

HOUSE BILL REPORT

HB 2686

As Reported by House Committee On: Higher Education

Title: An act relating to making the cost of textbooks and other college course materials more affordable.

Brief Description: Making the cost of textbooks and other college course materials more affordable.

Sponsors: Representatives Sullivan, Walkinshaw, Bergquist, Kilduff, Rossetti, Pike, Zeiger, Stanford, Magendanz, Farrell, Santos, Ormsby and Pollet.

Brief History:

Committee Activity:

Higher Education: 1/29/16, 2/5/16 [DPS].

Brief Summary of Substitute Bill

- Requires the community and technical colleges to revise their college catalogs and course descriptions to designate which courses qualify as having open educational resources.
- Requires the State Board for Community and Technical Colleges (State Board) to administer a grant program to fund campus level coordinators to promote and facilitate expansion of the Open Course Library.
- Requires the State Board to administer a grant program to encourage community and technical colleges to create a degree or certificate program composed only of courses designated as having open educational resources.
- Requires the Student Achievement Council (Council) to administer a grant program to fund campus level coordinators to promote and facilitate access to open educational resources for the four-year institutions of higher education.
- Requires the State Board and Council to report to the Governor and appropriate committees of the Legislature by December 1, 2018, on the impact of the grant programs created and recommendations for how to further reduce required textbooks' and course materials' cost.
- Includes a null and void clause for the grant programs created if funding is not received.

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.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Bergquist, Frame, Hargrove, Holy, Reykdal, Sells, Stambaugh, Tarleton and Van Werven.

Staff: Megan Mulvihill (786-7304).

Background:

Open Educational Resources.

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

Open Course Library.

The State Board for Community and Technical College's (State Board) Open Course Library (OCL) is a collection of shareable, free-to-use course materials created by faculty, instructional designers, librarians, and other subject experts for the community and technical college's (CTCs) 81 highest enrolled courses. Faculty can use the course materials, in full or in part, in their own classes at no cost to the students. Many of the courses are paired with low-cost textbooks of \$30 or less. All materials created for the OCL are owned by the State Board and are posted under an open license policy.

Summary of Substitute Bill:

By fall 2017, the CTCs must revise their college catalogs and course descriptions to designate which courses qualify as having open educational resources. A course qualifies as having open educational resources if the majority of the required materials' costs are eliminated through the use of open educational resources.

The State Board must administer a grant program to fund campus level coordinators to promote and facilitate the expansion of the OCL, and the Student Achievement Council (Council) must administer a similar grant program to fund campus level coordinators to promote and facilitate the expansion of open educational resources at the four-year institutions of higher education. To be eligible for a grant, a CTC or four-year institution must submit an application to their respective administrator, along with a pledge of financial or in-kind resources to support the expansion effort. The application must indicate how the CTC or four-year institution will contribute to the goal of expanding access to free and low-cost textbooks and other course materials. The State Board and the Council must prioritize applicants based on the following: (1) those that project the lowest textbook costs to students; (2) those that demonstrate the largest reduction in textbook costs to students; and (3) those that most efficiently and effectively distribute resources across an array of colleges and courses, factoring in course enrollments; subject matters; required courses for general

education requirements; and diversity in class size, degree and certificate programs, disciplines, student populations, and geographic locations.

The State Board must administer a grant program to support colleges that seek to develop an entire degree or certificate program composed of courses designated as having open educational resources. An interested CTC must submit an application to the State Board describing its plan to assemble a pathway of courses designated as having open educational resources into a complete degree or certificate program. The program's goal being that a student could complete the entire program without purchasing a textbook or spend a minimal amount on textbooks and other course materials. The State Board must select applicants by considering geographic diversity, a variety of academic and workforce credentials and programs, and high-demand programs among students and employers.

The State Board and the Council are authorized to receive private, non state funding to support the grant programs. A null and void clause is included for the three grant programs created if funding is not provided.

Substitute Bill Compared to Original Bill:

The date for when community and technical colleges must revise their college catalogs and course descriptions to indicate which have open educational resources is changed from fall 2016 to fall 2017.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Open educational resources are recognized as a viable strategy to reduce textbook costs. Open educational resource coordinators are important to be successful in expanding access to these resources, but the coordinator role works best in conjunction with faculty grants. The coordinator role alone may not have as much impact. There is already a commitment to finding the best value on textbooks and course materials. Some institutions have textbook price comparison tools available and textbook rental services, but expanding access to open educational resources is still enthusiastically supported. However, it is often a struggle to find the funding to support these efforts, so this is appreciated.

(Opposed) All of the textbook bills address affordability, but not quality. This could short change students. Just because something is free does not mean it is better. The publishers work hard to address both textbook quality and affordability. This assumes there is a need from the Legislature to create more open educational resources, but Creative Commons states

that there are over 1 million works available. There are a wide variety of textbooks online, and these are available without incentive programs or grant dollars.

(Other) There are some concerns around sections 4 and 5. The programs developed would be ideal, but the sustainability of the grants is the concern. The community and technical colleges are not fully funded as it is and adding another program with limited money would be difficult. Students usually register in June, but faculty do not pick materials until August or a few weeks before classes start. This makes it difficult to list materials for classes. It is less of a burden for winter and spring terms. The Legislature needs to keep in mind the academic freedom clauses in collective bargaining agreements as well. Faculty have a right to choose the textbooks and materials they use.

Persons Testifying: (In support) Alicia Kinne-Clawson, Eastern Washington University; and Becca Kenna-Schenk, Western Washington University of Washington.

(Opposed) Diana Carlen, Relx Group; and Melissa Gombosky, Association of American Publishers.

(Other) Arlen Harris, State Board for Community and Technical Colleges.

Persons Signed In To Testify But Not Testifying: None.