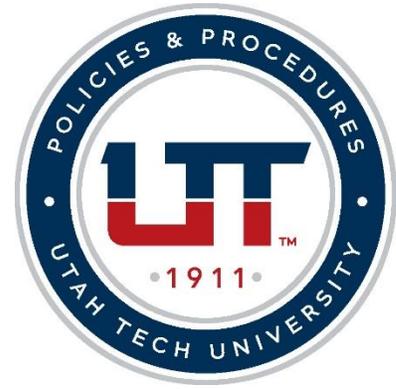


# Utah Tech University Policy

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## 620: Open Educational Resources (OER)



- I. Purpose
- II. Scope
- III. Definitions
- IV. Policy
- V. References
- VI. Procedures
- VII. Addenda

### I. Purpose

- 1.1 The purpose of this Utah Tech University (“the University”) policy is to outline policies in regards to Open Educational Resources (OER) creation, adaptation, and adoption.

### II. Scope

- 2.1 The scope of this policy relates to the creation, adaptation, and adoption of OER by faculty and staff.

### III. Definitions

- 3.1 ***Creative Commons Licenses***: A series of six licenses that helps creators retain copyright while allowing others to copy, distribute, and make some uses of their work while legally ensuring creators are credited for their work. These licenses build upon current copyright law.

- 3.1.1 ***Creative Commons 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.

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- 3.1.3 ***Creative Commons Attribution-NoDerivs (CC BY-ND)***: This license allows for redistribution, commercial and non-commercial, as long

as it is passed along unchanged and in whole, with credit to you.

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- 3.1.6 ***Creative Commons Attribution-NonCommercial-NoDerivs (CC BY-NC-ND)***: This license is the most restrictive of the six main licenses, only allowing others to download your works and share them with others as long as they credit you, but they can't change them in any way or use them commercially.
- 3.2 ***Joint Copyright Ownership***: The authors of a joint work are co-owners of copyright in the work. Co-copyright owners can be individuals and organizations/corporate entities.
- 3.3 ***Open Educational Resources (OER)***: OER are teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. They include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.
- 3.4 ***Project Agreement***: An agreement between the University and a faculty member or members outlining roles and responsibilities of each party along with timelines, deliverables, compensation, and requirements of an OER project.
- 3.5 ***Work-for-hire Agreement***: A work prepared by an employee within the scope of their employment; or a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work.

#### IV. Policy

- 4.1 If a faculty member is compensated outside of regular workload to create and/or integrate OER material into course(s), the faculty member and the University jointly own the copyright to the material.

- 4.1.1 The faculty member must choose a Creative Commons license of the following license types: CC BY, CC BY-SA, CC BY-NC, or CC BY-SA-NC.
- 4.1.2 Creative Commons licenses CC BY-ND or CC BY-NC-ND cannot be chosen as they reduce the freedom for others to remix and/or revise the works and redistribute it. However, exceptions may be allowed on a case-by-case basis.
- 4.1.3 Faculty members who are not creating OER material(s) in their regular workload and are not compensated in any form to create or integrate OER material, retain full copyright ownership according to Policy 160 and can select any Creative Commons license or to keep their material all-rights-reserved.
- 4.1.4 OER material created by faculty that is compensated must make attempts to meet accessibility requirements as outlined in the project agreement.
- 4.1.5 OER material that a faculty member has been compensated for must be shared publicly utilizing the University's current hosting and/or repository software.
  - 4.1.5.1 Faculty members may upload and host material on other OER platforms and repositories if they choose.
- 4.2 To create OER material or convert a course to OER material, faculty must first enter into a project agreement and may be compensated either through release time or monetarily in congruence with Policy 601 as funds allow.
- 4.3 The faculty member is responsible for any copyright violations according to Policy 145.
- 4.4 OER used in courses must have proper attributions if material created by other authors is used or by combining multiple OER sources from different authors.
  - 4.4.1 The Library will provide guidance on proper attribution.
- 4.5 Faculty are highly encouraged to adopt OER, library resources, or no-cost materials for their courses in support of Policy 605.
- 4.6 Faculty must consider accessibility and inclusivity of OER material.
- 4.7 Students who engage with creating OER for their class assignments own

the copyright to those materials and have the right to apply any Creative Commons license or keep their material all-rights-reserved.

- 4.7.1 Exceptions to this include when students are hired or paid to assist in producing OER. It is considered work-for-hire and the copyright belongs to the University unless otherwise noted in the project agreement.

## V. References

- 5.1 University Policy 145: Use of Copyrighted Materials
- 5.2 University Policy 160: Intellectual Property
- 5.3 University Policy 601: Course Management
- 5.4 University Policy 605: Textbooks
- 5.5 [Creative Commons licenses](#)
- 5.6 [Copyright Law of the United States and related laws contained in Title 17 of the United States Code](#)
- 5.7 [OER definition from the Hewlett Foundation](#)
- 5.8 [Utah Tech University Library attribution guide](#)

## VI. Procedures

- 6.1 N/A

## VII. Addenda

- 7.1 N/A

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Policy Owner: Vice President of Academic Affairs and Provost  
Policy Steward: Dean, Library & Open Learning Services

History:

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