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HOUSE BILL NO. 1777

Offered January 9, 2013

Prefiled January 8, 2013

A BILL to amend the Code of Virginia by adding a section numbered 23-4.3:01, relating to the Virginia Open Education Resources Council and the Virginia Digital Open Source Textbook Library.

Patrons—Filler-Corn, Albo, Kory, Krupicka, Lewis, Lopez, May, McQuinn, Plum, Scott, J.M., Surovell, Toscano and Tyler

Referred to Committee on Science and Technology

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 23-4.3:01 as follows:

§ 23-4.3:01. Virginia Open Education Resources Council and Virginia Digital Open Source Textbook Library established.

A. For the purposes of this section, "digital open source textbook" means any textbook that is (i) digital; (ii) modular; (iii) encoded in an Extensible Markup Language (XML) format or other appropriate successor format; (iv) designed to achieve operability on a range of platforms including a range of operating systems and platforms including tablets and smartphones; (v) placed under a Creative Commons attribution license that allows individuals and entities to use, distribute, and create derivative works while still allowing the author of the textbook to receive credit for his work; and (vi) in conformity with Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. § 794d), as amended, and the latest version of the Web Content Accessibility Guidelines adopted by the World Wide Web Consortium.

B. With such funds as may be appropriated for this purpose and any gifts, donations, grants, bequests, and other funds that may be received on behalf of the Council, there is hereby established the Virginia Open Education Resources Council.

C. The Council shall consist of 16 members: one faculty member from each public institution of higher education in the Commonwealth, selected by the respective board of visitors and the State Board for Community Colleges to serve four-year terms. The Director of the State Council for Higher Education or his designee shall serve ex officio.

D. The Council shall, by the start of the 2015-2016 academic year:

1. Develop and maintain a list of 50 undergraduate courses for which high-quality, affordable, digital open source textbooks shall be acquired. In developing this course list, the Council shall consider the extent to which the selected courses:

- a. Are among the most highly enrolled courses at each public institution of higher education;
- b. Are likely to generate significant savings on textbook costs for students;
- c. Demonstrate relative consistency in content across existing textbook products; and
- d. Provide opportunities for faculty to augment the digital open source textbooks with free faculty-authored materials;

2. Create and administer a standardized, rigorous review and approval process for digital open source textbooks acquired pursuant to this section. This process shall ensure that all open source textbooks have been tested and validated as having met accessibility requirements for students with disabilities. Digital open source textbooks and ancillary materials shall include documentation for students with disabilities that describes available accessibility features;

3. Solicit and consider advice and guidance on digital open source textbooks from students at each public institution of higher education;

4. Acquire, either for a charge or at no cost, existing digital open source textbooks to be used in the 50 undergraduate courses identified by the Council pursuant to this section;

5. Develop, in conjunction with any individual or entity that the Council may choose to consult, the Virginia Digital Open Source Textbook Library as an online archive for the storage of the digital open source textbooks acquired pursuant to this section; and

6. Develop guidelines for the storage, access, and use of open source materials.

E. The digital open source textbooks acquired pursuant to this section shall be available for use by students free of charge.

F. Nothing in this section shall be construed to mandate faculty use of any digital open source textbook.

INTRODUCED

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