

[CC blog post](#) describing this Toolkit.

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Open Licensing Policy Toolkit (DRAFT)

Introduction

The American people deserve open access to federally funded digital educational, training, and informational materials because they paid for them with tax dollars. By requiring the recipients of federal funds to release publicly funded resources with an open copyright license — and provide support for the efficient use of openly licensed material — we will improve the quality of vital public services and make them more cost efficient. We can ensure that the billions of taxpayer dollars invested in the creation of educational materials produce resources that are freely and legally available to the public to use, share, and build upon.

Today, too many of our grants, contracts and cooperative agreements allow the grantee / contractor to keep all-rights-reserved copyright and not share their work with the public that paid for it. To increase the impact of federal grants, the U.S. Government needs a new approach. We created a toolkit of 10 key points drawn from successful practices from the private sector and government that, if followed together, will help government build effective open licensing policies.

1: Understand why open licensing policy is needed

- introduction
 - Many valuable education and training materials are developed through programs funded with taxpayer dollars. Too often these resources are not broadly shared or made useable to the public that paid for them. Open licensing policies ensure the public has unfettered access to these resources which make more efficient use of limited taxpayer dollars, promotes innovative reuse of education materials, and ensures that public digital assets that can be improved over time.
- checklist
 - Describe your existing process for grant-funded content development and sharing.
 - Conduct an inventory of digital content resulting from agency grants and contracts.
 - Identify key potential benefits specific to your agency of adopting an open licensing policy (see #3 re: learning from other agencies).
 - Understand and teach others why open licensing creates a multiplier effect for the impact of public investments.
- key questions
 - What types of digital education and training materials does your agency create?
 - How can your agency increase the impact, reach and scalability of its grants and contracts through an open licensing policy?
 - How is your agency currently soliciting and sharing grant-funded materials?
 - What is the ROI to your agency and to the public when grantee resources are open?

2: Understand copyright and open licensing

- introduction
 - Copyright is a bundle of exclusive rights granted to authors immediately when creativity is fixed in a tangible medium of expression. While resources created by federal government

employees do not receive copyright protection, the copyright in resources produced by federal government grantees rests with the grantee. Open copyright licenses, can be used with agency grants and contracts in order to promote the sharing and reuse of grantee and contractor produced resources, consistent with established copyright law. Most government programs use [Creative Commons \(CC\) licenses](http://creativecommons.org/licenses) (<http://creativecommons.org/licenses>), because CC is the global open licensing standard used broadly throughout the civil and commercial sectors.

- checklist
 - Run a workshop on open licenses.
 - Understand the difference between open licenses (such as CC licenses), the federal purpose license, and resources created by federal government employees that are in the U.S. public domain.
 - Work with your grants management team to find and understand the IP sections in existing grant templates.
 - Work with your legal team to determine how to properly mark agency created resources in the U.S. public domain.
- key questions
 - What are open licenses and how do they work?
 - What is a federal purpose license and how is it different than a CC license?
 - How does copyright affect your grant and contract agreements?
 - How should resources created by federal employees be marked if the goal is to share them in the global public domain?

3: Learn from other agencies

- introduction
 - There are multiple federal agencies that have already adopted open licensing policies to share the education and training resources produced by their grant recipients. These agencies have expertise and have developed training materials for their staff and grantees. They are happy to come to your agency and share implementation experiences, answer questions, and describe challenges and successes.
- checklist
 - Solicit and re-use training materials other agencies have created to train staff about their open license policy
 - Invite agencies, non-profit organizations, and other groups and individuals with open licensing expertise to share ideas and experience via brown bags, webinars and/or conference calls.
 - Review existing agency open policies and understand differences between them.
- key questions
 - Which other US Federal agencies have adopted open licensing policies and how do they operate?
 - What strategies did other agencies use to get open licensing policies written, adopted and implemented?
 - What is the process within your agency for new policies to be proposed and adopted?
 - Who in your agency / department is responsible for implementing an open licensing policy?
 - What challenges did other agencies experience in the development and implementation of their open licensing policies? What were their solutions?

4: Write your open licensing policy

- introduction
 - Write your open licensing policy—using existing model language—to ensure public access to and maximum reuse of the resources created through agency grants and contracts.
- checklist
 - Create an open licensing policy drafting and implementation team.
 - Create a roadmap your agency will follow to create, adopt and implement your open licensing policy.
 - Review and revise model U.S. Federal grant open licensing policy language (see Appendix A) to meet the needs of your agency.
 - Your policy should include a requirement that grantees search for and use existing open resources to save time, money and reduce duplicated effort.
 - Get feedback on your draft policy from other agencies and open policy experts.
 - Adopt a broad definition of educational, training, and informational materials.
- key questions
 - Where do I find model open licensing policy language?
 - What are the key components to an open licensing policy?
 - How should we determine if a grant should be excluded from an open licensing requirement?
 - Which people in your agency will create, implement and evaluate your open licensing policy?
 - How will you get feedback on your draft open policy from agency staff and civil society experts?

5: Add the policy to your grant and contract boilerplates

- introduction
 - Determine the preferred method for integrating the open policy within your agency's grant making process. Insert open policy language into your grant and contract templates.
- checklist
 - Your "open licensing policy drafting and implementation team" meets with agency legal and grants management to integrate open licensing policy in grant and contract boilerplates.
 - Identify strategies and tactics specific to your agency to implement open licensing policy.
 - Identify solutions to overcome agency specific barriers.
- key questions
 - What is the process for adopting a new policy in your agency (e.g., rule making, policy committee, etc.)?
 - What strategies could be used get open policies written, adopted and implemented?
 - What barriers might need to be overcome in order to adopt a policy change?

6: Train your agency team

- introduction
 - Train agency staff about the new open licensing grant requirement, why it's important, how it meets agency goals, how it will be implemented, and how they will be supported.
- checklist
 - Identify agency staff that create and deliver training opportunities and meet with them.

- Talk with IT and grants management team re: tools and technologies used for new grant requirements.
- Identify where open licensing policy messaging can be inserted into existing agency training and communication.
- Create plan for ongoing training and staff support.
- key questions
 - Who in my agency creates and delivers staff professional development?
 - What are (if any) the tools and technologies staff will use to implement the open licensing policy?
 - How can I integrate open licensing policy training into existing agency education and communication activities?
 - How do I identify the right staff to attend training sessions?
 - How will my agency provide ongoing support to staff?

7: Educate your grantees and contractors

- introduction
 - Educate your grantees and contractors about the new open licensing requirement, why it's important, how it can benefit them, and how it will be implemented. Communicate with grantees how they'll be supported with tools and resources and how grant deliverables will be shared with the public.
- checklist
 - Offer training explaining open licensing policy, such as workshops, webinars and handouts explaining open licensing policy.
 - Identify who (e.g., program officer) is responsible for being on point to educate grantees / contractors about the open licensing policy.
 - Provide support via email and phone to answer grantee questions.
 - Teach grantees about proper CC license attribution and marking.
 - Develop a process for ensuring grantee compliance with the open licensing policy.
- key questions
 - How will your agency work with grantees to understand the new open licensing policy?
 - What resources and hands-on assistance will your grantees need? How will you deliver these resources?
 - How will agency program staff ensure compliance with open licensing requirements?
(*Does this topic / point need its own section?*)

8: Provide and promote free online access to open resources

- introduction
 - Develop mechanisms for making openly licensed grant funded materials available to the public. For example, create a publicly accessible repository to host openly licensed grant funded materials or use an existing one. Promote the availability of open resources on your agency web site and through other agency communications; and track reuse and generate metrics to show how impact and ROI are being maximized through open licensing.
- checklist
 - Build or identify an existing open repository that can host agency grant funded content.

- Repository enables: downloads, proper CC marking, free no password access, search and discovery, FAQ for grantees, metadata about content and other features required by agency.
- Provide support to grantees in publishing completed grant funded digital, editable resources to a publicly accessible repository.
- Develop communication strategies and tactics for highlighting grant-funded resources.
- key questions
 - What are the existing open repositories that meet agency requirements?
 - What are the best practices for creating editable files so others may reuse the open content?
 - How will you assist grantees to ensure open resources are uploaded into the repository?
 - How will your agency promote the work of your grantees to the public?

9: Build community around open resources

- introduction
 - Building online communities around shared open content empowers grantees to revise and improve resources; share project expertise, solutions, and challenges; and continue collaboration after the end of the grant period.
- checklist
 - Identify online community tool(s) where agency staff can answer grantee questions, grantees can support one another, and solutions can be shared.
 - Introduce agency grantees to existing open (education, science, library, museum, data, etc.) communities to facilitate sharing of openly licensed resources.
- key questions
 - What existing community support mechanisms exist for grantees and how can your agency support and extend these to promote downstream collaboration and information sharing?
 - What open communities exist that could share openly licensed resources and expertise with your grantees? How will you connect them?

10: Promote collaboration within and across agencies

- introduction
 - Your open licensing policy will create materials, which can be used alongside existing open resources by your grantees as well as the grantees of other agencies. Reuse of others' open resources saves time and money, and reduces duplicated effort. This creates an opportunity for government to reimagine open content sharing within and across agencies.
- checklist
 - Complete a search for openly licensed content similar to planned grant deliverables.
 - Identify related grant programs and projects within and across federal agencies to explore content collaboration and partnerships.
 - Announce new grant programs and invite opportunities for collaboration.
- key questions
 - Have the resources your grant intends to create already been built and openly licensed?
 - What steps can your agency take in order to promote productive collaboration with other federal programs?

Appendix A: [Model U.S. Federal Grant Open Licensing Policy Language](#)

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