

RESOLUTION TO ACCEPT REPORT OF COMPLETION OF GUIDELINES FOR OPEN EDUCATIONAL RESOURCES (OER) AND OPEN TEXTBOOKS

WHEREAS Open Educational Resources (OER) are freely and publicly available 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 re-purposing by others; and

WHEREAS OER include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledgeⁱ; and

WHEREAS on June 3, 2019 in compliance with the Code of Virginia §23.1-1308, the Virginia Tech Board of Visitors approved a resolution directing the university's administration to develop and bring forward "guidelines addressing university use of open educational resources"; and

WHEREAS the Virginia Tech Guidelines for Open Educational Resources and Open Textbooks (attached) were drafted for purposes of facilitating and encouraging the adoption, adaptation, creation, maintenance, and public sharing of OER;

NOW, THEREFORE, BE IT RESOLVED that the Board of Visitors acknowledges receipt of the attached *Virginia Tech Guidelines for Open Educational Resources (OER) and Open Textbooks* with the understanding that these guidelines will be maintained by the University Libraries.

ⁱ Adapted from "Open Educational Resources", The William and Flora Hewlett Foundation.

RECOMMENDATION:

The Board of Visitors accept the attached Guidelines for Open Educational Resources (OER) and Open Textbooks.

June 2, 2020

Virginia Tech Guidelines for Open Educational Resources (OER) and Open Textbooks

1.0 Introduction

Purpose of guidelines. These guidelines are meant to facilitate and encourage the adoption, adaptation, creation, maintenance, and public sharing of Open Educational Resources (OER) and open textbooks by Virginia Tech faculty, staff, and students. They are issued in compliance with the [Code of Virginia §23.1-1308](#) as amended and reenacted in 2018, which states: “The governing board of each public institution of higher education shall implement guidelines for the adoption and use of low-cost and no-cost open educational resources in courses offered at such institution.”

Definition of OER. Open Educational Resources (OER) are freely accessible and publicly available 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, reuse, modification, and sharing with others.

Academic Freedom. As stated in [Policy 6400](#), the University affirms that “the adoption of course textbooks is a function of the individual faculty and his or her department.” This policy extends to the adoption and adaptation of OER and open textbooks.

The basics of OER. OER can include textbooks, course materials and full courses, modules, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to and production of knowledge. To be considered OER, educational material must be publicly released and licensed in a manner that grants users the right to engage in the “5 R’s of open content:”

1. **Retain:** make, own, and control copies of the content
2. **Reuse:** use the content in a wide range of ways
3. **Revise:** adapt, adjust, modify, or alter the content itself
4. **Remix:** combine original or revised content with other material to create something new
5. **Redistribute:** share copies of the original content, revisions, or remixes with others

Authors who wish to grant others the right to share, use, and adapt their work in the form of an Open Educational Resource must apply an open license. While there are multiple licensing options for OER, the most commonly used are “Creative Commons Licenses” developed by the non-profit organization *Creative Commons*.

Benefits of OER and open textbooks. OER further the land grant mission of the University by extending the reach of materials created or modified by faculty for teaching while reducing the cost of education. Potential benefits of OER and open textbooks include:

- Zero and reduced print course-material costs for students, including but not limited to open textbooks available in print at cost;
- Better-aligned course materials because of customization and/or use of OER chapters or excerpts;

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- Studies show use of OER reduces DFW (drop, fail, withdrawal) rates and improves time to degree and other benefits;
 - Instructor or student adoption of pedagogical approaches wherein students improve, create, and share OER because of the affordances of open licenses;
 - Participation in and development of collaborative networks contributing to and sharing OER across and between disciplines, institutions, educational levels, and geographic boundaries;
 - Improved adaptability and sharing for users with disabilities;
 - Serving the public good and positive social impact through public sharing;
 - The ability to change course content “in situ”;
 - Advancing Virginia Tech’s reputation as a global land-grant institution through the reach of Virginia Tech-created OER.

Assistance. While OER and open textbooks offer many opportunities, especially for faculty unfamiliar with their use and creation, the licensing issues can be challenging to those unaccustomed to the intricacies of copyright law and practice. These guidelines are meant to be viewed in conjunction with the information available on the Virginia Tech University Libraries OER site (<https://guides.lib.vt.edu/oer>). Faculty interested in adopting or creating OER are encouraged to contact a librarian for consultation and guidance on any aspect of their creation, adaptation, or use. The University Libraries provide support for the development of OER as outlined in Section 4.

2.0 General Guidelines

Virginia Tech encourages the use of OER and open textbooks under the following guidelines:

- 1) Works in any format for which one owns copyright may be transformed into open educational resources by appending a free, open license such as a Creative Commons license allowing derivatives and sharing of the work publicly without a fee. Authors are encouraged to use the most open license possible.
- 2) Works utilizing University brand elements must follow University guidelines. If utilizing University brand elements (logo, etc.) the following statement or its equivalent must be included: “Derivatives of this work are not authorized to use Virginia Tech logos.”
- 3) Content ownership and licensing issues should be addressed before beginning to create a derivative or re-mixed work. Third-party materials (e.g., works in the Public Domain, other OER, one’s original work for which one retained copyright, content used with permission, or content used in conjunction with an informed fair-use analysis) may be incorporated into OER in accordance with the following:
 - Terms of use for any work used with permission must be followed, including but not limited to legally-required display of attribution information when incorporating other OER;
 - The license of incorporated OER materials must be compatible with the overall license on the OER derivative or compilation;
 - Authors planning to incorporate third-party materials into OER should clearly display the terms under which the works are incorporated;
 - Permission obtained for incorporation of third-party content should include release of the content under the same license as the overall OER;

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- The OER author is responsible for retention of any permissions documentation.
- 4) Whenever a resource is developed in collaboration with others, the licensing of the material must be consistent with the terms and conditions stated in the collaboration agreement. This includes, but is not limited to:
 - Internal and external granting bodies which promote or require open licenses and public-release as part of their terms;
 - Unpaid student-created works are the intellectual property of the student according to Policy 13000. Such works may be incorporated in one or more OER only with voluntary and documented student consent. Students may decline invitations to reproduce their works without academic or other negative consequences. Best practice is for students to publicly share their work under an open license which allows inclusion in the compiled work. If used, consent documents must be retained by the instructor compiling the work, or the instructor's designee.
 - 5) OER created in traditional formats (books, textbooks, videos, etc.) are expected to follow practices which aid readers in understanding the scope, content, audience, and legacy of the work, and which enable archiving and retrieval. These include but are not limited to including identifying author(s), an abstract, year of publication, table of contents, pagination (if relevant), ISBN (if relevant), giving credit to contributors and peer reviewers, etc.
 - 6) OER must incorporate best practices for accessibility by persons with disabilities.
 - 7) OER and open textbooks developed at Virginia Tech shall be available in accessible and reusable formats, wherever possible.
 - 8) Authors or adapters of OER including open textbooks may add use or liability disclaimers regarding content released.

3.0 Virginia Tech standards for evaluation of OER

Because evaluation of the quality of OER materials ranges from traditional peer review to no evaluation at all, the Faculty Senate of Virginia Tech makes the following recommendations:

- 1) OER created and shared by Virginia Tech faculty should be peer reviewed. Peer review may be provided by Virginia Tech Publishing (for works they publish) or a comparable body.
- 2) Faculty are expected to conduct equivalent due diligence in vetting OER as compared to other course materials.
 - a. A course material review rubric is available at <http://hdl.handle.net/10919/95875> .
- 3) Faculty who adapt or combine the work of others with their own will add a statement that includes the type of peer review used, a succinct explanation of how the existing work was transformed, and a clear statement of attribution for all authors involved, and a peer review status and method statement.
- 4) If non-peer-reviewed OER material are used at Virginia Tech, the faculty member should include a statement of evaluation that addresses the quality of content, potential as a teaching tool, and includes a clear attribution statement for all authors involved.ⁱ

4.0 Resources for faculty

The University Libraries at Virginia Tech support the use, creation, and adaptation of OER through a number of initiatives, including:

1) **Open Education Initiative Faculty Grants.** This effort supports Virginia Tech faculty who are interested in further sharing their original works as OER or who are interested in pursuing adaptation of open education resources and new forms of digital scholarship as alternatives to traditional textbooks and homework software access codes. Support may be available through this or other sources for course release, grants, staff assistance, technical infrastructure, and public recognition.

2) **The Open Textbook Adoption Workshop.** Through a partnership with the Virtual Library of Virginia (VIVA) the University Libraries offers a limited number of \$200 stipends for eligible faculty who submit a written review of an open textbook after attending the semi-annual Open Textbook Adoption Workshop.

3) **Pre-Publication Review.** OEI grantees are required to develop a peer-review plan. Faculty interested in creating OER should contact the University Libraries' Open Education Initiative (OEI) which works with Virginia Tech Publishing (VT Publishing) and other entities to publish original and adapted OER, including but not limited to open textbooks.

All VTP open textbooks published through OEI by Virginia Tech Publishing benefit from one or more types of pre-publication review, depending on subject matter and areas of perceived need. Authors are also strongly encouraged to implement course materials in class for a minimum of one semester before public release. All review processes are intended to identify aspects of the manuscript needing improvement and are implemented by the author in consultation with the book's sponsoring editor.

4) **Institutional Repository.** The University's institutional repository, VTechWorks <http://vtechworks.lib.vt.edu>, provided by the University Libraries, hosts, archives, and makes publicly available many types of digital files. The quality of contributions is the responsibility of the creator(s). Employees and students hosting OER including open textbooks on other platforms should contact the University Libraries regarding the availability of digital preservation services and submit a copy for access and preservation to VTechWorks. The quality of contributions is the responsibility of the creator(s).

The University via the libraries provides information and assistance regarding indexing Virginia Tech-created OER including open textbooks in third-party discovery platforms.

5) Other OER Repositories.

Existing OER and open textbooks are available from and through Virginia Tech and other sources. For example, visitors to the Virginia Tech University Libraries OER site mentioned above have the option to search "Open Textbook Collections" and "Find OER (by discipline)." Examples of OER repositories include:

- Open Textbook Library (UMN) <https://open.umn.edu/opentextbooks>
- OER Commons <https://www.oercommons.org>

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- OASIS (SUNY) <https://oasis.geneseo.edu>
 - OER Metafinder (<https://oer.deepwebaccess.com/oer/desktop/en/search.html>)
 - Digital Public Library of America (<https://dp.la/>)
 - Teaching Commons (<https://teachingcommons.us/>)
 - Open Culture (<http://www.openculture.com/>)
 - The Mason OER Metafinder (MOM)
(https://mason.deepwebaccess.com/mason_MasonLibrariesOpenEducationResources_5f4/desktop/en/search.html)

5.0 Looking ahead: goals, opportunities, and work to be done

- The University Libraries recommend that the University develop and maintain infrastructure and services to support OER creation, curation, adaptation, publishing, and maintenance.
- For OER to be more widely adopted at Virginia Tech, we need to develop an institutional perspective on their role in teaching and scholarship. It is critical that faculty and administrators resolve concerns about OER, such as their quality or impact compared to traditional means of disseminating scholarship, among other issues. Broad agreement on how the Virginia Tech academic community views OER is a first-step in developing guidelines for the coordinated evaluation of OER in promotion and/or tenure cases at the department, college, and University levels.
 - Virginia Tech, under the auspices of the University Libraries, will explore the potential for development of an OER Coordinating Committee and/or work group to include diverse faculty, staff, student, and administrative representation.
 - The committee may be tasked to explore: use of scholarly practices for OER adaptation, recommendations for OER grant-making units, sustainability practices for OER maintenance, documentation of best practices for marking third-party content, etc.
- For course-selection purposes Virginia Tech will enable students to readily identify OER, open textbooks, and courses that use OER.
- The registrar or another appropriate employee of each public institution of higher education shall identify conspicuously in the online course catalogue or registration system, as soon as practicable after the necessary information becomes available, each course for which the instructor exclusively uses no-cost course materials or low-cost course materials.t; (cite policy above)

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