Zero- and Low-Cost Course Designations: Guidelines

Purpose

The VCCS Reengineering Task Force identified textbook costs as a barrier to student success, adding it as a system-wide initiative in 2012. The Chancellor’s six-year strategic plan to triple the number of credentials earned by students, Complete 2021, further bolstered the need to eliminate this barrier.

Piedmont Virginia Community College (PVCC) supports this initiative by significantly reducing textbook costs for students through the use of open educational resources; freely available or open access materials; copyrighted materials (for which permission is obtained or that are legally linked to); library materials licensed for student and faculty use; and/or older editions or e-versions of textbooks.

PVCC shall make use of materials in accordance with the provisions of Section 12 (Intellectual Property) of the Virginia Community College System Policy Manual; PVCC Intellectual Property and Copyright policies; the Creative Commons licensing standards; the Digital Millennium Copyright Act of 1998; applicable state and federal copyright laws; accepted best practices of the OER community; and any additional applicable college policies and academic standards.

Course Designations

The main goal of this initiative is to reduce textbooks costs, preferably to zero, thereby eliminating a barrier to student success. There are two official course designations in PeopleSoft that indicate to students the associated textbook cost: zero or LT40.

To be considered a zero textbook cost course, the instructor cannot require the students to purchase any textbook materials (although optional or supplemental materials can be recommended). The LT40 designation can be applied to any course where the required purchased materials cost less than $40.

Definitions

---

1 This document is modified from OER at Reynolds: Terms and Definitions by Jane Rosecrans, licensed under a Creative Commons 4.0 License.
The following document provides useful definitions and guidelines for faculty members interested in incorporating free material into their courses.

Public Domain Materials

Materials in the public domain are free of copyright restrictions and may be used without permission. Generally, the copyright on these materials has expired or the creator placed them in the public domain using a Creative Commons license.

Faculty may use materials in the public domain by either linking directly to the resource or copying and pasting the material into a new document and posting it to Blackboard.

Open Educational Resources (OER)

The William and Flora Hewlett Foundation define open educational resources as “…teaching, learning, and research resources that reside in the public domain or [that] have been released under an intellectual property license that permits their free use and re-purposing by others. Open educational resources include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.”

Additional information on OER as well as links to locate OER materials can be found here: [http://libguides.pvcc.edu/oers](http://libguides.pvcc.edu/oers).

Creative Commons Licenses

Most OERs use the Creative Commons intellectual property license. [Creative Commons](https://creativecommons.org) licenses allow copyright owners to designate how their material can be used by the public. There are six licenses (not including public domain designations) that range from open to more restrictive. The licenses designate what materials can be shared, modified, or even used commercially.

Creative Commons licenses do not supersede copyright. The materials are still copyrighted; the applied license gives the user explicit permission to use the work as designated by the terms of the license, rights heretofore given only to the copyright owner.

It is important to keep in mind that all Creative Commons licensed material requires the user to provide attribution. Although there is no one correct way to do this, most attributions follow the TASL format.

2
T: Title
A: Author
S: Source, or original location of the material
L: License under which the material is provided. The faculty member should always link back to the Creative Commons Web page that explains that particular license.

Example: Copyright and Fair Use graphic by UAF eLearning is licensed under an Attribution-NonCommercial-ShareAlike 3.0 Unported (CC BY-NC-SA 3.0) license.

The Creative Commons provides a useful guide and FAQ on attribution; additional information is also available here: http://libguides.pvcc.edu/oers/attribution. Additional information on the Creative Commons in general and an explanation of the six licenses can be found here: http://libguides.pvcc.edu/oers/creativecommons.

Provided the Creative Commons license allows for derivatives, faculty members may wish to modify the content to better align with course outcomes. Combining multiple works may be permitted as well. For information on how to properly combine or modify CC licensed materials, please contact Crystal Newell, Coordinator of Library Services, at cnewell@pvcc.edu.

OER Courses

Faculty members may wish to utilize open educational resources in their courses in addition to other types of material; however, a faculty member may also wish to create an OER course. To be an OER course, the materials should be:

a. free and openly licensed,
b. of satisfactory quality and scope, and meet required course outcomes,
c. shared internally with VCCS faculty, as well as publicly, and
d. licensed with a CC-BY license if created with grant funds, or licensed with the appropriate Creative Commons license if not.

An OER course will be designated as zero cost, but a zero cost course does not have to be fully OER, since not all required materials may be available and freely licensed.

Characteristics that are essential to OER include free and accessible course materials, sharing and openness, and adherence to U.S. copyright law. A course may be designated as an OER course if it:
1. Does not require the student to purchase a textbook
2. Provides digitized course materials available through Blackboard
3. Includes course materials in one or more of the following areas:
   a. open textbooks
   b. original materials created by the instructor with a Creative Commons license
   c. materials in the public domain
   d. materials published under a Creative Commons license, including OER courses on Blackboard
   e. links to materials available through the college library (e-books, videos, database articles)
   f. links to copyrighted materials, as this is an accepted practice by OER practitioners.

A course may NOT be designated as an OER course if it:

1. requires the purchase of a textbook, no matter how inexpensive
2. does not require the purchase of a textbook, but instead makes use of photocopied or scanned copyrighted materials that violate Fair Use guidelines
3. does not require the purchase of a textbook, but instead relies on original content developed by the instructor who has not licensed the material under a creative commons license*
4. does not require the purchase of a textbook, but links to sites that violate copyright law
5. does not require the purchase of a textbook, but uses proprietary materials provided by publishers or manufacturers at no cost*

*The inclusion of these materials eliminates the course from being considered an OER course, but satisfies the requirements of a zero cost course.

Original Content ©

Many faculty members create their own materials to use in their courses. This material is considered open only if the instructor chooses to license the material under an open license. Faculty members can easily publish content they have developed for their courses. Creative Commons has developed a guide for licensing original content (Marking your work with a CC license) and provides downloads for Creative Commons logos, buttons and icons. Because OER relies on openness and sharing, any course in which the

2 In order to be considered accessible, OER materials must be posted on Blackboard.
faculty member prefers not to publish original work with a Creative Commons license will not be designated as an OER course, even if students are not required to purchase a textbook; however, the course may still qualify as a zero textbook cost course.

Materials Available through the College Library

The library provides access to hundreds of thousands of magazine, journal and newspaper articles, e-books, and streaming videos. These databases are licensed for student, faculty and staff use both on and off-campus. Although these resources are not OERs, they are open and free to faculty, staff, and students and are encouraged as a resource for faculty members looking to reduce the cost of their courses.

Most databases can be accessed from off-campus by logging in with your MyPVCC login. The databases cover a wide range of subjects and disciplines that support the College’s curriculum. A full list of the library’s resources is available here: http://libguides.pvcc.edu/az.php

PVCC librarians develop and update customized online research guides tailored to specific subjects or assignments. These guides are excellent starting points for research and include links to relevant and credible resources as well as search tips. PVCC librarians are available to collaborate with teaching faculty to develop new guides for a specific subject or assignment.

The Jessup Library offers a guide with information on how to properly link to the library’s resources: http://libguides.pvcc.edu/linkinghelp. For additional assistance, please contact the Jessup librarians at reference@pvcc.edu.

Links to Copyrighted Materials Online

Faculty who wish to use copyrighted material outside of the library’s subscriptions may do so by linking to it online; this is an accepted practice among OER practitioners. However, faculty members may not post actual files or copies of the work to Blackboard. This is in violation of copyright law. Instead, hyperlinks are easy to insert into syllabi and other course materials. It is important to note, that faculty members are responsible for ensuring that the links they use for their courses do not violate copyright law. (See pirated online course materials below.)
Fair Use Guidelines

Representatives of writers and publishers and the Ad Hoc Committee of Educational Institutions and Organizations on Copyright Law came to an agreement prior to passage of the 1976 Copyright Act titled “Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions with respect to books and periodicals.” Under the guidelines, teachers are permitted to make a single copy of book chapters; newspaper and journal articles; short literary works; and graphs, charts, cartoons, and diagrams. Multiple copies are permitted for use in the classroom, provided that the copying meets the “brevity and spontaneity” test, the “cumulative effect” test, and includes notice of copyright. As a result, in order for a faculty member to use copyrighted material under the Fair Use guidelines, the reproduced work must adhere to the following:

1. Brevity: a poem or poem excerpt of less than 250 words; an article, essay or story of less than 2500 words or a prose excerpt of not more than 1000 words or 10% of the larger work, whichever is less; one chart, graph, diagram, drawing, cartoon or picture per book;
2. Spontaneity: the copying is at the “instance and inspiration” of the individual teacher and the decision to use the work and the “moment of its use for maximum teaching effectiveness are so close in time” as to make a permission request unreasonable;
3. Cumulative effect: the copying or the material is for one course; not more than one short work or two excerpts from a given author nor more than three works from a collective text may be copied; each course may not include more than nine instances of copying copyrighted material for the course.

Also part of the agreement are the following prohibitions:

1. Copying may not be used to create or replace anthologies, compilations or collective works.
2. “Consumable” texts such as workbooks, exercises, and answer sheets may not be reproduced.
3. Copying shall not substitute for the purchase of books, be directed by someone other than the individual teacher, and it is not permitted for the copyrighted item

---

to be reproduced by the same teacher for the same course semester after semester.
4. No cost shall be incurred by the student other than the actual cost of photocopying.

Although these guidelines are not law, it is suggested that faculty members adhere to the recommended prohibitions, especially concerning the use of copying as a replacement for a textbook. Faculty members should seek permission from the copyright owner of the work if they wish to use it as a replacement for a textbook. Questions concerning how to request permission may be directed to the librarians at the Jessup Library at reference@pvcc.edu.

Additional information on fair use as well as copyright in general can be located here: http://libguides.pvcc.edu/copyright. Faculty members may also direct copyright questions and concerns to Crystal Newell at cnewell@pvcc.edu.

**Pirated Online Course Materials**

Sometimes faculty members will come across online material they believe to be under copyright. *How do you know if something you find online is still under copyright?* Copyrighted material will state its copyright status somewhere on the Web site on which it appears. The material may likely be pirated if there is no copyright information and if the work is recent enough and the author is living or has died within the past 70 years. Tracing the source of the online content (often a PDF) to the source Web page can further help you determine if copyright is being violated. There are many online instances in which college faculty have scanned a copyrighted text and then posted it to their online faculty page; *this is a violation of copyright*. Faculty should assume a work has been pirated if it was published in 1923 or after and the document contains no copyright information.