

SUBJECT: Creating a state repository for open educational resources

COMMITTEE: Higher Education — favorable, without amendment

VOTE: 9 ayes — C. Turner, Stucky, Button, Frullo, Howard, E. Johnson,  
Pacheco, Schaefer, Walle

0 nays

2 absent — Smithee, Wilson

WITNESSES: For — Dustin Meador, Texas Association of Community Colleges; Nicole Eversmann (*Registered, but did not testify*: Mike Meroney, Texas Association of Manufacturers)

Against — None

On — (*Registered, but did not testify*: Rex Peebles, Texas Higher Education Coordinating Board)

BACKGROUND: Education Code sec. 51.451 defines an "open educational resource" (OER) as a teaching, learning, or research resource that is in the public domain or has been released under an intellectual property license that permits the free use, adaptation, and redistribution of the resource by any person. The term may include full course curricula, course materials, modules, textbooks, media, assessments, software, and any other tools, materials, or techniques, whether digital or otherwise, used to support access to knowledge.

The Learning Technology Advisory Committee is a standing committee within the Texas Higher Education Coordinating Board (THECB) that informs the board of how distance education and computer assisted instruction, including e-learning tools such as electronic textbooks and open-source materials, can help the state reach the goals of the 60x30TX strategic plan.

Interested parties have suggested that OERs are gaining popularity due to the increasing costs of textbooks but are too decentralized for some universities to gain information about or access to these resources.

**DIGEST:** HB 3652 would require the Texas Higher Education Coordinating Board (THECB) to contract with a high-quality open educational resource (OER) repository to develop and maintain a web portal customized to meet the needs of individual institutions of higher education, students, and others who may benefit from access to OERs.

OERs available through the portal would have to be searchable by course or learning outcome, program or field of study, marketable skills, college readiness, and other topics as determined by THECB. The portal would have to provide access to repositories that maintained a wide range of OERs, including full courses.

Resources developed with state funds would be required to be available under a Creative Commons license and submitted for use as an OER through a repository available through the portal. A publisher could submit instructional materials for inclusion in a repository available through the portal.

By September 1, 2020, THECB would be required to develop the web portal for OER repositories. In establishing, maintaining, or marketing the portal, the board could request the assistance of the Learning Technology Advisory Committee.

The bill would take effect September 1, 2019.

**NOTES:** According to the Legislative Budget Board, the bill would have a negative impact of about \$248,000 to general revenue related funds through fiscal 2020-21.