



**Substitute House Bill No. 6771**

**Public Act No. 23-151**

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
CONNECTICUT OPEN EDUCATIONAL RESOURCE  
COORDINATING COUNCIL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10a-44d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(a) For the purposes of this section:

(1) "Open educational resource" means a [college level resource made available on an Internet web site to be used by students, faculty and members of the public on an unlimited basis at a cost lower than the market value of the printed textbook or other educational resource, including full courses, course materials, modules, textbooks, streaming videos, tests, software and other similar teaching, learning and research resources that reside in the public domain or have been released under a creative commons attribution license that permits the free use and repurposing of such resources] teaching, learning or research resource that is (A) offered freely to users in at least one form, and (B) either (i) in the public domain, or (ii) released under a creative commons attribution license or other open copyright license;

(2) "Creative commons attribution license" means a copyright

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[crediting the author of a digital work product] license that allows for the free use, reuse, modification and distribution of [such] a work product, provided the original author is credited; [and]

(3) "Open copyright license" means any copyright license that is not a creative commons attribution license, but allows for the free use, reuse, modification and distribution of a work product, provided the original author is credited;

[(3)] (4) "High-impact course" means a course of instruction for which open educational resources would make a significant positive financial impact on the students taking the course due to the number of students taking the course or the market value of the printed textbook or other educational resources required for such course;

(5) "Course utilizing open educational resources" means a course in which all required learning materials are an open educational resource; and

(6) "President" means the president of the Connecticut State Colleges and Universities.

(b) There is established the Connecticut Open Educational Resource Coordinating Council, which shall be part of the [Executive Department] Connecticut State Colleges and Universities. The [executive director of the Office of Higher Education] president shall appoint the members of the council which shall consist of the following: (1) A state-wide coordinator, who shall collaborate with all institutions of higher education to promote open educational resources and administer grants; (2) one faculty member, one administrator and one staff member from The University of Connecticut; (3) one faculty member, one administrator and one staff member from the regional community-technical college system; (4) one faculty member, one administrator and one staff member from Charter Oak State College; (5)

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one faculty member, one administrator and one staff member from the Connecticut State University System; (6) one faculty member, one administrator and one staff member from the independent institutions of higher education; and (7) one student from any public or independent institution of higher education in the state. All initial appointments to the council shall be made not later than September 1, 2019, and shall expire on August 30, 2022, regardless of when the initial appointment was made. Any member of the council may serve more than one term.

(c) The state-wide coordinator appointed by the [executive director of the Office of Higher Education] president shall serve as the chairperson of the council. The chairperson shall schedule the first meeting of the council, which shall be held not later than October 1, 2019. The administrative staff of the [Office of Higher Education] Connecticut State Colleges and Universities shall serve as administrative staff of the council. The state-wide coordinator may employ a part-time staff person as necessary to assist and support the Connecticut Open Educational Resource Coordinating Council.

(d) Appointed members of the council shall serve for three-year terms which shall commence on the date of appointment, except as provided in subsection (b) of this section. Members shall continue to serve until their successors are appointed. Any vacancy shall be filled by the [executive director of the Office of Higher Education] president. Any vacancy occurring other than by expiration of term shall be filled for the balance of the unexpired term. A majority of the council shall constitute a quorum for the transaction of any business. The members of the council shall serve without compensation, but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties.

(e) The council shall perform the following functions:

(1) Identify high-impact courses for which open educational

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resources will be developed, converted or adopted;

(2) Establish a program of competitive grants for faculty members of institutions of higher education in the state for the development, conversion or adoption of open educational resources for high-impact courses with any funds identified by the council and within available appropriations;

(3) Accept, review and approve competitive grant applications, provided any faculty member who is approved for a competitive grant shall license such open educational resources through a creative commons attribution license or other open copyright license;

(4) Administer a standardized review and approval process for the development, conversion or adoption of open educational resources; [and]

(5) Promote strategies for the production, use and access of open educational resources; and

(6) Develop a model policy for adoption by institutions of higher education that establishes (A) definitions for terms related to open educational resources, (B) methods for data collection concerning the use and availability of open educational resources, and (C) ways to present online course catalogs to students to clearly identify each course utilizing open educational resources.

(f) The council shall meet quarterly, or as often as deemed necessary by a majority of the council.

(g) Not later than February 1, [2022] 2024, and [annually] biennially thereafter, the council shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to higher education regarding (1) the number and percentage of [high-impact

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courses for which open educational resources have been developed] courses utilizing open educational resources, (2) the degree to which institutions of higher education promote the use and access to open educational resources, (3) the amount of grants awarded by the council and the number of open educational resources developed by grant recipients, and (4) its recommendations for any amendments to the general statutes necessary to develop open educational resources.

Approved June 26, 2023