
OLR Bill Analysis

sHB 6771

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

SUMMARY

By law, the Connecticut Open Educational Resource (OER) Coordinating Council must establish an OER program to lower the cost of textbooks and course materials for high-impact courses at state higher education institutions. This bill redefines OER, thus changing the scope of the council's duties.

Under current law, the OER council is part of the executive branch and the Office of Higher Education (OHE) executive director appoints council members, including the state-wide OER coordinator. OHE administrative staff serves as the council's administrative staff. The bill moves the council from the executive branch to the Connecticut State Colleges and Universities (CSCU), and gives the CSCU president the same duties that the OHE executive director has under current law (i.e., appointing the state-wide coordinator and council members). The bill also makes the CSCU administrative staff serve as the council's administrative staff.

The bill expands restrictions on council grant award recipients. Under current law, the council can accept, review, and approve grant applications but grant recipients must license open educational resources through a creative common attribution license. The bill allows recipients to use another open copyright license, which the bill defines.

The bill also requires the OER council to:

1. develop a model policy for OER that includes standardized definitions and data collection methods and

2. report once every two years, rather than annually, to the Higher Education and Employment Advancement Committee on the use of OERs.

It also changes the report's contents to include information courses in which all required material is open source.

The bill also allows the OER state-wide coordinator to hire a part-time employee to assist and support the council. Lastly, it makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2023

DEFINITIONS

Open Educational Resources

Under current law, "OER" is a college level resource available on a website for students, faculty, and the public to use on an unlimited basis at a lower cost than the marketing value of the printed textbook or other educational resource. It includes 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 the resources.

The bill redefines OER as a teaching, learning, or research resource that is (1) offered freely to users in at least one form and (2) either (a) in the public domain or (b) released under a creative commons attribution license or other open copyright license.

Under the bill, a "creative commons attribution license" is a copyright license allowing for the free use, reuse, modification, and distribution of a product, as long as the original author is credited. Under current law, it is a copyright crediting the author of a digital work product license that allows for the free use and distribution of a work product.

The bill defines "open copyright license" as a copyright license that is not a creative commons attribution license, but allows for the free use,

reuse, modification, and distribution of a work product as long as the original author is credited.

OPEN EDUCATIONAL RESOURCE COUNCIL

Council Duties

The bill adds to the OER Coordinating Council’s duties and requires it to develop a model policy for higher education institutions to adopt. The policy must establish (1) definitions for OER terms, (2) ways to collect data on OER use and availability, and (3) ways to present online course catalogs to students to clearly identify courses using OER.

REPORT TO LEGISLATURE

Current law requires the OER Coordinating Council to annually report to the Higher Education and Employment Advancement Committee on the use of OERs, including the number and percentage of high-impact courses for which OERs have been developed.

Beginning February 1, 2024, the bill makes this a biennial, rather than annual, reporting requirement and changes the report’s contents. Under the bill, the report must include the number of courses utilizing OER instead of the number and percentage of high-impact courses for which OER have been developed. Under the bill, a “course utilizing OER” is a course in which all required materials are OER.

By law, unchanged by the bill, the report must also include information about (1) the degree to which higher education institutions promote the use and access to OER, (2) grants the council awards, (3) any legislative recommendations.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/07/2023)