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# HOUSE BILL NO. 1940

Offered January 14, 2009
Prefiled January 13, 2009

*A BILL to direct the State Board for Community Colleges, in consultation with the Virginia Department of Education and the State Council of Higher Education for Virginia, to develop a two-year pilot program to provide grants to community colleges to establish open education resource centers in the Commonwealth.*

Patrons—Peace, Hugo and May

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1.** *§ 1. Open Education Resource Center Grant Fund established.*

*There is hereby created in the state treasury a special nonreverting fund to be known as the Open Education Resource Center Grant Fund, hereafter referred to as "the Fund." The Fund shall consist of any funds appropriated to it by the general appropriation act and revenue from any other source, public or private. The Fund shall be established on the books of the Comptroller, and any funds remaining in the Fund at the end of the pilot program shall revert to the general fund. Interest earned on the Fund shall be credited to the Fund. Moneys in the Fund shall be used solely for the purposes of developing and funding a competitive grant pilot program to provide grants to community colleges to establish open education resource centers in the Commonwealth. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the chairman or vice-chairman of the State Board for Community Colleges.*

**2.** *§ 1. "Open education resources" means learning materials or resources whose copyrights have expired, or that have been released with an intellectual property license that permits their free use or re-purposing by others without the permission of the original authors or creators. Open education resources (OER) includes items such as courses, course materials, textbooks, streaming video of classroom lectures, tests, software, and any other tools, materials, or techniques used to transmit knowledge that have an impact on teaching and learning.*

*§ 2. The State Board for Community Colleges shall, in consultation with the Virginia Department of Education and the State Council of Higher Education for Virginia, develop a competitive grant pilot program to provide grants to community colleges to establish open education resource centers in the Commonwealth. To qualify for a grant, community colleges shall be required to demonstrate a partnership with faculty or staff from at least one local school division and one institution of higher education in the Commonwealth.*

*The pilot program grant recipients shall be selected based upon a demonstration of their ability to accomplish all of the following:*

*A. Develop and implement a model for the creation of OER course content that is pedagogically sound and fully accessible, in compliance with the federal Americans With Disabilities Act (Public Law 101-336), by students with varying learning styles and disabilities.*

*B. Develop two elementary, secondary, or community college courses using open education resources. Courses developed for elementary or secondary schools shall meet the corresponding Standards of Learning requirements for the subject areas of the course.*

*C. Develop a professional in-service training and development course that introduces faculty, staff, and course developers to the concept, creation, content, and production methodologies that enable open education resources to be offered to students in elementary, secondary, or community college classes. The professional development course shall include, at a minimum, all of the following:*

*1. Developing OER textbooks aligned to the Commonwealth's Standards of Learning;*

*2. Addressing issues relating to copyright and other intellectual property concepts;*

*3. Providing information on accessibility issues for students with disabilities;*

*4. Developing options that incorporate multiple learning styles and strategies; and*

*5. Building learner knowledge and skills that are necessary to find, adapt, repurpose, and create accessible OER for use in the classroom.*

*D. Create or support an OER information repository to serve as a point of contact for information about courses and course materials, research and production processes, and professional resources for creating and repurposing OER.*

*E. Conduct a two-year formative and summative research study and evaluation that compares OER with non-OER courses and materials with regard to quality and cost, and evaluates the efficacy of the*

*pilot program for statewide replication. The successful applicant shall contract with an independent third party with expertise in evaluating educational content and curriculum development. The evaluation shall include, but not be limited to, an assessment of the number of faculty and students that use OER in their classes, the quality of their experiences compared to traditional courses, student performance, potential cost savings, and the quality of OER and non-OER course materials. This evaluation shall be submitted to the General Assembly no later than July 1, 2011.*

*F. Provide outreach to school districts and community colleges at regional and state educational and technology conferences to support the establishment of local OER centers.*

*G. Develop a sustainability plan and business model to fund the OER centers on an ongoing basis.*

**3. That the provisions of this act shall not become effective until either an appropriation of general funds effectuating the purposes of this act is included in a general appropriations act passed by the 2009 or 2010 Session of the General Assembly, which becomes law, or funds from other private or public sources are deposited into the Open Education Resource Grant Fund by July 1, 2010.**