

## U.S. Department of Education Open Licensing Rule Now in Effect

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Starting in FY 2018, education resources created with Department of Education discretionary competitive grants (\$4.2 billion in FY 2016) must be openly licensed and shared with the public. This announcement comes after years of work by Department of Education staff, multiple civil society organizations, and individual open education leaders.

This new Department of Education open licensing rule follows the example set by the [Department of Labor](#) 's agency-wide [CC BY](#) 's open licensing policy, the Department of State's [open licensing playbook](#) 's for federal agencies, and multiple other [open education licensing policies](#) 's from around the world. While the rule does not specify the use of a CC license by name, it provides guidance on what attributes the open license needs to contain.

The text of the final rule was published in the Federal Register and in the Government Publishing Office Code of Federal Regulations and can be found [here](#) 's.

Some of the summarized key points include:

- Grantees must openly license to the public any grant deliverable that is created wholly or in part with Department competitive grant funds.
- Grantees must grant to the public a worldwide, non-exclusive, royalty-free, perpetual, and irrevocable license to access, reproduce, prepare derivative works, publicly perform, publicly display, and distribute the copyrightable work provided that attribution is given to the copyright holder.
- A grantee that is awarded competitive grant funds must have a plan to disseminate the openly licensed copyrightable works created with grant funds.

Grantees may select any open licenses that comply with the requirements of this section, including, at the grantee's discretion, a license that limits use to noncommercial purposes.

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