

Policy Procedure: Open Educational Resources

Procedure Number: 212P

Contact Information: Chief Academic Officer

Forms: [OER Agreement Form](#), [OER Checklist](#)

Last Reviewed Date: 10/22/2021

1. OER sections at NOVA
 - a. While faculty at NOVA are encouraged to incorporate OER materials into their course sections as best meets their course and learning objectives, an OER course section(s) at NOVA is a course that meets all of the following requirements:
 - i. Does not require the student to purchase a textbook.
 - ii. Provides access to digitized course materials through NOVA's Learning Management System (LMS).
 - iii. Embeds only course materials from one or more of the following areas:
 - iv. Materials in the public domain
 - v. Materials published under Attribution (CC BY), Noncommercial (CC BY NC), and Sharealike (CC BY SA) Creative Commons licenses, Attribution-Non-Commercial-Sharealike (CC BY NC SA) or other equivalent open licenses. In keeping with best practices, the CC-BY license is the preferred license for OER materials at NOVA.
 - vi. Original materials created by the instructor licensed under Attribution (CC BY), Noncommercial (CC NC), and Sharealike (CC SA) Creative Commons licenses or other equivalent open licenses
 - vii. Links out to materials with more restrictive or all-rights-reserved copyright licenses, including library materials.
 - viii. Fulfills VCCS and NOVA policies on accessibility; namely that materials are in common and current formats; they are easily read on-screen or through the aid of assistive technology, images supported by alternative text, and audio or visual materials supported by captioning or transcription.
 - ix. An XOER Designation Approval Form has been submitted to and approved by the Program Dean with oversight of the course under consideration.
 - b. A course section(s) may NOT be designated as an OER section if it meets any of the following conditions:
 - i. Requires the purchase of a textbook, no matter how inexpensive. This includes any separate course materials or lab fee or fee to access the OER course materials. Note: "Course materials" does not include required course lab fees, or required course supplies, such as optical reader test forms, lab coats, or safety goggles.

- ii. Embeds photocopied or scanned copyrighted materials that violate "Fair Use" guidelines.
 - iii. Embeds original content developed by the instructor who has not licensed the material under Attribution (CC BY), Noncommercial (CC NC), and Sharealike (CC SA) Creative Commons licenses or other equivalent open licenses.
 - iv. Links out to sites that violate copyright law.
 - v. Embeds all-rights-reserved content provided by publishers to faculty at no cost (ex. evaluation copies of textbooks or publisher-provided Power Point slides).
 - vi. Includes materials (including scanned document and video/audio materials) which are not accessible.
- 2. OER Attribute in SIS and Z-degree Requirements
 - a. OER course sections meeting all of the requirements in Section 1 OER Course Sections at NOVA are considered "Z" or "Z-degree" courses and may be assigned the XOER attribute with a ZERO value in NOVA's SIS.
 - b. Any course in which all required course materials cost less than \$40 may be designated as having Affordable Course Materials and assigned the XOER attribute with a LT40 value in NOVA's SIS, but are not considered OER course sections nor "Z" or "Z-degree" courses. Note: "Course materials" does not include required course lab fees, or required course supplies, such as, but not limited to, optical reader test forms, lab coats, or safety goggles.
 - c. To request the XOER attribute be applied to a course section, faculty must submit OER Agreement Form to their Program Dean for approval. XOER attributes assigned to a course section are good for two years, or unless substantive revision have been made, at which point the form must be resubmitted and reviewed for approval in order for a course section to maintain the XOER attribute.
- 3. Faculty Training
 - a. Faculty who wish to incorporate OER materials into a course are encouraged to complete an OER professional development activity, including any of the following: a course or training offered by NOVA, the VCCS, or an academic or professional association that covers open licensing and best practices for creating, adopting and adopting OER resources and courses.
 - b. Successful completion of such training is strongly encouraged for faculty who are either
 - i. seeking to have a course designated as a "Z" or "Z-degree" course or
 - ii. teaching a course that is designated as a "Z" or "Z-degree" course.
 - c. Information about OER and links to OER repositories is available on the NOVA Libraries OER LibGuide at <http://libguides.nvcc.edu/oer>.
 - d. Faculty who need assistance linking out to library materials should contact NOVA Libraries.
- 4. Guidelines for Selection and Maintenance of Course Materials
 - a. As subject matter experts, faculty are responsible for selecting OER materials of high quality that best meet the course and learning objectives.
 - b. Faculty must review OER materials each semester to ensure continued compliance with applicable copyright law, continued accessibility for students, and appropriateness to course objectives.

- c. The OER Checklist is a guide to aid faculty in selecting and reviewing OER materials for quality, accessibility, and copyright compliance.
5. Program Review
 - a. Implementation of this policy and use of the XOER and LT40 course attributes shall be reviewed by the Chief Academic Officer or designee on a three-year cycle to ensure quality standards are being met.

Definitions

Affordable Course Materials: A course employing textbooks or other course materials for which a fee is charged to students, and which may carry the XOER LT40 value designation within NOVA's Student information system, but for which the total charge to students for all required course materials is \$39.99 or less.

All-rights-reserved: All-rights-reserved copyright licenses are the default license applied to a work of authorship the moment the work is created and fixed in a tangible form that it is perceptible either directly or with the aid of a machine or device. This license indicates that the copyright holder reserves, or holds for their own use, all the rights provided by copyright law.

<http://www.copyright.gov/help/faq/faq-definitions.html>

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Creative Commons License: Creative Commons licenses manage the copyright terms that attach automatically to all creative material under copyright, and allow that material to be shared and reused under terms that are flexible and legally sound.

http://wiki.creativecommons.org/FAQ#What_are_Creative_Commons_licenses

Open Educational Resource (OER): OER include full courses, course materials, modules, textbooks, streaming videos, software, and any other tools, materials, or techniques used to support access to knowledge.

Public Domain: A work of authorship is in the "public domain" if it is no longer under copyright protection or if it failed to meet the requirements for copyright protection. Works in the public domain may be used freely without the permission of the former copyright owner.

<http://www.copyright.gov/help/faq/faq-definitions.html>

Z course: A course that meets all of the requirements of an OER course may carry a "Z" or XOER with ZERO value designation within NOVA's Student Information System (SIS).