

## Open Educational Resources (Information)

**Open Educational Resources (OER)** are high-quality teaching and learning resources that have been released under an intellectual property license, such as a Creative Commons license, that permits their free use and repurposing. Examples of OER include: full courses, course modules, syllabi, lectures, homework assignments, quizzes, lab and classroom activities, pedagogical materials, games, simulations, and many more resources contained in digital media collections from around the world.

### Background

In 2008, the California State Auditor released a report entitled, *Affordability of College Textbooks: Textbook Prices Have Risen Significantly in the Last Four Years, but Some Strategies May Help to Control These Costs for Students* (Report 2007-116). The audit found that, on average, a full-time student pays between \$700 and \$900 annually for textbooks.<sup>1</sup> The reasons for the high cost of college textbooks are varied, and include increased competition due to the used-textbook market; regular and minimal revisions that may not be warranted; and the inclusion of supplemental products, such as CDs and instructional supplements, that raise the price and reduce the ability to resell these products in the used-textbook market. Within its recommendations, the audit report stated, “The system offices of UC, CSU, and community colleges should continue taking steps to promote awareness, development and adoption of open educational resources as alternatives to textbooks and other learning materials.”

Case law has determined that the First Amendment protects a faculty member’s right to freedom of speech and expression, which includes academic freedom. Academic freedom gives faculty broad discretion in educating students—and choosing the educational materials they use in their courses. Therefore, in regulating faculty members’ selection of educational materials, legislative and higher education leaders should consider limits that the First Amendment and academic freedom may place on their ability to regulate those materials.

In 2012, Senate Bills 1052 and 1053 (Education Code §§ 66408 and 66409) directed the public higher education systems in the state to create an online library with open educational resources and textbooks in order to increase faculty adoption of high quality, affordable or free materials that would save students money. The collaboration among UC, CSU and CCC faculty would occur under the scope of the California Open Educational Resources Council (OER Council). A key role of the OER Council is to facilitate review of textbooks for inclusion in the new California Digital Open Source Digital Library (CDOSL), which can be found on the website COOL4Ed.org. The OER Council is required to develop a list of 50 lower-division courses in the public postsecondary segments for which high-quality, open source textbooks and related materials will be developed or acquired. The OER Council must review and approve developed open source materials and promote strategies for production, access and use of open source textbooks at campus libraries and submit a final report to the Legislature by January 1, 2016.

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<sup>1</sup> In January 2014, the College Board reported that these costs had risen to \$1200 annually.

To establish the OER Council and COOL4Ed, the Senate bills appropriated \$5 million and directed the California State University, Office of the Chancellor to seek private funds to match the state allocation. In the fall of 2013, the California State University (CSU) was awarded grants from the William and Flora Hewlett Foundation and the Gates Foundation to make that match. Additionally, per SB 1052 and SB 1053, CSU was directed to facilitate collaboration among the three segments of public higher education to design and deliver intersegmental services for the faculty and students of the three higher education segments. To quickly deliver on the requirements of SB 1052 and SB 1053, the project leveraged CSU's existing resources known as Multimedia Educational Resource for Learning and Online Teaching (MERLOT) and Affordable Learning Solutions. The key contact for the OER Council project is the OER Council Project Coordinator who reports directly to the Chair of the Intersegmental Committee of the Academic Senates (ICAS) which is chaired by the UC in 2015-16; CCC in 2016-17; and CSU in 2017-18.

The library houses open source materials while providing a web-based means for faculty to easily find, adopt, utilize, or modify course materials for little or no cost. Textbooks for the 50 high impact courses identified by the OER Council will be housed at COOL4Ed.org, the first library service of the digital open source library, and made available to faculty and students. On the website, faculty can see courses listed by Course Identification Numbering (C-ID), and find recommended free eTextbooks and faculty reviews of them. Further development of the library is needed to ensure disciplines aren't limited to only one course identified with a free eTextbook.

The OER Council utilized the C-ID course descriptors in selecting the criteria to determine the 50 courses for development. The criteria are:

- The course is highly enrolled.
- The course is comparable for as many campuses as possible and meets the designation for general education.
- The course selection is likely to generate significant textbook savings.
- There is some consistency between textbook products for the courses.
- The course selection provides opportunities for faculty to augment open textbooks.
- The courses and textbooks are conducive to discipline-based pedagogies.
- The chosen courses must have access to multiple OER textbooks.

Quality control is a major concern of faculty in the adoption of OER. Under the current structure, each textbook is reviewed by at least one faculty member from each of the three system partners before being added to the list. According to the Academic Senate of the California Community Colleges, efforts are underway to encourage faculty discipline review groups to consider including the highly rated eTextbooks with the list of recommended texts in each C-ID course descriptor to better publicize the availability of free or low cost eTextbooks.

### OER at the California Community Colleges

In 2013, the California Community Colleges Board of Governors voted to require that any works created under contracts or grants funded by the California Community Colleges Chancellor's Office carry the Creative Commons Attribution license that gives permission to the public to reproduce, distribute, perform, display or adapt the licensed materials for any purpose so long as the user gives attribution to the author. By requiring a Creative Commons Attribution license, the Board of Governors has given individuals, nonprofits, and other colleges permission to use and build upon material created with public funds, so long as the creator is credited. Using a Creative Commons Attribution license also saves taxpayers money by not funding duplicate work that may only be accessible on the local level. By having courses licensed for modification and open use, faculty are encouraged to adopt OER materials and further modify them to best meet their own needs.

### The College Textbook Affordability Act

In 2015, Assembly Bill 798 created the Open Educational Resources Adoption Incentive Fund (AIF) to provide incentives for efforts by campuses, staff, and faculty in accelerating the adoption of open educational resources (OER). AB 798 will go into effect on January 1, 2016.

Under AB 798 campuses can receive grants from the Adoption Incentive Fund to: create and support faculty and staff professional development; support OER curation activities; support curriculum modification; or, provide technology support for faculty, staff, and students. The bill allocates \$2 million to the Adoption Incentive Fund.

In order to receive a grant from the AIF, campus-level academic senates of the CSU or CCC are required to adopt a resolution that:

- Is in collaboration with students and the administration;
- Demonstrates its commitment to increase student access to high-quality OER; and
- States that upon adoption of a campus-level resolution, the campus will develop a plan that describes its readiness to spend these funds to support faculty adoption of OER.

By June 30, 2016, campuses may submit the resolution and the plan to the California OER Council as their application for an initial AIF grant to plan a strategy for accelerating the adoption of OER. Each year thereafter, for up to three years, each campus will receive an AIF grant for meeting established performance benchmarks.