



1600 Broadway, Suite 2200  
Denver, CO 80202

**COLORADO**

**Department of  
Higher Education**

Jared Polis  
Governor

Dr. Angie Paccione  
Executive Director

## **Memorandum**

**TO:** Public Institutions of Higher Education in Colorado  
**FROM:** Spencer Ellis, Director of Educational Innovation  
**RE:** Clarification on marking courses per HB18-1331

This memo serves as guidance for Colorado Revised Statute § 23-4.5-103, which states: *“by fall of 2021, students are informed prior to course registration concerning which courses and sections use open educational resources or other low-cost materials”*.

### **Clarification**

The CDHE and OER Council interpret this language to mean each institution of higher education should clearly inform students of the courses that use Open Educational Resources (OER) and low-cost materials as their primary resources prior to the students registration period. This requires institutions to:

1. Know which courses use OER and low-cost materials and;
2. Make that information clearly available to students.

This means institutions can indicate on their course registration portal all courses using OER and other low-cost options as primary required resource in the course (preferred) OR, at a minimum, create a website listing all courses using OER and other low-cost options as primary required resource in the course.

### **Key definitions**

- Definition of open educational resources (OER): high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits free use or repurposing by others and may include other resources that are legally available and available to students for free or very low cost.
- Definition of low-cost materials: based on survey responses from both grantees and students, the Department has determined the definition of low-cost materials is defined as a total cost under \$20.
- Zero Textbook Cost (ZTC): materials that are free to students, which may include combination of OER and other resources provided by the library (eg electronic resource subscription)

### **Timeline**

Implemented as soon as possible, with students' informed of OER and low-cost materials by registration for fall semester/term 2021.

**Additional Support:** Visit the CDHE's webpage dedicated to sharing approaches from other institutions or contact the CDHE directly for more information.