

Date of Hearing: April 21, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 798 (Bonilla) – As Amended April 6, 2015

**SUBJECT:** College Textbook Affordability Act of 2015

**SUMMARY:** Establishes the College Textbook Affordability Act of 2015 and creates the Open Educational Resources (OER) Adoption Incentive Fund in the State Treasury. Specifically, **this bill:**

- 1) Establishes the College Textbook Affordability Act of 2015 with the goal of reducing costs for college students by encouraging faculty to accelerate the adoption of lower cost, high-quality, OER; specifies that faculty development shall be a key component of this acceleration initiative; and, funding for this measure shall be provided in the annual Budget Act.
- 2) Creates the OER Adoption Incentive Fund in the State Treasury in order to provide incentives and reward campus and faculty efforts to accelerate adoption of OER for the purpose of reducing students' costs and improving access to quality materials.
- 3) Defines the term "fund" to mean the OER Adoption Incentive Fund.
- 4) Defines "OER" to mean high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others.
- 5) Declares that "OER" includes, but is not limited to, a) full courses; b) course materials; c) modules; d) textbooks; e) streaming videos; f) tests g) software; and, h) any other tools, materials, or techniques used to support access to knowledge.
- 6) Specifies that monies in the fund shall be used by California Community Colleges (CCC), California State University (CSU), and University of California (UC) campuses to create and support faculty professional development (PD), OER curation activities, technology support for the faculty, or some combination thereof; and, specifies that monies in the fund shall not be used for direct compensation for faculty members who adopt OER.
- 7) Specifies that the local academic senate of a campus of the UC, CSU, or the CCC may adopt a local campus resolution, in collaboration with students and the administration, stating its intent to increase access to high quality OER; and, upon adoption of the resolution, the campus may submit the resolution to the respective segment office for an initial grant from the fund to establish a plan and strategy for accelerating adoption of high-quality OER on its campus, and developing the accompanying PD.
- 8) Requires the creation of the plan and strategy to be a collaboration between the campus academic senate and the recognized campus student body organization.
- 9) Requires each plan to include three benchmarks, focusing on reducing costs for students and increasing the adoption of high-quality OER; and, specifies each local campus shall

determine its own benchmarks with oversight of the benchmarks provided when the grants are approved by the respective segment office.

- 10) Specifies that the strategy shall include continued access to a hard copy of materials through the local campus bookstore and ensure access to materials offline for students.
- 11) Requires the respective segment office to review and, if it meets the requirements, as specified, approve the resolution, and the initial grant shall be administered by the designated segment office in collaboration with the campus president, provost, or chief academic officer and the recognized campus student body organization.
- 12) Specifies that the designated segment office for the CCC may be the Success Center for the CCC or another appropriate office; and, that the designated segment office for the CSU may be the Academic Technology Services or another appropriate office.
- 13) Appropriates an unknown dollar amount for the initial grant; and, an unknown dollar amount for a bonus grant when a campus reaches its first, second, and third benchmark in using OER on campus and decreasing textbook costs for students in the first, second, and third year of implementation.
- 14) Specifies that the bonus grants shall be used for faculty PD, OER curation activities, technology support for the faculty, or some combination thereof, administered by the local academic senate in collaboration with the campus president, provost, or chief academic officer and the recognized campus student body organization.
- 15) Requires a grant recipient to report to its respective segment office as to whether its benchmarks have been reached and it is eligible for bonus grants, as specified.
- 16) Requires the Chancellors of the CCC and CSU, and the President of the UC to report to the Legislature before July 1 each year as to whether the grants are increasing the rate of adoption of OER and decreasing textbook costs for college students.
- 17) Sunsets the provisions of this Act on January 1, 2021, unless a later enacted statute, that becomes operative on or before January 1, 2021 deletes or extends the dates.

**EXISTING LAW:**

- 1) Requires the CSU Trustees and the CCC Board of Governors, and requests the UC Regents to work with the academic senates to encourage faculty to give consideration to the least costly practices in assigning textbooks; to encourage faculty to disclose to students how new editions of textbooks are different from previous editions; and, the cost to students for textbooks selected, among other things. Current law also urges textbook publishers to provide information to faculty when they are considering what textbooks to order, and to post information on the publishers' Web sites, including "an explanation of how the newest edition is different from previous editions." Publishers are also asked to disclose to faculty the length of time they intend to produce the current edition and provide faculty free copies of each textbook selected (Education Code Section 66406).
- 2) Creates the College Textbook Transparency Act, which, among other things, requires faculty members and academic departments at an institution of higher education to consider cost in

the adoption of textbooks; and, requires textbook publishers to disclose specified information (EC Section 66406.7).

- 3) Requires, by January 1, 2020, publishers of textbooks used at the UC, CSU, and the CCC, or private postsecondary educational institutions, to the extent practicable, to make textbooks available in whole or in part for sale in an electronic format and requires the electronic format to contain the same content as the printed version (EC Section 66410).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Background.* According to the College Board, the average undergraduate student should budget between \$1,200 and \$1,300 for textbooks and supplies each year. That figure is as much as 40 percent of tuition at a two-year community college and 13 percent at a four-year public institution. According to the Student Public Interest Research Groups (Student PIRGs), February 2015 report, entitled "Open Textbooks: The Billion-Dollar Solution," since 1978, college textbook costs have increased to 812 percent, that is to say, it means that textbook prices have increased at 3.2 times the rate of inflation. A 2014 Student PIRG study found that 65 percent of students skipped buying or renting a textbook because it was too expensive, and 94 percent of those students felt that in so doing, their grade would suffer in a course. Additionally, almost half of the students said the cost of textbooks impacted how many courses they were able to take.

*What are OER?* OER are educational materials such as textbooks, research articles, videos, assessments, or simulations that are either licensed under an open copyright license or are in the public domain. OERs provide no-cost access and no-cost permission to revise, reuse, remix, or redistribute the materials. According to a 2012 policy brief by the Center for American Progress and EDUCAUSE, digital OERs offer many advantages over traditional textbooks: they allow students and faculty to access textbooks and related materials for free online or purchase hardcopies that are more affordable than traditional textbooks; they enable faculty to customize learning materials to suit their course objectives; and, they can provide students with a more flexible set of tools that can contribute to a richer learning experience.

*Purpose of this measure.* According to the author, in order to reduce costs for students and increase the rate of adoption of OER, faculty need support on their local campus to help learn about new technology available and to find the time to update their courses in order to use OER. The author states, "AB 798 provides the funding and incentive necessary to support professors when they choose to adopt OER. The College Textbook Affordability Act recognizes that this support will be different for every local campus depending on existing programs, makeup of student body and number of professors. Each local campus can create a plan that will specifically address the hurdles to OER on their local campus."

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Academic Senate for California Community Colleges  
California State Student Association  
TechNet

### **Opposition**

None on file.

**Analysis Prepared by:** Jeanice Warden / HIGHER ED. / (916) 319-3960