



BARTON
COMMUNITY COLLEGE

Open Educational Resources Guide - 2023

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Purpose Statement

“OER is a tool; it is not the goal”

Barton's OER Initiative is two-fold:

Students (Outcomes)

- Affordability
- Access

Benefits

Faculty (Goals)

- Instructional Goals
- Authentic Instructional Freedom

Regardless of the use of materials that fall into the openly licensed category, copyrighted materials must be respected and used appropriately under [Fair Use](#) and/or with written permission ([See Alternative Resources](#)).

Copyrighted Materials

Instructors should refer to Barton's Copyright [Policy 1166](#) for more details.¹ See [Appendix A for Fair Use](#) information.

Printing Resources

Printing OER is not in violation of copyright as it is a part of the 5R permissions given. This is the space where “cost” is a conversation as OER is “no cost” to use digitally; however, there is a cost for printing.

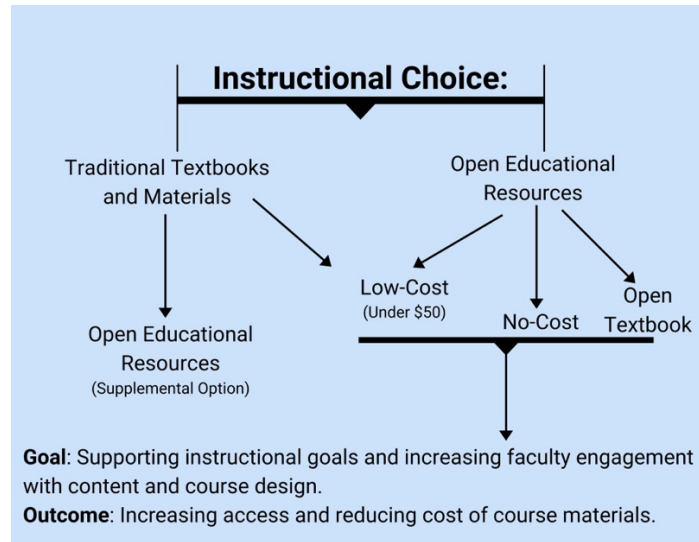
Therefore, faculty may print a single copy of a textbook for their use for the course through the Barton Printshop.

Students will be responsible for printing or purchasing their own physical copies. Again, the purchase of a textbook, like OpenStax on Amazon, is the cost of the printing and not the cost of the resource. Chapters or books **should not** be printed from the Barton Library or any Barton facility.

Instructors: Please note that there may be a difference in content or layout between the online version and the printed or PDF version depending on your choice of textbook.

¹ Policy 1166 - https://docs.bartonccc.edu/policies/1166-copyright_law.pdf

Goal Flow Chart



Barton Branding for OER

The logo below will be used to promote Barton's OER initiative. In OER promotions the term "OER" will not be utilized outside of this logo, but rather we will focus on the terms "No-Cost," "Low-Cost," or "Open Textbook" as aspects that are driving our efforts and are terms that will draw our target demographic's attention as well as easy information they will understand.



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Terminology and Definitions

Open Educational Resources

Open Educational Resources (OER) are teaching, learning, and research materials that are either (a) in the public domain or (b) [licensed](#) in a manner that provides everyone with free and perpetual permission to engage in the [5R activities](#).

- Retain – make, own, and control a copy of the resource
- Reuse – use your original, revised, or remixed copy of the resource publicly

- Revise – edit, adapt, and modify your copy of the resource
- Remix – combine your original or revised copy of the resource with other existing material to create something new
- Redistribute – share copies of your original, revised, or remixed copy of the resource with others²

Open Access

Open Access are immediate, online research articles and materials coupled with the rights to use these articles fully in the digital environment at no cost.³

Open Data

“Open data is data that can be freely used, re-used and redistributed by anyone – subject only, at most, to the requirement to attribute and sharealike.”⁴

Open Source

“Open source licenses are licenses that comply with the [Open Source Definition](#) — in brief, they allow software to be freely used, modified, and shared. To be approved by the Open Source Initiative (also known as the OSI), a license must go through the [Open Source Initiative's license review process](#).”⁵

Alternative Resources and Materials

Instructor/Institution permissions acquired and/or self-authored materials.

Curriculum Support Materials

Any Barton supported technologies (library resources, H5P, etc.) or materials (textbook, document, video, graphic, etc.) that are used to support the learning process. For more information refer to BOLT 102 found in Canvas under the Help tab.

Cost

Refers to the monetary expense of curriculum support materials for the student.

No-Cost

No out-of-pocket expense required of the student for curriculum support materials.

Low-Cost

Up to \$50 curriculum support materials cost for out-of-pocket expenses. (Based on student survey-Spring 2018)

Open Textbook

Course uses an open textbook, but course materials are above the Low-Cost threshold.

Free

Refers to “Freedom of use” rather than “free” as in the cost or potential out-of-pocket expense.

² “OER Definition” by [Creative Commons](#) is licensed under [CC BY 4.0](#)

³ “Open Access Definition” by [SPARC](#) is licensed under [CC BY 4.0](#) / A derivative from the [original work](#)

⁴ “Open Data Definition” by [Creative Commons](#) is licensed under [CC BY 4.0](#)

⁵ “Open Source Definition” by [Open Source Initiative](#) is licensed under [CC BY 4.0](#)

Creative Commons

[Creative Commons](#) (CC) has six main licenses that allows authors, creators, and artists to openly license their work, yet keep “some rights reserved.” These six main licenses range in freedoms and limitations for the end user.

Public Domain

When a work is in the public domain, it is free [of cost] for use by anyone for any purpose without restriction under copyright law. Public domain is the purest form of open/free, since no one owns or controls the material in any way.

Works that are in the public domain in one legal jurisdiction are not necessarily in the public domain worldwide. Copyright laws differ from jurisdiction to jurisdiction, both in duration of protection and what constitutes copyrightable subject matter. For example, a U.S. Government work clearly in the public domain in the United States may or may not be free of copyright restrictions and in the public domain in other jurisdictions. At present, one of the only ways to be certain that a particular work is in the public domain worldwide is to see if the copyright holder has dedicated all rights to the work to the public domain by using [CC0](#).

Creative Commons licenses do not affect the status of a work that is in the public domain under applicable law because licenses only apply to works that are protected by copyright. For more information, see the [Creative Commons Public Domain](#).⁶

Creative Commons Symbols

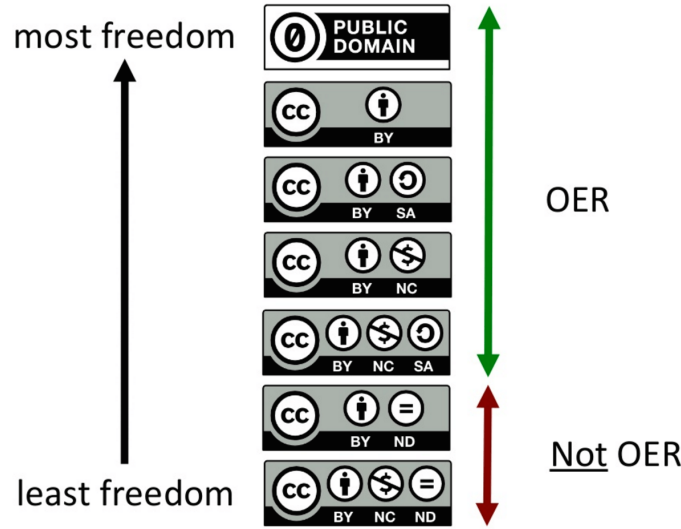
Creative Commons (CC) is a layer on top of copyright that grants irrevocable and perpetual permissions. These rights are recognized using six different combinations of four different symbols.



Creative Commons Rights:

- **BY – Attribution** – Give credit
- **SA – ShareAlike** – Must redistribute derivatives under the same license
- **NC – Non-Commercial** – Not for-profit use
- **ND – Non-Derivative** – Cannot produce a derivative of work

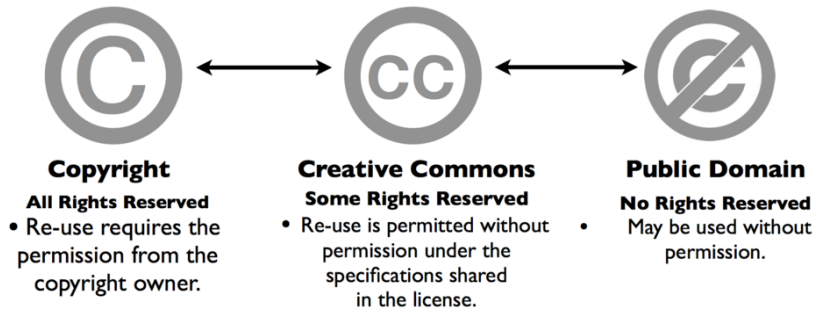
⁶ "[Public Domain Definition](#)" by Creative Commons is licensed under [CC BY 4.0](#) / A derivative from the [original work](#)



7

Note in the image above that the ND is outside of what is considered OER because users may not engage with the 'remix' and 'revise' features of the 5Rs.

the spectrum of rights



8

Copyright does not disappear, but rather the Creative Commons license is placed on the work prior to distribution to the end user – students or faculty. This allows the author to retain the rights for how they want the work used, while granting the end user permissions without asking.

Background

Over the past several years, traditional publisher textbook costs have spiked creating a barrier for students. In recent years, and with the rising adoption of OER materials, publishers have begun to move away from printed textbooks to digital platforms as their profits continued to plummet.

“At present, course design unfolds with instructors reviewing course outcomes and competencies and then investigating textbook options that align with those goals. Once a textbook is chosen, instructors flesh out a course by integrating the textbook and other materials

⁷ Cable Green – University of Hawaii – Taken from: <https://oer.hawaii.edu/getting-started/copyright-for-oer/> [Retrieved 3/22/21]



⁸ Graphic from <http://tlinnovations.populr.me/copyright>

from the textbook's publisher, and usually some additional supplementary materials. The action of choosing the textbook is an instructor's current definition of instructional freedom. Through this method—combining the organized contents of the textbook with the orderly presentation of outcomes and competencies in the syllabus—there is an “unstated outline” that guides the instructor through the rest of the course design.

With OER, this unstated outline is replaced with the opportunity to construct a course that has infinite possibilities—some more closely resembling Frankenstein's monster than a pre-packed skeleton. Since the unstated outline is not the default format when approaching course design with OER, adopting this approach may feel awkward at first but is ultimately an opportunity for more freedom of instruction. The 5Rs of OER can provide faculty with the ability to break down materials and then reconstruct them as they see fit for their classes. This affords more opportunity for innovation in course design, which provides faculty authentic instructional freedom.”⁹

⁹ Lee Miller [“Skeletons in Our Closets: Creating New Bones for OER Development”](#) - NISOD – Aug 29, 2019.

The OER Certification Process



Getting Started:

To start the OER certification process, we prefer to do an initial meeting with faculty for the following reasons:

- Gauge OER knowledge
- Learn more about instructional goals, needs and expectations
- Discuss resource options

These meetings have primarily been on an individual bases, but we welcome group, discipline, or department conversations as well.

The next step, if not already submitted, is requesting an OER developmental course shell for each course you would like to transition to OER. Here is the link: [OER Course Shell Request](#).

Please reach out to start a conversation: centerstaff@bartonccc.edu.

General OER Resources for Instructors

Top 5 OER textbook options:

- [OpenStax](#)
- [Libretexts](#)
- [Open Textbook Library](#)
- [Galileo](#)
- [Skills Commons](#)

Remember these options during your course content research:

- Barton Library Curriculum Support – Films on Demand, Feature Films, EBSCO, etc.
- Open Access, Open Data, and Open Source
- Public Domain

[PLEASE REMEMBER: Don't spend a lot of time looking. Please reach out for assistance and we will be happy to send a few resource options to you to review. Giving us keywords or specific items that you are looking for is extremely helpful as we are not the content experts.]

YouTube:

- When researching for videos on YouTube type in your search and then once your options are displayed select the "Filter" feature that shows up right under the search. Once inside the "Filter" feature select "Creative Commons." This should select content marked under Creative Commons. An instructor can check this by selecting on a video and go to the "Show More" option underneath the video. Once you click the "Show More" option scroll down till you see the "License." The license should indicate that it is under Creative Commons.

First Look:

The first look consists of a review of the first 1-2 modules of a course. Feedback is provided about the items outlined in the OER rubric. The feedback can then be applied and used as a template for the development of the rest of the course. The feedback consists of comments and questions to start a conversation between the OER review team and the faculty member.

Full Review:

The full review consists of a review of a course that is complete. Feedback is provided about the items outlined in the OER rubric. Feedback may consist of comments or questions to start a conversation between the OER review team and the faculty member.

Barton Online Rubric:

Please see the Barton Online Rubric for all Barton Online courses. The OER Rubric is in addition to the Barton Online Rubric and overlaps in places. Reach out the Instructional Designers if you have any questions - centerstaff@bartonccc.edu.

OER Rubric:

#	Section	Sub-Section	NOT PASSING		PASSING	
			Not Present	Requires Adjustment <small>*common errors listed. Details will be provided in your feedback.</small>	Passing	Excellent
41	O p e n E d u c a t i o n a l R e s o u r c e s	Attribution	Not Present/Blank	Present, but not all attribution listed	Materials are properly documented and attributed as indicated by the Barton OER Guide; some fair use items are used	Materials are properly documented and attributed as indicated by the Barton OER Guide; fair Use is minimal <i>Note: library resources do not count as fair use items/these are curriculum support</i>
42		Student Access	Not Present/Blank	Digital resources are present, but not all materials have directions listed or directions don't apply to all material	All materials have access or download directions listed. Digital resources are located within the course shell	
43		ADA Compliance	Not Present/Blank	Accessibility and Universal Design principles are not applied to materials used	Accessibility and Universal Design principles are applied to materials used	
44		Course Notation	Not Present/Blank	Low Cost - Material price exceeds \$50 No Cost - There is a cost for materials Open Textbook (OT) - An OER textbook is not used in the course	Low Cost (LC) - Material price is \$50 or less No Cost (NC) - Course materials provided at no cost to the student Open Textbook (OT) - An OER textbook is used in the course, but other course materials cost \$50 or more	
45		OER Content Verification	Not Present/Blank	Content has not been deemed credible through popular adoption, a textbook is not utilized, or a resource list is not included	Content has been deemed credible through popular adoption, a textbook is utilized, or a resource list is included in the course	
46		Sustainability	Not Present/Blank	The instructor does not agree to maintain integrity and currentness of the materials used for the class is maintained in relation to content, OER, or ADA compliance	The integrity and currentness of the materials used for the class is maintained in relation to content, OER, or ADA compliance on a yearly basis	The integrity and currentness of the materials used for the class is maintained in relation to content, OER, or ADA compliance with each new session
47		Cybersecurity	Not Present/Blank	Broken or incorrect links present	All links work and connect to the correct website/resource Assure data security	Links are limited as much as possible. As much content as possible is included or embedded in the course shell
		Competency Alignment	Not Present/Blank	Not all competencies are listed	All competencies are listed either in a document identifying where the competencies are aligned or listed on course activities	

ADA Compliance:

An instructor should never approach or inquire if a student has a disability that requires accommodations. If a student self-declares a disability to an instructor, but the instructor has not received any necessary accommodation documentation from the Office of Disability Services, the instructor should encourage the student to contact the Office of Disability Services by one of the following methods:

- Email - disabilityservices@bartonccc.edu
- Barton County Campus students can come to the north end of the Learning Resource Center, or call the Barton disability number, (620) 786-1102.
- Fort Riley and Fort Leavenworth students can contact the Student Services Office in Building 211, Room 211 in Fort Riley, call (785)784-6606, or call Barton disability number, (620) 786-1102.
- Barton Online students can call (855) 509-3367 or call the Barton disability number (620) 786-1102.


Accessible course design is beneficial for all students. It also allows students of various abilities to access course materials and components without the need for assistance or modification. Accessible materials include any curriculum support materials utilized in a course including, but not limited to PowerPoint slides, videos, textbooks, articles, evaluation tools, blogs, discussion boards, etc.

Disabilities most impacted by course design include blindness, low vision, or deafness/hard of hearing. Ensuring that course design and curriculum support materials within a course are able to be adapted to the technologies utilized by individuals with these disabilities will ensure access.

Instructors should consider that individuals could be utilizing such devices as: a screen reader, which provides speech output of what appears on the screen; a screen magnifier, which enlarges text; speech recognition, which allows for hands-free input; and/or various alternative keyboards and pointing devices.

Canvas, Barton's learning management system, encourages accessibility and [provides tools and guidance](#) for course design that meets accessibility standards.

To work toward ADA compliance Barton uses two ADA checkers:

- Canvas has an ADA checker noted with this symbol in the edit screen - . It will check items within Canvas.
- Ally is the Accessibility Report in your side bar and will check files, images, and other items the Canvas check does not review.

Conversation Continues:

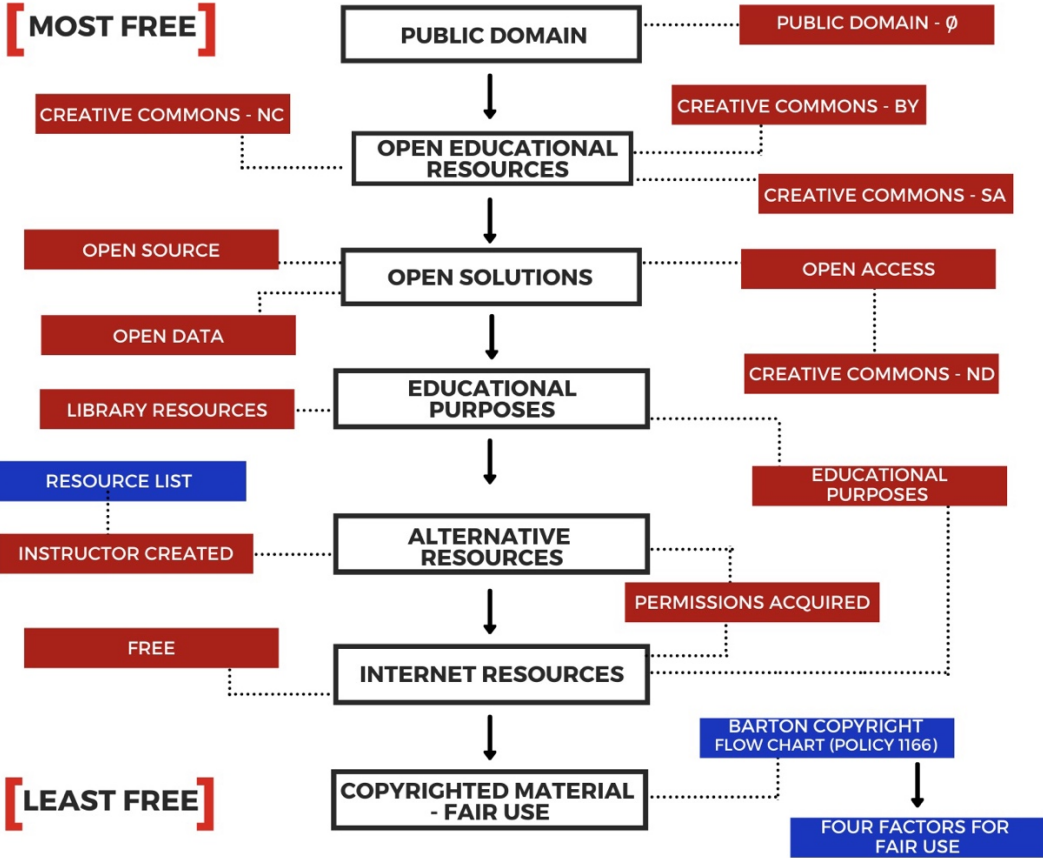
Even after your course has become OER certified, we'd welcome the opportunity to continue conversations with you in areas of interest for you and your students.

Appendix A – Fair Use

FAIR USE

KEY:
■ - Subcategories
■ - Process

CREATIVE COMMONS:
 - Attribution- BY
 - NonCommercial - NC
 - ShareAlike - SA
 - NonDerivative - ND



4 FACTORS TO CONSIDER FOR FAIR USE

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

Factor 1: Purpose and Character of the Use

Weights in Favor of Fair Use

- The use is for the purpose of teaching in a non-profit educational institution (including multiple copies for classroom use).
- The use is for criticism, comment, news reporting, or parody or transforms the presentation or use.
- The use is necessary to achieve an intended educational purpose.
- Distribution is limited by password to students within a class for the term of the course; student may download, print, or save the materials for own use, but not further distribute; student acknowledges copyrighted nature of the materials.

Weights Against Fair Use

- The use is for a commercial purpose.
- Mirror image copying without the addition of criticism, comment, news reporting or parody or transformation of presentation or use.
- The use is not necessary to achieve an intended educational purpose.
- Unlimited or uncontrolled distribution.

Factor 2: Nature of the Work

Give this factor less weight when the work is published, non-consumable, and non-fictional.

Weights in Favor of Fair Use

- The work is non-fictional in nature.
- The work is non-fictional in nature, and author opinion, subjective description and evaluative expression do not dominate the work.
- The work is a “non-consumable” work (e.g., standard book or similar publication).
- The original work has been published.

Weights Against Fair Use

- The work is fictional or highly creative (art, music, novel, film, play, poetry).
- The work is non-fictional in nature and, author opinion, subjective description and evaluative expression dominate the work.
- The work is a consumable work (e.g., workbook or test).
- The original work has never been published.

Factor 3: Amount and Substantiality of Portion Used

There is no bright line rule regarding the amount of use that will be deemed fair—amounts less than 10% have been deemed unfair whereas amounts more than 10% have been deemed fair based on the other factors. You should avoid using a portion that is the “heart of the work.”

Weighs in Favor of Fair Use

- A decidedly small amount such as one chapter or less of the work is used.
- Amount used is narrowly tailored to accomplish a legitimate purpose in the course curriculum.
- A small number of chapters of the work are used, and you have concluded that both the “effect on the market” and the “purpose and character of the use” favor fair use.

Weighs Against Fair Use

- Multiple chapters of the work are used.
- Amount used is more than necessary to accomplish a legitimate purpose in the course curriculum.
- Multiple chapters of the work are used, and you have not concluded that both the “effect on the market” and the “purpose and character of the use” favor fair use.

Factor 4: Effect on Market for Original

Please note that you must own a lawfully acquired or purchased copy of the original work that is used. This factor carries the most weight, but it is not so weighty that it determines the outcome of the fair use analysis. Favorable fair use results with respect to the above three factors (including a neutral finding regarding nature of the work) may outweigh unfavorable results here.

Weighs in Favor of Fair Use

- The work as a whole is currently available for purchase, and a conveniently and efficiently accessible and reasonably priced digital license is **not** available.
- The work as a whole is not available for purchase, and a digital license is **not** available.

Weighs Against Fair Use

- The work as a whole is currently available for purchase, and a conveniently and efficiently accessible and reasonably priced digital license **is** available.
- The work as a whole is not available for purchase, and a digital license **is** available.