

581-011-0080

Contract Forms and Authority

(1) The State Board delegates to the Superintendent of Public Instruction the authority to enter into contracts with publishers.

(2) The contract entered into by the superintendent with publishers whose instructional materials have been adopted by the State Board of Education shall be on a form furnished by the Department of Education. The contract shall require the publisher to maintain at least one depository to be designated by the superintendent, where such instructional materials may be purchased, and to furnish such instructional materials according to law and the conditions named in the proposal. The contract shall contain such other information and requirements as the Department of Education determines are necessary.

(3) The State Board authorizes the Department of Education to collect a bond or an irrevocable letter of credit up to \$10,000. The Department may collect a lower bond amount when the following conditions are met: (a) the materials under contract are Open Educational Resources and (b) are submitted for review in their free (\$0 cost to obtain content) format.

Open Educational Resources (OER) are defined as teaching and learning resources that reside in the public domain or have been released under an open license that permits their free use and re-purposing by others.

Stat. Auth.: ORS 337.030, 337.035, 337.060, 337.065, 337.075 & 337.260

Stats. Implemented: ORS 337.090

Hist.: 1EB 215, f. 1-29-76, ef. 2-25-76; 1EB 245, f. & ef. 9-23-76; 1EB 2-1978, f. & ef. 1-20-78; 1EB 1-1984, f. & ef. 1-20-84; EB 21-1992, f. & cert. ef. 6-23-92; ODE 3-2009, f. & cert. ef. 6-29-09