

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**ENROLLED**

## **House Bill 2853**

BY DELEGATES HIGGINBOTHAM, JENNINGS, SKAFF,  
QUEEN, PHILLIPS, BIBBY, WILSON, ATKINSON AND BYRD

[Passed March 7, 2019; in effect ninety days from  
passage.]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §10-1-14a, relating to establishing the West Virginia Program for Open  
3 Education Resources; defining open education resource materials; providing duties of  
4 Library Commission; and requiring annual report.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 1. PUBLIC LIBRARIES.**

**§10-1-14a. West Virginia Program for Open Education Resources; material description.**

1 (a)(1) The State Library Commission shall establish the West Virginia Program for Open  
2 Education Resources to encourage and facilitate the use of open education resource materials in  
3 both higher education and kindergarten through 12<sup>th</sup> grade in West Virginia schools.

4 (2) "Open education resource materials" means teaching, learning and resource materials  
5 in any medium, digital or otherwise, that reside in the public domain or have been released under  
6 an open license that permits low cost access, use, adaptation and redistribution by others with no  
7 or limited restrictions.

8 (b) The Library Commission, in consultation with the Higher Education Policy Commission,  
9 the West Virginia Council for Community and Technical College Education and the State  
10 Superintendent of Schools, or his or her designee, shall:

11 (1) Ascertain what institutions or faculty are currently using OER material.

12 (2) Identify material currently associated with core general education courses and readily  
13 available for use by faculty and institutions;

14 (3) Identify any statutory or other impediments which interfere with selection and use of  
15 OER material by administrators or teachers at all levels of instruction in West Virginia schools;

16 (4) Identify sources of potential grants for funding for teachers and institutions to use open  
17 education resources for classes and courses, and propose a competitive application system to  
18 award grant funding for those faculty and institutions seeking to use the materials;

19           (5) Establish a digital clearing house that will function as a publicly-accessible database  
20 for material;

21           (6) Develop strategies to leverage further open resource material to benefit higher  
22 education institutions and school systems, as well as private and foundation support for the  
23 project; and

24           (7) Report no later than July 1<sup>st</sup> of each year the program's findings, progress and  
25 recommendations to the Legislative Manager, the Governor, and the chairs of the Legislature's  
26 House and Senate Committees on Education.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman, House Committee*

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*Chairman, Senate Committee*

Originating in the House.

In effect ninety days from passage.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within ..... this the.....  
day of ....., 2019.

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*Governor*