER in the future.

As a rule, educational resources partially or fully funded with public money should be published under an open license, in open formats, and with the necessary metadata. This includes all resources that have been developed for learning and teaching, such as worksheets, schoolbooks, software, university lecture notes, test questions, educational videos and curricula. The same should apply for resources from public institutions that are suitable for use in teaching and learning, such as digital museum archives, statistics from federal offices, information from government agencies, and materials from public media authorities and public service broadcasting.

To consistently promote OER, we need to create information structures and expand the range of educational offerings. OER needs to be firmly integrated into the education and further **training landscape**, especially in teacher training programs and certification programs for instructors and trainers. In addition, the educational institutions themselves need to know how to work with OER and support the people working with them in order to develop OER to their full potential. Education ministries, public educational institutions and administrators should create **competency centers and**

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[14] SchulWikiKöln, URL: http://wiki.stadt-koeln.de/schulen/zentral/index.php?title=Hauptseite (2014-12-01)

[15] See Butcher, Neil (2013). A Government Policy Development Template to Progress Effective Implementation of Open Educational Resources (OER), URL: http://www.col.org/SiteCollectionDocuments/OER_CountryPolicyDevelopmentTemplate.pdf (2014-12-01)

contact points for OER, which can give detailed answers to all questions about Open Educational Resources and promote their development. These bodies should also advocate the dissemination of OER and support those efforts with publicity campaigns.

Finally, we need an OER campaign to create and adapt the **technical and legal parameters**. The creation of OER, for example, should be protected and supported by making appropriate adjustments to public sector employment law for teachers. Furthermore, every educational sector needs an appropriately designed technical framework for the use of OER. This will require the creation and expansion of suitable IT infrastructure at public educational institutions.

This **IT infrastructure** must be designed for unrestricted use of OER since closed proprietary information systems frequently offer little or no scope for using openly licensed material and software. For this reason, it is important to consider the open specifications of IT and IT systems already at the procurement stage – both in terms of their general compatibility with open models as well as their ability to handle specific OER application scenarios. The use of open software and formats now and in the future must be possible without any legal or technical complications.

In practice: Creating and using OER

In addition to developing an OER strategy and creating national parameters, the public sector should also **actively support the creation and use of OER** that do not come directly or indirectly from public sector institutions. The Federal Ministry of Education and Research's decision to budget €2 million in 2015 and another €5 million in commitment appropriation as initial start-up funding for OER[16] is a good start. As a rule, educational resources partially or fully funded with public money should be published under an open license, in open formats, and with the necessary metadata.

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[16] Web-post by Saskia Esken on 14.11.2014, URL:

http://www.saskiaesken.de/aktuelle-artikel/digitale-bildung-wird-im-haushalt-erhoeht (2014-12-01)

In addition, we recommend **targeted promotion** of OER offerings, which means making enough funds available to expand current activities and enable new activities. Special attention should be given to promoting civil society initiatives.[17] Within these types of promotion, support should be given to activities directly tied to the **creation and distribution of OER in all educational sectors.** This includes initiatives that create OER or suitable OER collections, as well as informational and training material for OER, such as OER platforms for special fields. Teachers and groups advocating the use of OER should receive **grants and awards** to support and recognize their work. It would also be a good idea to exploit synergies by coordinating political efforts in support of OER with those that back other "open" developments (such as open access).

At this point it is worth mentioning the common misconception that using OER saves the education sector money in the short term. OER creation and quality assurance has to be funded just like "traditional" educational content. **OER can lead to cost savings** in the medium-term as a result of fewer legal restrictions and the consequent greater ease of re-using content once it has been created, but only if this is accompanied by a long-term OER strategy.

Investment should also go to **developing free and open source software and infrastructure** that are also OER or that supports any aspect of OER production and application. Such aspects include tools for creating and using OER in the classroom, for distributing and searching OER, and for recombining (remixing) components from existing OER. Repositories for storing and publishing OER and tools for integrating OER in established learning platforms also require consideration, although the powerful education servers can certainly be used in this context.

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[17] Similar to commitment 4.6 in the national action plan by the federal government of Germany to implement the G8
Open-Data-Charter: "Public-Community-Partnership zur Förderung offener Verwaltungsdaten"
http://www.bmi.bund.de/SharedDocs/Downloads/DE/Broschueren/2014/aktionsplan-open-data.pdf?__blob=publicationFile

OER is still a new topic. While it is true that OER initiatives in other countries[18] as well as numerous actors in Germany have already accumulated a wealth of experience[19], there is still a need for active coordination and communication between existing contributors and newcomers. This work could be done by a government-funded **OER think tank or a corresponding contact point in the conference of ministers of education (KMK)**. Such an institute could compile lessons learned, support networks of contributors, and develop OER competencies by holding conferences and workshops on the topic and launching and coordinating **research projects** aimed at evolving and evaluating OER and applying this experience within the different initiatives.

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[18] Ebner, Martin & Schön, Sandra (2011). Offene Bildungsressourcen: Frei zugänglich und einsetzbar. In K. Wilbers & A. Hohenstein (Hrsg.), Handbuch E-Learning. Expertenwissen aus Wissenschaft und Praxis – Strategien, Instrumente, Fallstudien. (Nr. 7-15, S. 1-14). Köln: Deutscher Wirtschaftsdienst (Wolters Kluwer Deutschland), 39. Erg.-Lfg. Oktober 2011, URL: http://de.scribd.com/doc/67768781/Offene-Lernressourcen-Frei-zuganglich-und-einsetzbar (2014-12-01); an overview about international educational e-books on OER is available for example in Vlaj, Gernot (2014). Das OER-Schulbuch. In: O3R-Reihe, Band 8, URL: http://l3t.eu/oer/images/band8_Schulbuch.pdf (2014-12-01), S. 34 ff.

[19] see Weitzmann, John (2014). Offene Bildungsressourcen (OER) in der Praxis. Berlin: Medienanstalt Berlin Brandenburg (mabb), 2. Auflage, URL: http://mabb.de/files/content/document/Foerderung/OER-Broschuere_2.Auflage_2014.pdf (2014-12-01) and for the school sector: Muuß-Merholz, Jöran & Schaumburg, Felix (2014). Open Educational Resources (OER) für Schulen in Deutschland 2014 – Whitepaper zu Grundlagen, Akteuren und Entwicklungen, URL: http://www.collaboratory.de/w/OER-Whitepaper (2014-12-01).

Authors

The following experts participated in the creation of this position paper (in alphabetical order):

Erik Albers, Sarah Behrens, Markus Deimann, Monika Fischer, Helene Hahn, Christian Heise, Sebastian Horndasch, Andreas Karsten, Simon Köhl, Elly Köpf, Valentin Münscher, Jöran Muuß-Merholz, Kristin Narr, Jan Neumann, René Pickhardt, Felix Schaumburg, Sandra Schön, Sebastian Seitz, André Spang, John Weitzmann, Ole Wintermann und Annett Zobel.

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Fee Education Alliance
Webseite: https://buendnis-freie-bildung.de/
E-Mail: info@buendnis-freie-bildung.de