Use this form to clear materials proposed for an Open Education Resource (OER). “Materials” refers to written materials, photos, videos, audio recordings, music, etc. If the copyrights and contracts associated with the materials, and recognizable individuals in the photos and videos are not cleared, then do not use them. Check the appropriate boxes to document how you cleared the materials.

Person clearing materials: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_

Title of OER Textbook: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Description of Materials:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Clear Copyright.** The copyrights for the above referenced materials have been cleared through at least one of the following methods.

* The materials are the original materials of the OER Textbook author(s) who is contributing them to the textbook. *Author’s signature* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* The materials were established to be in the public domain (dedicated, copyright expired, etc.).
  + Copyright expired on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or
  + Materials dedicated by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* The materials were made available through an open, public, or CC license and the OER textbook complies with all of the terms in the license (e.g., attribution, link to CC license, note of any changes made to original materials).
* Written permission was obtained from the copyright owner or authorized agent through a

Signed letter Subscription or license type agreement Email

S

* The materials were copied from a federal government website. URL:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_
* The attached Fair Use checklist supports the proposed use of the materials as a *fair use*.

**Clear Applicable Contracts/Agreements**

* Use of the materials does not violate the terms of a subscription, license, or similar agreement that provides access to the materials.
* Use of the materials does not violate the Terms of Use of the website from which the materials were copied or downloaded.
* If the OER is being developed with grant funds, all the materials used in the OER must comply with the terms of the grant. *(e.g., grant requires all materials used in the OER to be public domain, or Open/Creative Commons Licensed materials.)*

**Clear Videos, Photos, and Audio Recordings**

* The proper license/permission has been obtained for use in the OER.
* Signed media releases have been obtained from the recognizable people in the videos, images, or audio recordings used in the OER.
* Copyright has been cleared.
* Not Applicable, not using any.

All completed forms, permissions, license and subscription agreements, and other documents used to clear the materials should be maintained for each OER. Questions on copyright, contract, and privacy rights should be discussed first with the college/university librarian and then elevated to the System Director for Policy, Procedure, and Intellectual Property at [Gary.Hunter@minnstate.edu](mailto:Gary.Hunter@minnstate.edu). *10.8.2019*