

Institutional OER Guidelines

1. Preamble

These guidelines outline the SUNY New Paltz position on Open Educational Resources (OER) and provide a framework for practice in teaching and learning. The College encourages staff and students to use, create, and publish OER materials to enhance the quality of the student experience, enable the provision of learning opportunities for all, and improve teaching practices. It also recognizes that use, creation, and publication of OER are consistent with the University's reputation, values, and mission to "[to provide high quality, affordable education to students from all social and economic backgrounds](#)" and with the campus's sustainability goal of "[co-creating a socially, economically, and environmentally sustainable community, campus, and region.](#)"

Coined by UNESCO at the 2002 Forum on the Impact of Open Courseware for Higher Education in Developing Countries, the term Open Educational Resources (OER) encompasses "teaching, learning and research materials in any medium—digital or otherwise—that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions." For information about OER, please visit the Sojourner Truth Library's [OER: Open Educational Resources guide](#).

It is important to note that while all open educational resources are openly licensed, not all openly-licensed materials are considered OER. David Wiley's 5Rs framework, which articulates the five defining characteristics of OER, provides a basis for understanding this distinction (which is further illustrated in Table 1):

1. Retain: the right to make, own, and control copies of the content (e.g., download, duplicate, store, and manage).
2. Reuse: the right to use the content in a wide range of ways (e.g., in a class, in a study group, on a website, in a video).
3. Revise: the right to adapt, adjust, modify, or alter the content itself (e.g., translate the content into another language).
4. Remix: the right to combine the original or revised content with other material to create something new (e.g., incorporate the content into a mashup).
5. Redistribute: the right to share copies of the original content, revisions, or remixes with others (e.g., give a possibly altered copy of the content to a friend).

Creative Commons provides the licensing structure by which the permissions that underlie the 5Rs are communicated to users (see Table 1). A global non-profit organization, Creative Commons is dedicated "to building a globally-accessible public commons of knowledge and culture" in an effort to create "a more equitable, accessible, and innovative world." To this end, Creative Commons has not only developed, disseminated, and continually updated the widely-used and legally-enforceable Creative Commons Licenses but has also committed to supporting the correct implementation of these licenses through the development of educational materials and training.

To reiterate, all OER are openly licensed, but not all openly-licensed materials are considered OER according to the 5Rs model or the definition set forth by UNESCO. The distinction revolves primarily around the licensing condition that determines a user's right to redistribute modified versions of an openly-licensed item. For example, a textbook that carries a CC BY license is considered an OER because the license permits the user to modify and redistribute the modified textbook. In contrast, a textbook that carries a CC BY ND license does not permit the user to share a modified version of the textbook; the textbook can be shared without permission, but only in its original format.

2. Definitions

2.1. *Open Educational Resources (OER)*: Based on the 2012 Paris OER Declaration (UNESCO, 2012, p.1)[1]. SUNY New Paltz interprets OER as teaching, learning and research materials in any medium, digital or otherwise, that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions. Open licensing is built within the existing framework of intellectual property rights as defined by relevant international conventions and respects the authorship of the work.

2.2. *Affordable Learning Initiatives*: Affordable Learning Initiatives look to reduce costs for students by substituting low-cost or zero cost resources in place of commercial textbooks. The scope of material used can be wider than just OER materials. For example, using resources through the library or the open web.

2.3. *OER Creation*: The development/production and online sharing of quality assured OER.

2.4. *OER Adoption*: A practice of adopting existing OER for use in a course without any change.

2.5. *OER Integration*: This is viewed as a logical and systematic approach to the “five Rs” (Hilton, Wiley, Stein & Johnson, 2010) [2]: reusing, revising, remixing, redistributing and retaining of OER.

2.6. *OER Sharing: Making OER freely accessible, especially online*. The College recommends that written and interactive digital teaching resources be published in an appropriate repository or public-access website in order to maximise discovery and use by others. Where OER has been created as part of an externally funded activity, any storage and/or repository locations mandated as a condition of the funding should be used.

2.7. *Content Developer*: Any person (typically author) engaged in the development of teaching and learning materials used by the institution.

2.8. *Copyrights*: Laws that regulate the use of the work of a creator, such as an artist or author. This includes copying, distributing, altering and displaying creative, literary and other types of work as per copyright law of the respective country. Unless otherwise stated in a contract, the author or creator of a work retains the copyright. The author(s) retains the moral rights to assign the rights to any other person or legal entity, and share the materials with others in any other conditions he/she/they may desire.

2.9. *Open License*: “A license that specifies what can and cannot be done with a work (whether sound, text, image or multimedia). It grants permissions and states restrictions. Broadly speaking, an open license is one which grants permission to access, re-use and redistribute a work with few or no restrictions”.^[3] [Creative Commons](#) licenses are an example of open licensing.

2.10. *Institutional Repository*: An institutional repository collects digital copies of scholarly, creative, and curricular works created by the institution and its community members. There are two institutional repositories within the SUNY system: the [SUNY Open Access Repository \(SOAR\)](#) and the [SUNY Digital Repository \(DSpace\)](#). SOAR is intended to house scholarship and creative works produced by SUNY faculty, staff, and students; the SUNY DSpace is better suited to house curricular materials.

2.11. *Open Access (OA)*: Open access scholarly and creative works are accessible online at no cost and made available for all to read, download, print, copy, share, etc. (attribution always required, of course).

2.12. *Open Access (OA) vs. Open Educational Resources (OER)*: Open Educational Resources (OER) are teaching, learning, and research materials that are either: a) in the public domain, on the creative commons, or; b) freely available for use, reuse, adaptation, and sharing with no or limited restrictions.

3. Guidelines

3.1. Guideline Declaration

SUNY New Paltz will encourage the promotion and implementation of the creation, reuse, revision, remixing, redistribution and retention of Open Educational Resources (OER) within an Open Licensing framework.

3.2. Guideline Objectives

The objectives of the guideline are to:

3.2.1. Develop awareness about the concept and practices related to OER among all faculty and staff;

3.2.2. Build capacity among academic and academic support staff to use OER appropriately in their professional engagements;

3.2.3. Develop and incorporate an effective feedback mechanism that will facilitate informed decisions for any mid-term corrections during OER implementation; and

3.2.4. Consider and incorporate changes to the process based on new developments in the field of OER and the circumstances of the institution.

3.2.5. Establish protocol for OER designation and verification within the purview of the SUNY New Paltz faculty governance system.

3.3. **Guideline Statements**

3.3.1 Faculty and staff reserve the right to choose where or whether to publish their curricular materials and whether to make them freely and openly available to the public, (subject to copyright law and publisher sharing policies). Faculty reserve the right to decide whether to use existing OER materials or to use materials that do not meet the definition of OER;

3.3.2. The College will promote and foster all efforts towards the adoption, integration and sharing of OER in course design, development, quality assurance and delivery;

3.3.3. Content creators, as publisher and copyright owners, will decide on the content to be published as OER in consultation with the Curriculum Committee and the Academic Affairs Committee; and

3.3.4. Academic and academic support staff will be encouraged to commit to the philosophy of OER in building capacity and positive attitudes for effective creation, adoption and integration of OER in the development and delivery of courses as well as other professional engagements.

3.3.5 The Academic Affairs Committee (AAC) will consult with the Curriculum Committee on the interpretation and application of these guidelines and make recommendations for changes. AAC will be responsible for assessing these guidelines within two years of its implementation and presenting a report to the Faculty Senate.

3.3.6 The Curriculum Committee, with consultation from the Academic Affairs Committee and the Registrar's Office, will assess OER for quality and establish coding for OER and Affordable Learning Initiative course designation. Example guidelines include [Washington State Community and Technical College's OER Coding Brief](#), [Hostos Community College's designation guidelines](#), [CUNY's Guidelines for Zero Textbook Cost Course Designation](#), and [SUNY OER Sustainability Guides & Case Studies](#).

3.4. Copyrights and Licences

3.4.1. The content creator is the absolute owner of the copyright of any content created by him/her/them;

3.4.2. Unless otherwise specified, the institution supports free and open access to all educational content and encourages content creators to make materials available through the OER repository under a Creative Commons (CC) license;

3.4.3. The content creator may make exceptions to the sharing of intellectual property he/she/they own on a case-by-case basis;

3.4.4. The choice of license will be decided by the content creator who has developed the materials;

All materials developed by the content creator will comply with and be released under a Creative Commons license. For derivatives and reproductions of other CC licensed materials, the institution will respect the CC provisions and the licenses therein.

IS IT OER?	5Rs	LICENSE	LICENSE TERMS
OER	Retain Reuse Revise Remix Redistribute	Attribution CC BY	This license lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they credit you for the original creation. This is the most accommodating of licenses offered. Recommended for maximum dissemination and use of licensed materials.
OER	Retain Reuse Revise Remix Redistribute	Attribution-ShareAlike CC BY-SA	This license lets others remix, tweak, and build upon your work even for commercial purposes, as long as they credit you and license their new creations under the identical terms. This license is often compared to “copyleft” free and open source software licenses. All new works based on yours will carry the same license, so any derivatives will also allow commercial use. This is the license used by Wikipedia, and is recommended for materials that

			would benefit from incorporating content from Wikipedia and similarly licensed projects.
OER	Retain Reuse Revise Remix Redistribute	Attribution- NonCommercial CC BY-NC	This license lets others remix, tweak, and build upon your work non-commercially, and although their new works must also acknowledge you and be non-commercial, they don't have to license their derivative works on the same terms.
OER	Retain Reuse Revise Remix Redistribute	Attribution- NonCommercial- ShareAlike CC BY- NC-SA	This license lets others remix, tweak, and build upon your work non-commercially, as long as they credit you and license their new creations under the identical terms.
Openly licensed, but not OER because it cannot be revised or remixed.	Retain Reuse Redistribute	Attribution- NoDerivs CC BY- ND	This license lets others reuse the work for any purpose, including commercially; however, it cannot be shared with others in adapted form, and credit must be provided to the original creator.
Openly licensed, but not OER because it cannot be revised or remixed.	Retain Reuse Redistribute	Attribution- NonCommercial- NoDerivs CC BY-NC-ND	This license is the most restrictive of the six main licenses, only allowing others to download your work and share them with others as long as they credit you; but they can't change them in any way or use them commercially.

3.5. Guideline Considerations

3.5.1 These guidelines were developed in response to the SUNY New Paltz Student Association's *Resolution in Support of Open Educational Resources*; SUNY New Paltz Academic Affairs Committee's *Recommendation to Faculty Senate in Support of Reducing Course Materials Cost*; and SUNY OER Services;

3.5.2 These guidelines recognize that the promotion, creation, and implementation of OER on campus is a Faculty initiative;

3.5.3 As noted in The 2019 SUNY [OER Field Guide for Sustainability and Planning](#), “The greatest investment colleges and universities make in OER is around faculty and staff time. Typically, this reflects the reallocation of existing staff time to OER and away from other activities. Sustainability will require that campuses have these essential human resources in place to develop, manage, and grow their OER programs;”

3.5.4 In recognition of the time faculty spend in curating, creating, amending, and maintaining open source material; and in keeping with SUNY New Paltz’s goal of providing “[support for risk-taking and innovation in research and scholarly/creative activity](#)” and “[innovative pedagogy](#),” the campus will:

3.5.4.1 Formally acknowledge this work as a category in the effectiveness of scholarship and teaching areas of RTP for tenure-track and tenured faculty ;

3.5.4.2 Formally acknowledge this work as a category in the effectiveness of scholarship and teaching areas of dossier reviews for untenured and contingent faculty;

3.5.4.3 Formally acknowledge the work by both librarians and professional staff in the Office of Instructional Technology in supporting such work;

3.5.4.4 Commit to working with department Chairs, academic unit Deans, SUNY Central, and outside sources to secure release time and/or stipends for faculty who create, curate, and maintain OER materials.

3.5.5 These guidelines acknowledge the importance of creating accessible OER and encourage content creators to adhere to accessibility best practices when creating content. Example accessibility guidelines include [California State University Merlot OER Accessibility](#), and [BC Campus Accessibility Toolkit](#).

Partial Resource List

[1] Hilton, J., Wiley, D., Stein, J., & Johnson, A. (2010). The four R’s of openness and ALMS Analysis: Frameworks for open educational resources. *Open Learning: The Journal of Open and Distance Learning*, 25(1), 37-44.

[2] https://oer.suny.edu/wp-content/uploads/sites/26/2019/09/2_rpkggroup_SUNY_OER_Field_Guide.pdf

[3] <https://oer.suny.edu/oer-sustainability/>

[4] <http://opendefinition.org/guide/>

[5] Lynch, C.A. (2003). Institutional Repositories: Infrastructure for Scholarship in the Digital Age, ARL 226, Retrieved from <http://www.arl.org/storage/documents/publications/arl-br-226.pdf>

[6] UNESCO. (2012). *2012 Paris OER Declaration*. Retrieved from [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/WPFD2009/English Declaration.html](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/WPFD2009/English_Declaration.html)