

HOUSE BILL REPORT

HB 1973

As Reported by House Committee On:
Higher Education

Title: An act relating to the Washington open education pilot program at Eastern Washington University.

Brief Description: Creating an open education pilot program at Eastern Washington University.

Sponsors: Representatives Stambaugh, Bergquist, Hargrove, Haler, Zeiger, Van Werven, Magendanz, Kochmar, Muri, Gregerson, Parker and Riccelli.

Brief History:

Committee Activity:

Higher Education: 2/17/15, 2/20/15 [DP].

Brief Summary of Bill

- Establishes the Washington Open Education Pilot Program (Pilot) at Eastern Washington University (Eastern) beginning in the 2015-16 academic year.
- Provides that the purpose of the Pilot is to reduce student's cost of attendance by creating an open educational resources program.
- Requires the Eastern libraries to award up to 10 grants per year, subject to funds appropriated, to faculty members to develop or obtain open educational materials and resources.
- Requires the Eastern libraries to submit a report of the Pilot's progress beginning November 1, 2016, and by November 1 of the following year.
- Includes an emergency clause.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass. Signed by 10 members: Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Bergquist, Hargrove, Holy, Sells, Stambaugh and Van Werven.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Without recommendation. Signed by 2 members: Representatives Reykdal and Tarleton.

Minority Report: Do not pass. Signed by 1 member: Representative Gregory.

Staff: Megan Wargacki (786-7194).

Background:

Open Educational Resources (OER) are educational materials and resources that are free and available for use by anyone. Some resources are under license to remix, improve, and redistribute. Some OER include full courses, course materials, learning objectives, software, and intellectual property licenses.

The University of Massachusetts Amherst (UMass) created the Open Education Initiative (Initiative) in 2011. Through the Initiative, the UMass libraries offer grants for instructors who use low-cost or free alternatives to expensive course materials. The Initiative awards \$1,000 to instructors teaching courses with enrollments of fewer than 200 students, and \$2,500 to instructors teaching courses with enrollment of 200 or more students. The instructors can use open-access scholarly resources, library-licensed and owned resources, or create their own resources. Since 2011, the Initiative has saved students over \$1 million.

Summary of Bill:

The Washington Open Education Pilot Program (Pilot) is established at Eastern Washington University (Eastern) to reduce student's cost of attendance by creating an OER program, beginning in the 2015-16 academic year.

Subject to funds appropriated specifically for this purpose, the Eastern libraries must award up to 10 grants per year to faculty members to develop or obtain open educational materials and resources. The faculty members must develop the materials and resources in collaboration with the Eastern libraries.

The Eastern libraries must develop a process for review and selection of grant applications. In developing the Pilot, the Eastern libraries are encouraged to use the UMass Initiative as a model.

Beginning November 1, 2016, and by November 1 of the following year, Eastern must submit to the Legislature a report of the Pilot, including:

- how the program is being implemented, including a comparison between the Pilot at Eastern and programs at the UMass and other institutions with similar models;
- the number of faculty that applied for and received the grants;
- the courses and departments of the faculty members that received the grants; and
- the total cost savings to students and the cost savings per student enrolled in a course taught by a grant recipient.

The provisions expire June 30, 2018.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) Tuition needs to be addressed for affordability. However, high text book cost is another area that the Legislature can address. The high cost of textbooks is usually born by students enrolled in general education classes, which is a barrier to entrance. The diversity of the four-year institutions make a network of OER less favorable than it is at the community and technical colleges. The UMass model has been quite successful. Faculty engagement is a huge factor in the success of this program. The UMass model requires the faculty to create the resources, so the faculty will use the materials they create.

Many students do not buy textbooks because they are too expensive. Some faculty use many open resource materials to significantly reduce the costs to students. Some faculty are already implementing technology in the classrooms, and this bill would give these faculty a greater incentive to keep costs low and make higher education accessible. Some students hold off on purchasing books or do not open them until late into class, because they are not sure if the books will be needed and want to be able to return them if the books are not needed. It would be great if more materials were open source.

Eastern faculty and leadership are excited about this bill. Eastern would prioritize grants to faculty who teach high-impact, high-enrollment courses, such as general enrollment courses. This could save students lots of money. This bill takes a thoughtful, measured approach to lowering costs to students. Faculty from other institutions wish that this bill could be piloted at their institution. This bill would encourage faculty to disseminate research and resources. It would take faculty time to gather and update relevant materials. The issues of copyright and fair use are complex. This bill would provide an opportunity to educate faculty about these issues and ensure that they are following the laws. There is a culture of making due in this high pressure environment; the state needs to return to a culture of learning.

The Student Achievement Council is meant to promote innovation, so it supports this pilot. We need to embrace OER as a way to expand affordability and access. A good bill solves a problem in an innovative way, but also shifts our thinking about the problem. This is such a bill. This bill brings the public into the discussion about the knowledge that has been housed in institutions. This bill would create a culture of collaboration and bring the public into the university.

(With concerns) The Legislature does not need to choose an "either or" approach, but a "both and" approach. Publishers can make OER materials available. It is not likely necessary to create a grant to get more materials available online.

(Opposed) None.

Persons Testifying: (In support) Representative Stambaugh, prime sponsor; Alicia Kinne-Clawson and Patricia Chantrill, Eastern Washington University; Jordan Martin, Associated Students of Eastern Washington University; Sara Singlton, Council of Faculty Representatives; Maddy Thompson, Washington Student Achievement Council; Paul Bell, Students of Bellevue College; and Austin Wright-Pettibone, Washington Student Association.

(With concerns) David Anderson, Association of American Publishers.

Persons Signed In To Testify But Not Testifying: None.