

Enrolled
House Bill 2871

Sponsored by COMMITTEE ON HIGHER EDUCATION, INNOVATION, AND WORKFORCE DEVELOPMENT

CHAPTER

AN ACT

Relating to higher education; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in sections 1 to 4 of this 2015 Act, “open educational resources” means teaching, learning and research resources that:

(a) Reside in the public domain or that have been released under an intellectual property license that permits their free use and repurposing by others; and

(b) Conform to the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and to any additional accessibility standards established by the Higher Education Coordinating Commission by rule.

(2) The Open Educational Resources Grant Program is established within the Higher Education Coordinating Commission and in collaboration with public universities listed in ORS 352.002 and community colleges. The purpose of the program is to encourage the use of low or no-cost open educational resources in Oregon’s post-secondary institutions of education.

(3) Subject to the availability of funds, the commission shall award grants on a competitive basis to public universities listed in ORS 352.002, community colleges or consortia of public universities and community colleges.

(4) In awarding grants under subsection (3) of this section, the commission shall give priority to applications that propose to:

(a) Adapt or otherwise make use of existing open educational resources;

(b) Leverage grants awarded under this section with matching private funds or other resources;

(c) Utilize students in the design or production of open educational resource materials;

(d) Involve coordinated activities between two or more public universities and community colleges;

(e) Focus on high-enrollment courses;

(f) Address a need not currently met by existing available resources; and

(g) Assist in convening faculty from public universities and community colleges to promote the use of open educational resources within post-secondary education.

SECTION 2. The Higher Education Coordinating Commission shall employ an open educational resource specialist who shall be responsible for collaborating with the state’s public universities listed in ORS 352.002 and community colleges to foster the use of open educational resources in a manner that increases the access, affordability and success of Oregon

students at post-secondary institutions of education. While working in an inclusive and collaborative manner, the specialist shall:

- (1) Help identify available open educational resources;
- (2) Assist public university and community college personnel in methods of:
 - (a) Properly attributing, combining, revising and redistributing open educational resources; and
 - (b) Creating openly licensed content and sharing one's work; and
 - (3) Assist faculty members at public universities and community colleges as they seek to use open educational resources in their courses.

SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium beginning July 1, 2015, out of the General Fund, the amount of \$700,000 for the purposes of implementing sections 1 and 2 of this 2015 Act.

(2) All resources created or revised with moneys appropriated under this section must be openly licensed and shared with the public through an existing or new open educational resources repository.

SECTION 4. Each public university listed in ORS 352.002 and community college shall prominently designate courses whose course materials exclusively consist of open or free textbooks or other low-cost or no-cost course materials. The course designation required by this section must appear in the published course descriptions that are on the Internet or are otherwise provided to students at the time of course registration, including on the campus bookstore course materials list that is provided for the course.

SECTION 5. (1) By June 30, 2017, the Higher Education Coordinating Commission, in coordination with public universities listed in ORS 352.002 and community colleges, shall identify open educational resources that can be adopted as the primary instructional material for at least 15 courses that are:

- (a) High-enrollment;
- (b) Within general education disciplines; and
- (c) Capable of being transferred among community colleges and between community colleges and public universities listed in ORS 352.002.

(2) Open educational resources identified under subsection (1) of this section must have undergone a peer-review process and be made available to all post-secondary institutions of education operating in Oregon.

(3) As used in this section, "open educational resources" has the meaning given that term in section 1 of this 2015 Act.

SECTION 6. Section 5 of this 2015 Act is repealed on January 2, 2018.

SECTION 7. Not later than December 1, 2015, the Higher Education Coordinating Commission shall submit a report on the status of implementing sections 1 to 5 of this 2015 Act to the interim legislative committees on higher education. This report must also detail any barriers identified by the commission relating to the future development or use of open educational resources, as defined in section 1 of this 2015 Act.

SECTION 8. Section 7 of this 2015 Act is repealed on July 1, 2016.

SECTION 9. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.

Passed by House July 1, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate July 2, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State