

OPEN EDUCATIONAL RESOURCES (OER)

Kelly Kornkven

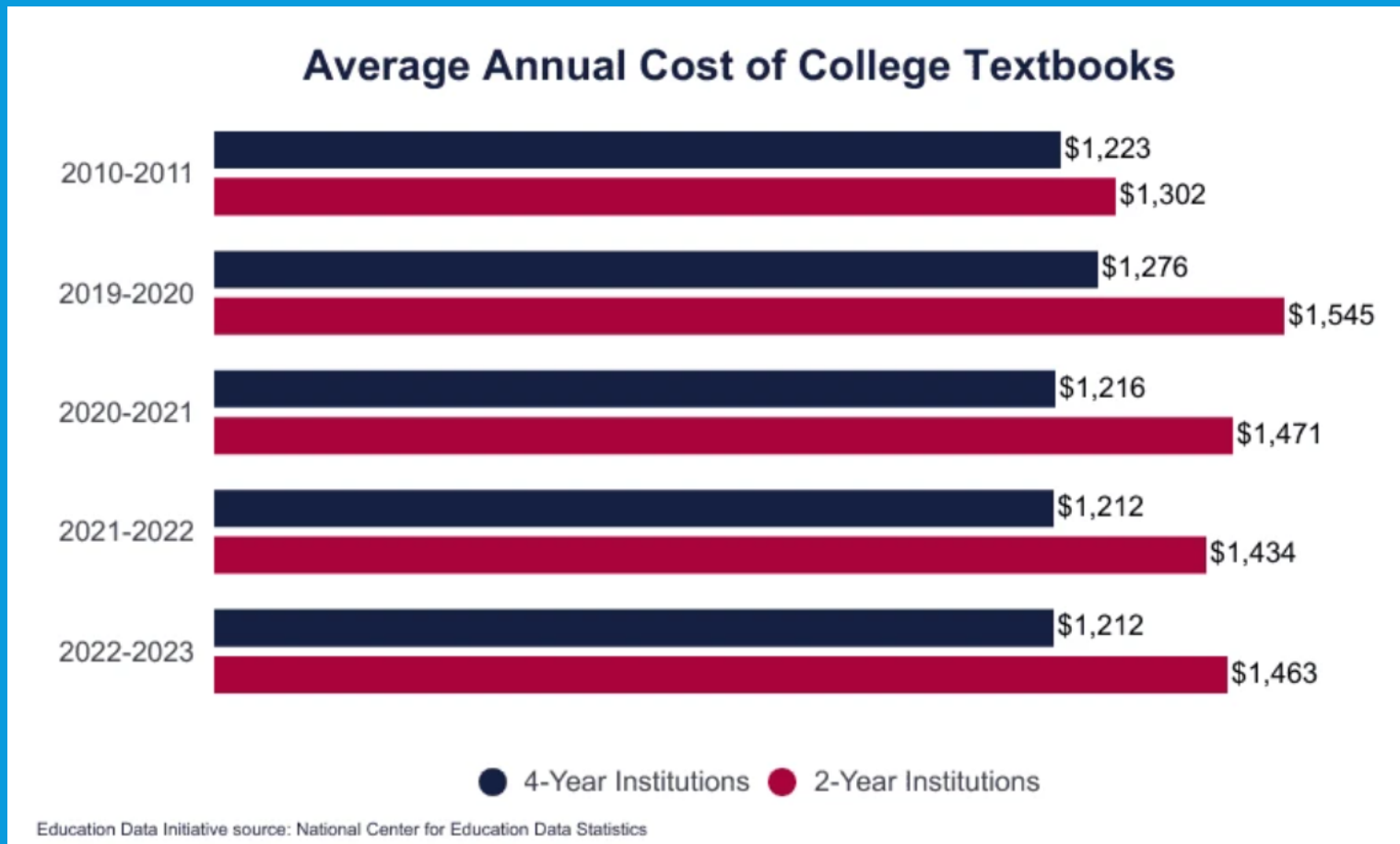
Library Director

Mayville State University

LinkedIn



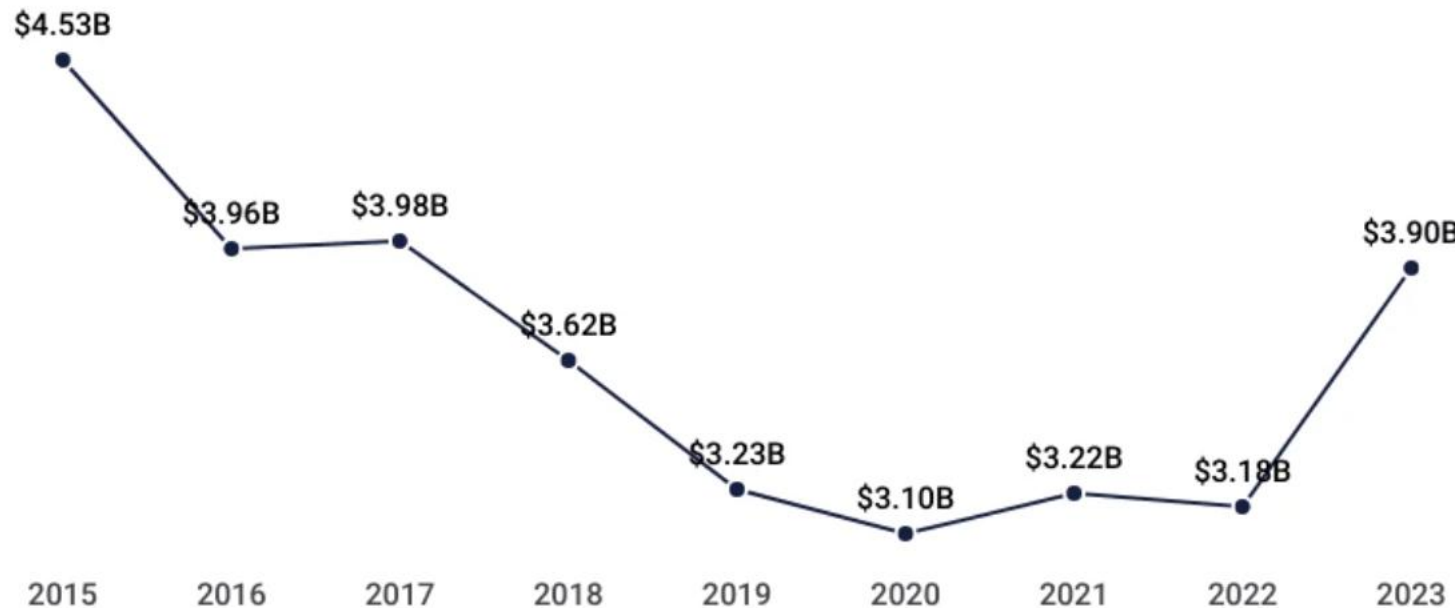
TEXTBOOK PRICES



Hanson, M. (2024, October 12). Average cost of college textbooks. [EducationData.org](https://www.educationdata.org/).

TEXTBOOK MARKET

Textbook Publishing Industry Annual Market Revenue

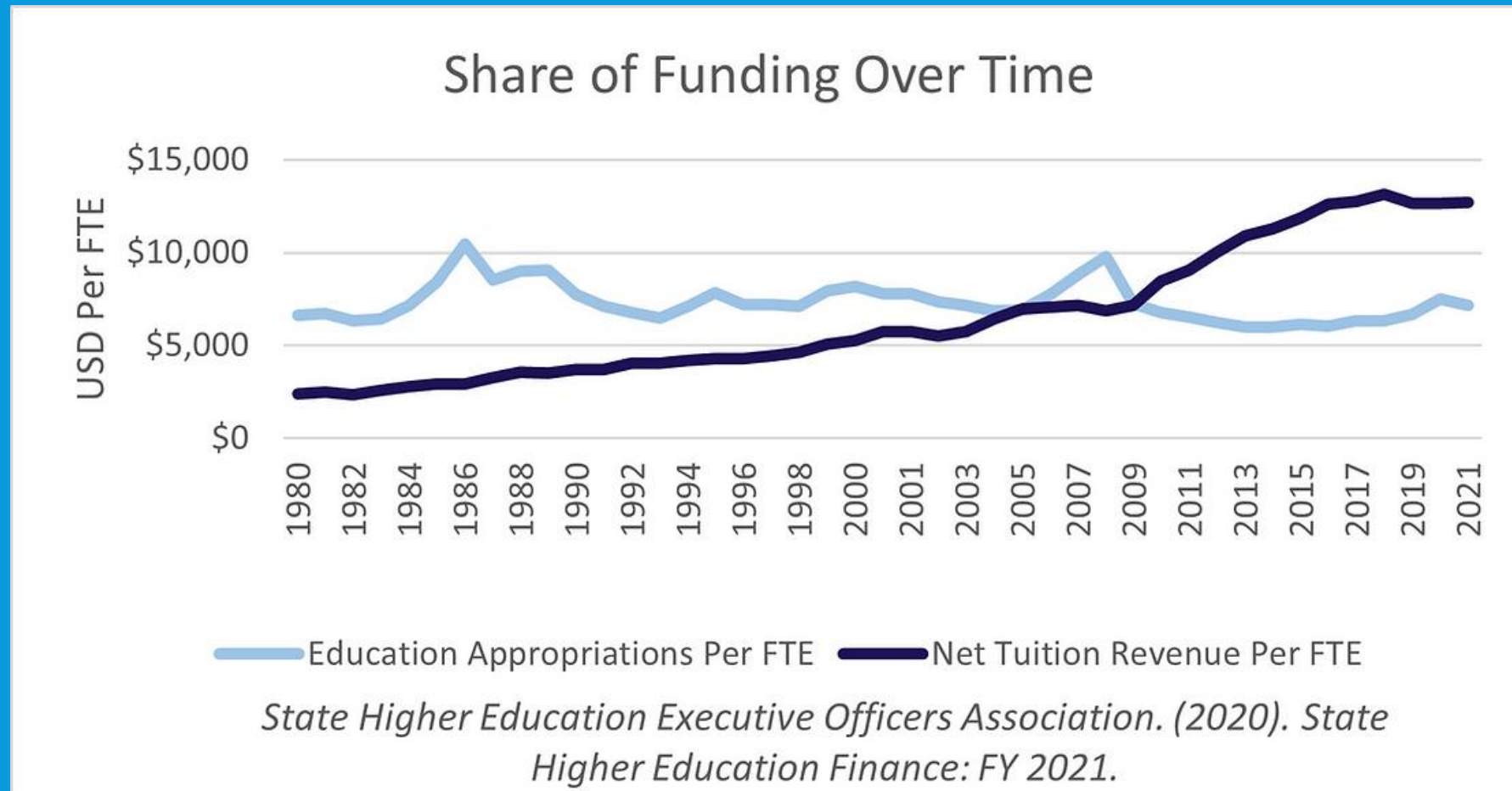


Education Data Initiative source: Association of American Publishers

80% of the
textbook market is
controlled by
McGraw Hill,
Pearson, and
Cengage

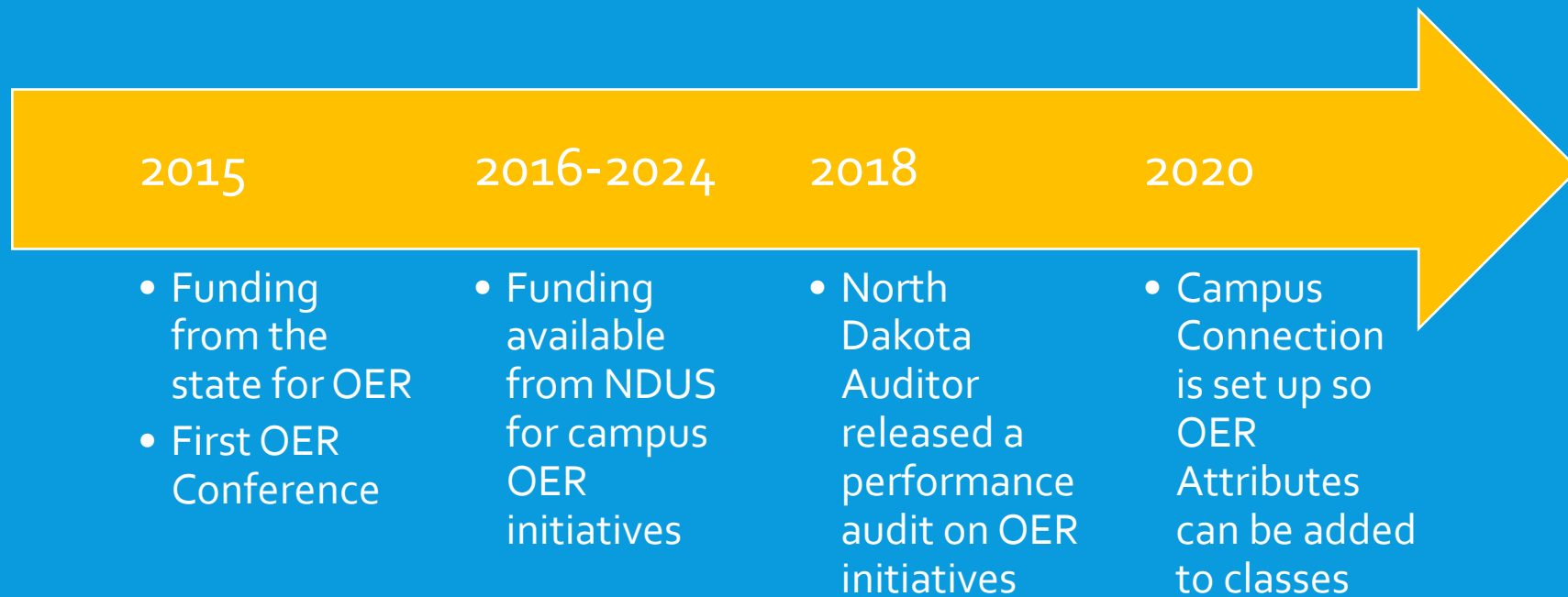
Hanson, M. (2024, October 12).
Average cost of college textbooks.
[EducationData.org](https://www.educationdata.org/).

STATE FUNDING OF HIGHER EDUCATION



Higher Education Partnership. (2022, October 31). The Ghost of Funding Past: A Comparative Look at How State Higher Education Funding Drives Costs. HigherEdPartners.org.

OER IN NORTH DAKOTA



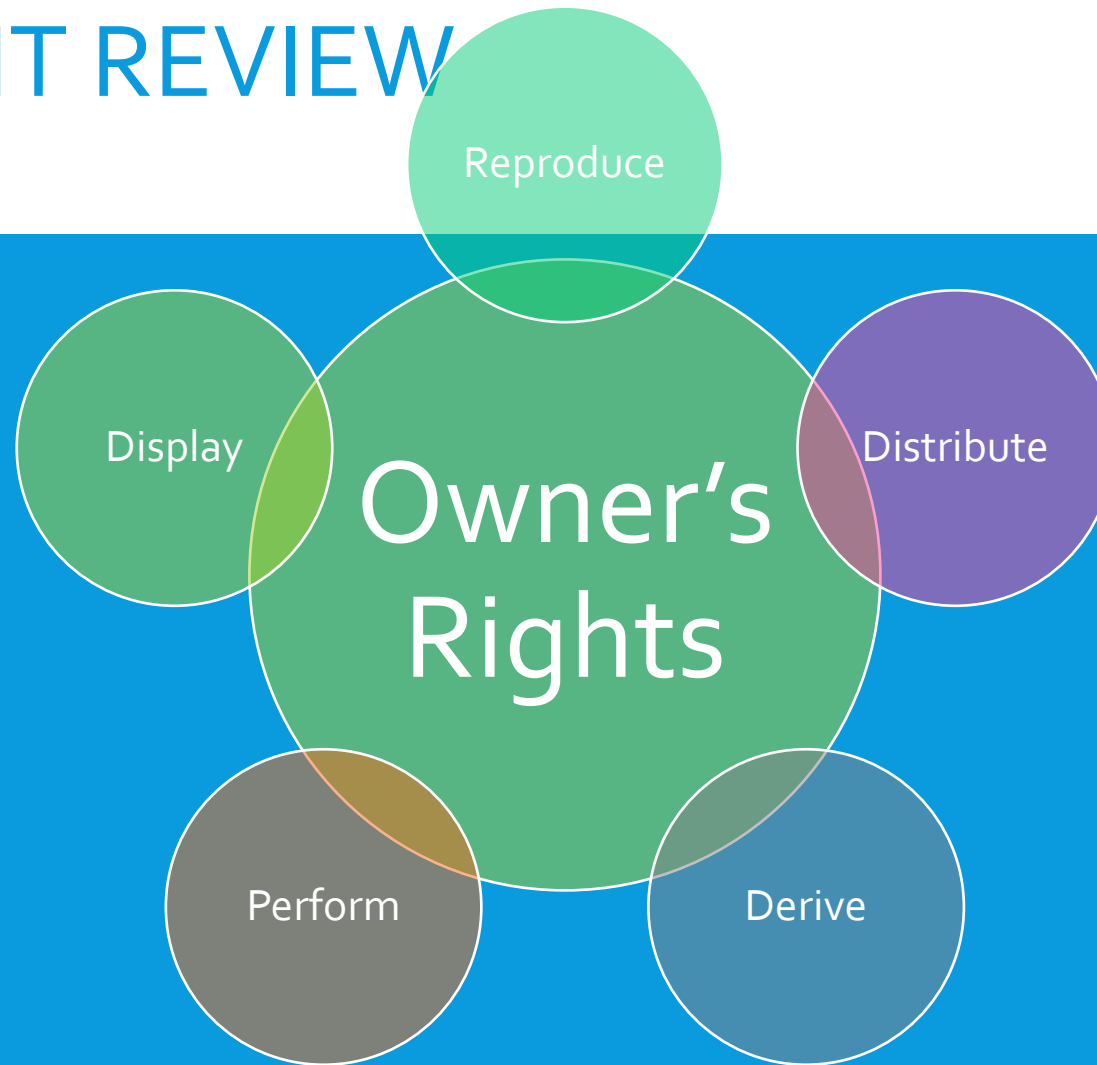
DEFINITION

Open Educational Resources (OER)

“...freely accessible, openly licensed documents and media that are useful for teaching, learning, and assessing as well as for research purposes.”

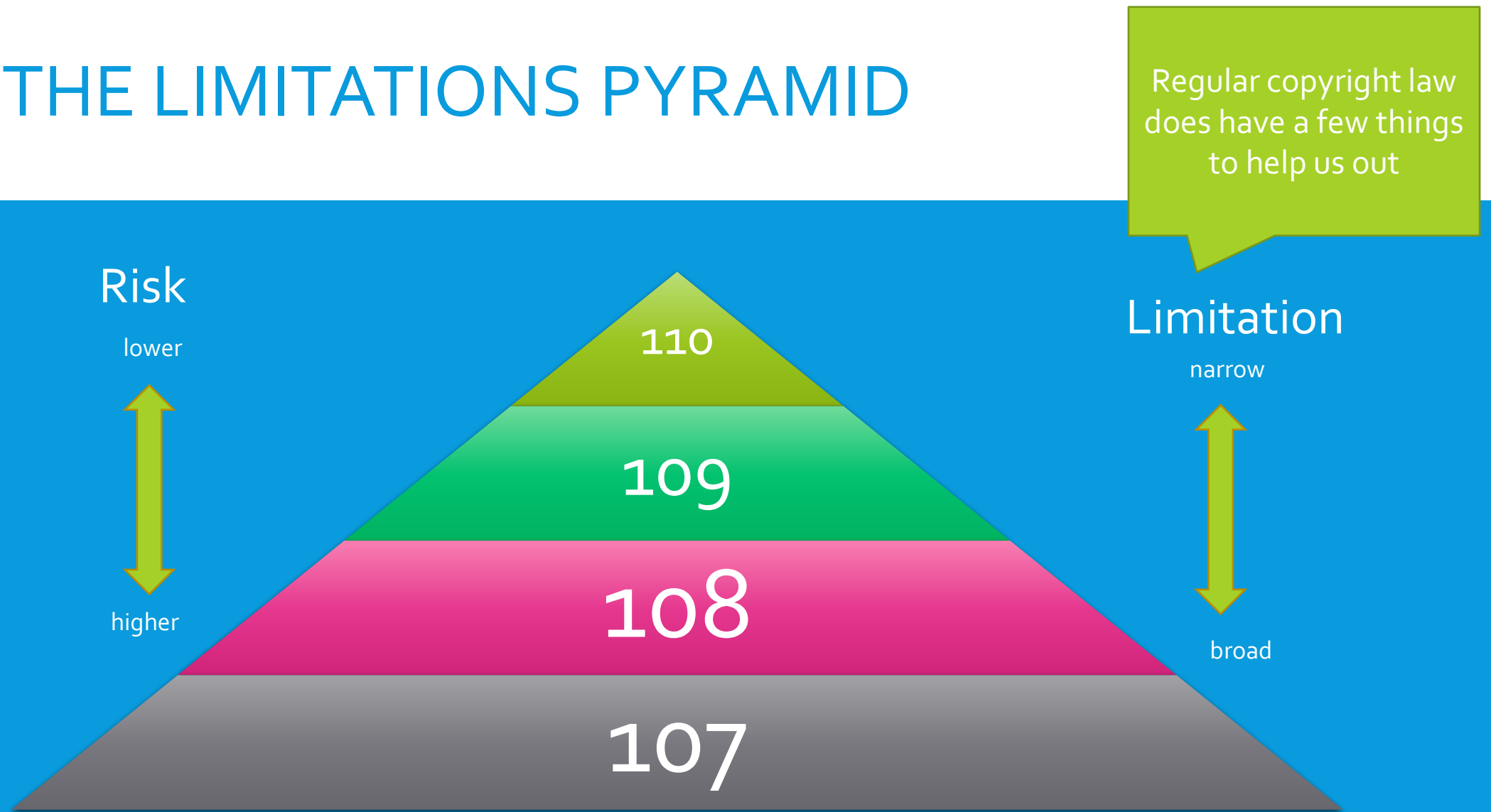
Open educational resources. (2016, July 14). In Wikipedia, The Free Encyclopedia. Retrieved 14:00, August 9, 2016, from https://en.Wikipedia.org/w/index.php?title=Open_educational_resources&oldid=729766823

COPYRIGHT REVIEW



Copyright is retained from life of the author plus 70 years

THE LIMITATIONS PYRAMID



TEACH ACT (SECTION 110)

RULE

- **No copyright infringement for:**
 - Performing nondramatic literary works.
 - Performing nondramatic musical works.
 - Performing limited portions of other works.
 - Displaying same amount that would be shown in the classroom.

QUALIFICATIONS

- **Use/Transmission**
 - Is supervised and core part of regularly offered class.
 - Directly related and assists the instructional content.
 - Transmission made for and limited to students in class
- **Transmitting School (Must be accredited & nonprofit)**
 - Institutes copyright policies
 - Promotes copyright compliance
 - Provides notice that materials may be copyrighted
 - Locks digital content to prevent retention or redistributions,

EXCEPTIONS

- TEACH does not apply to distance education materials
- Illegally made copies get no protection

FIRST SALE DOCTRINE (SECTION 109)

- Gives the owner of a particular copy of a work the ability to sell or otherwise dispose of the copy (distribution right)
- Exceptions
 - Record Rental Amendment of 1984 which prohibits the rental of phonographic material for direct or indirect commercial advantage
 - Computer Software Rental Amendment Act of 1990 (similar to record act)
- License instead of Purchase
 - User agreements limit uses of digital content
 - Overrides rights consumers would have with general copyright

LIBRARY COPYING (SECTION 108)

- Allows libraries to copy materials (even entire items in specific circumstances) for interlibrary loan or archival purposes
- Qualifications:
 - Single copies and no commercial activity
 - No systematic copying
 - Library collections must be openly accessible
 - Reproductions must include a copyright notice
 - Audiovisual works cannot be copied
- License agreements for library databases may limit these rights

FAIR USE (SECTION 107)

- Fair use is an affirmative defense
- Fair use can be used for the purpose of:
 - Journalism: comment, criticism, and news reporting
 - Education: teaching, scholarship, and research
- Four Factors
 - Purpose and Character of the Work
 - Nature of the Work
 - Amount
 - Potential Market Value

PUBLIC DOMAIN



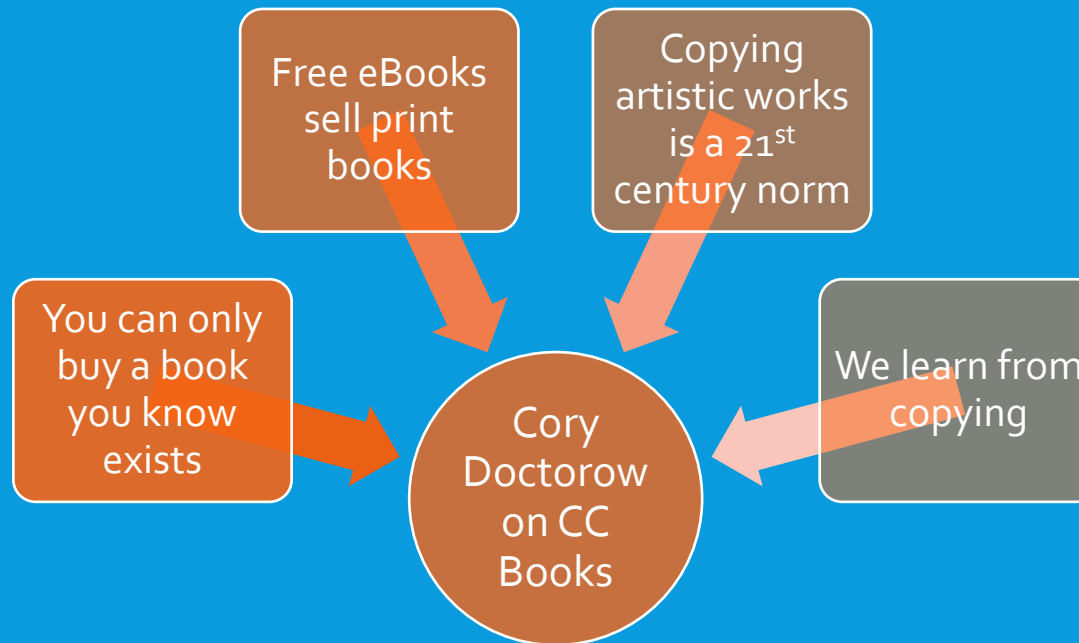
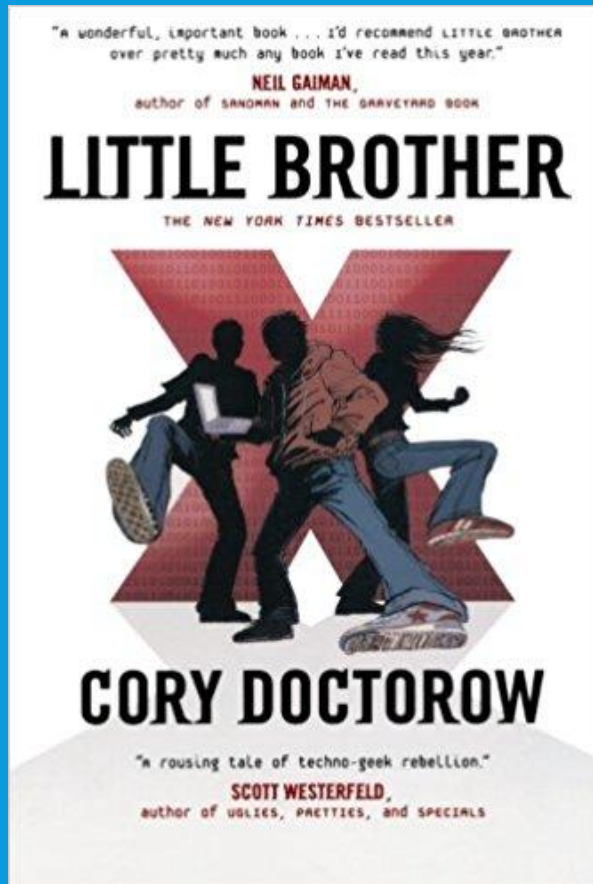
All creative works that are not covered by intellectual property rights

Works Published	Enter Public Domain
Before 1923	1998
1930	2026

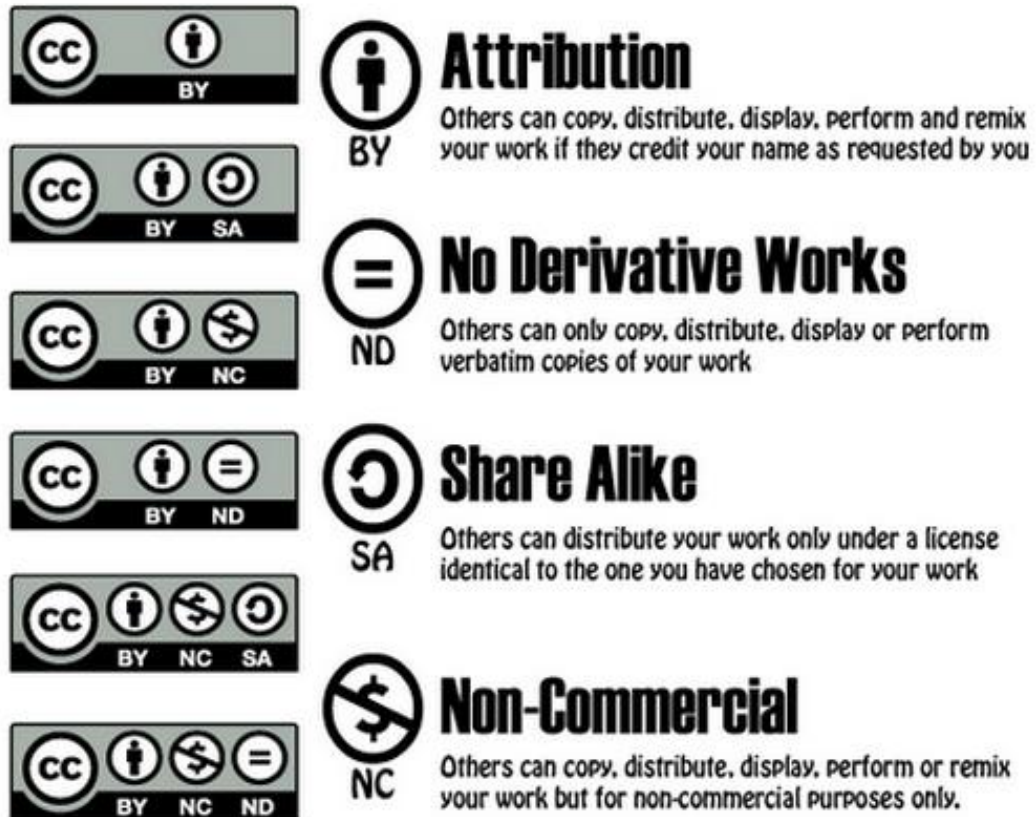
OPENLY LICENSED

Creators giving up some of their rights under specific circumstances

WHAT IF THE AUTHOR DOESN'T MIND?



CREATIVE COMMONS LICENSING



USING CREATIVE COMMONS LICENSED MATERIALS

- Find resources using Google Advanced Search
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- Some licenses allow you to derive new works and remix works to better fit the content to your course
- Being able to make copies ensures that the resource will not disappear from a hosted website or a library database

FINDING OER REPLACEMENTS FOR TRADITIONAL TEXTBOOKS



[Mayville State University](#) / [Byrnes-Quanbeck Library](#) / [Open Educational Resources](#) / [Creative Commons Licensing Explained](#)

Open Educational Resources

An introduction to Open Educational Resources and Copyright.

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Searching for Creative Commons Resources



Introduction

Your ability to use and OER is based on its Creative Commons license. These licenses give author. Learning about the licenses will help you do more than simply reuse an OER...it will

Creative Commons Licensing Explained

Layers of a Creative Commons License

Creative Commons licenses have three layers that make them incredible useful.

1. Legal Code: The legal code of the license is the base layer of the licenses and ma across the world. It protects both the creator and users of the work.
2. Human Readable: This layer of the license helps everyone understand what the ba most people can understand. It helps to make the licenses useful to everyone inste backgrounds.

