



General Assembly

**Substitute Bill No. 6771**

January Session, 2023



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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-44d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) For the purposes of this section:

4 (1) "Open educational resource" means a [college level resource  
5 made available on an Internet web site to be used by students, faculty  
6 and members of the public on an unlimited basis at a cost lower than  
7 the market value of the printed textbook or other educational resource,  
8 including full courses, course materials, modules, textbooks, streaming  
9 videos, tests, software and other similar teaching, learning and  
10 research resources that reside in the public domain or have been  
11 released under a creative commons attribution license that permits the  
12 free use and repurposing of such resources] teaching, learning or  
13 research resource that is (A) offered freely to users in at least one form,  
14 and (B) either (i) in the public domain, or (ii) released under a creative  
15 commons attribution license or other open copyright license;

16 (2) "Creative commons attribution license" means a copyright  
17 [crediting the author of a digital work product] license that allows for

18 the free use, reuse, modification and distribution of [such] a work  
19 product, provided the original author is credited; [and]

20 (3) "Open copyright license" means any copyright license that is not  
21 a creative commons attribution license, but allows for the free use,  
22 reuse, modification and distribution of a work product, provided the  
23 original author is credited;

24 [(3)] (4) "High-impact course" means a course of instruction for  
25 which open educational resources would make a significant positive  
26 financial impact on the students taking the course due to the number  
27 of students taking the course or the market value of the printed  
28 textbook or other educational resources required for such course;

29 (5) "Course utilizing open educational resources" means a course in  
30 which all required learning materials are an open educational resource;  
31 and

32 (6) "President" means the president of the Connecticut State  
33 Colleges and Universities.

34 (b) There is established the Connecticut Open Educational Resource  
35 Coordinating Council, which shall be part of the [Executive  
36 Department] Connecticut State Colleges and Universities. The  
37 [executive director of the Office of Higher Education] president shall  
38 appoint the members of the council which shall consist of the  
39 following: (1) A state-wide coordinator, who shall collaborate with all  
40 institutions of higher education to promote open educational resources  
41 and administer grants; (2) one faculty member, one administrator and  
42 one staff member from The University of Connecticut; (3) one faculty  
43 member, one administrator and one staff member from the regional  
44 community-technical college system; (4) one faculty member, one  
45 administrator and one staff member from Charter Oak State College;  
46 (5) one faculty member, one administrator and one staff member from  
47 the Connecticut State University System; (6) one faculty member, one  
48 administrator and one staff member from the independent institutions

49 of higher education; and (7) one student from any public or  
50 independent institution of higher education in the state. All initial  
51 appointments to the council shall be made not later than September 1,  
52 2019, and shall expire on August 30, 2022, regardless of when the  
53 initial appointment was made. Any member of the council may serve  
54 more than one term.

55 (c) The state-wide coordinator appointed by the [executive director  
56 of the Office of Higher Education] president shall serve as the  
57 chairperson of the council. The chairperson shall schedule the first  
58 meeting of the council, which shall be held not later than October 1,  
59 2019. The administrative staff of the [Office of Higher Education]  
60 Connecticut State Colleges and Universities shall serve as  
61 administrative staff of the council. The state-wide coordinator may  
62 employ a part-time staff person as necessary to assist and support the  
63 Connecticut Open Educational Resource Coordinating Council.

64 (d) Appointed members of the council shall serve for three-year  
65 terms which shall commence on the date of appointment, except as  
66 provided in subsection (b) of this section. Members shall continue to  
67 serve until their successors are appointed. Any vacancy shall be filled  
68 by the [executive director of the Office of Higher Education] president.  
69 Any vacancy occurring other than by expiration of term shall be filled  
70 for the balance of the unexpired term. A majority of the council shall  
71 constitute a quorum for the transaction of any business. The members  
72 of the council shall serve without compensation, but shall, within the  
73 limits of available funds, be reimbursed for expenses necessarily  
74 incurred in the performance of their duties.

75 (e) The council shall perform the following functions:

76 (1) Identify high-impact courses for which open educational  
77 resources will be developed, converted or adopted;

78 (2) Establish a program of competitive grants for faculty members of  
79 institutions of higher education in the state for the development,

80 conversion or adoption of open educational resources for high-impact  
81 courses with any funds identified by the council and within available  
82 appropriations;

83 (3) Accept, review and approve competitive grant applications,  
84 provided any faculty member who is approved for a competitive grant  
85 shall license such open educational resources through a creative  
86 commons attribution license or other open copyright license;

87 (4) Administer a standardized review and approval process for the  
88 development, conversion or adoption of open educational resources;  
89 [and]

90 (5) Promote strategies for the production, use and access of open  
91 educational resources; and

92 (6) Develop a model policy for adoption by institutions of higher  
93 education that establishes (A) definitions for terms related to open  
94 educational resources, (B) methods for data collection concerning the  
95 use and availability of open educational resources, and (C) ways to  
96 present online course catalogs to students to clearly identify each  
97 course utilizing open educational resources.

98 (f) The council shall meet quarterly, or as often as deemed necessary  
99 by a majority of the council.

100 (g) Not later than February 1, [2022] 2024, and [annually] biennially  
101 thereafter, the council shall submit a report, in accordance with the  
102 provisions of section 11-4a, to the joint standing committee of the  
103 General Assembly having cognizance of matters relating to higher  
104 education regarding (1) the number and percentage of [high-impact  
105 courses for which open educational resources have been developed]  
106 courses utilizing open educational resources, (2) the degree to which  
107 institutions of higher education promote the use and access to open  
108 educational resources, (3) the amount of grants awarded by the council  
109 and the number of open educational resources developed by grant  
110 recipients, and (4) its recommendations for any amendments to the

111 general statutes necessary to develop open educational resources.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	10a-44d

**Statement of Legislative Commissioners:**

In Subsec. (e)(6)(A), "the usage of" was removed for conciseness.

**HED**      *Joint Favorable Subst.*