



July 23, 2014

The Honorable Arne Duncan
Secretary of Education
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Re: *Secretary's Proposed Supplemental Priorities and Definitions for Discretionary Grant Programs* (Docket ID ED-2013-OII-0146)

Dear Secretary Duncan:

Creative Commons (CC) and Creative Commons United States (CC USA) are pleased to submit comments responding to the U.S. Department of Education's (Department) recent Notice of Proposed Supplemental Priorities and Definitions for Discretionary Grant Programs (<https://federalregister.gov/a/2014-14671>). Creative Commons (<https://creativecommons.org>) is a 501(c)(3) nonprofit corporation dedicated to making it easier for people to share and build upon the work of others, consistent with the rules of copyright. Creative Commons provides free licenses and other legal tools to mark creative work with the freedom the creator wants it to carry. CC USA (<http://us.creativecommons.org/>) is the United States affiliate of Creative Commons, focusing on U.S-specific issues and activities.

Thank you for continuing to support Open Educational Resources (OER) as an important priority the Department's discretionary grant funding. We are especially pleased to see that the Department's definition is now fully aligned with the definition championed by the William and Flora Hewlett Foundation and open education advocates in the United States and around the world:

Open educational resources (OER) means teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others.

A strong definition is crucial to ensure that creators and users know the legal conditions under which Department-funded materials will be made available to the public. Creative Commons licenses are the global standard for open content licensing, and are easy to understand and use. We hope that the Department will consider extending the example already set by the First in the World Program and the Department of Labor's Trade Adjustment Assistance Community College and Career Training grant program. Both of these grant programs requires grantees to share grant-funded works under open licenses. We hope that open licensing of publicly funded educational resources will be extended across all other Department of Education programs to ensure the ability to find, access, reuse, and remix publicly-funded educational materials. When publicly funded resources are openly licensed, all universities, colleges, and schools can use and revise Department-funded resources.

Thank you again for providing this opportunity to provide feedback on the Notice of Proposed Supplemental Priorities. We would be pleased to answer any follow up questions you may have.

Sincerely,

Cable Green, Director of Global Learning, Creative Commons
Timothy Vollmer, Public Policy Manager, Creative Commons
Michael Carroll, Public Lead, Creative Commons United States