

OERI ASCCC Resolutions – Spring 2022

3.03 S22 Oppose Reliance on Textbook Publishers to Achieve Zero Textbook Cost

Whereas, California Education Code §78052 (a) states that “It is the intent of the Legislature that community college districts develop and implement zero-textbook-cost degrees and develop open educational resources for courses to reduce the overall cost of education for students and decrease the time it takes students to complete degree programs,” a goal that can promote student success without impinging on either academic freedom or faculty’s rights to choose appropriate instructional materials;

Whereas, California Education Code §78052 establishes that community college districts that develop and implement zero-textbook-cost degrees shall do the following:

- prioritize the development and implementation of a degree from an existing associate degree for transfer and, to the extent possible, prioritize the adaptation of existing open educational resources through existing open educational resources initiatives, or elsewhere, before creating new content.
- develop degrees with consideration for sustainability after grant funding is exhausted, including how content is updated and presented.
- develop and implement a degree that other community college districts can use or adapt, and post each degree, and the contents of the degree, on the online clearinghouse of information established pursuant to Item 6870-101-0001 of the Budget Act of 2016, or a successor internet website. All open educational resources used as learning materials for a degree developed pursuant to this section shall be added to the California Digital Open Source Library established in Section 66408. Testing and assessment materials posted online pursuant to this paragraph shall be safeguarded to maintain the integrity of those materials. This paragraph shall not be construed to prohibit faculty from providing sample test and assessment materials to students;

Whereas, Higher Education Emergency Relief Funds (HEERF) and similar funding have been used to purchase textbooks for students, an efficient and temporary approach to textbook affordability that does not meet the intent or requirements established in California Education Code §78052; and

Whereas, Governor Gavin Newsom expressed a commitment to lowering costs for students by disrupting the entire system of commercial textbook publishing during his press conference unveiling his 2021 – 2022 budget proposal, saying he was

“committed” to addressing the “usurious costs associated with textbooks,”¹ which emphasizes his interest in seeing the state’s substantial financial commitment to zero-textbook-cost degrees implemented in ways that are consistent with the intent of California Education Code §78052 through long-term, sustainable solutions rather than primarily through short-term solutions such as funding for one-time or temporary purchases from commercial publishers;

Resolved, That the Academic Senate for California Community Colleges support the stated intent of California Education Code §78052, recognizing the importance of eliminating or reducing textbook costs in a sustainable manner while still preserving the faculty’s right and responsibility under academic freedom to select the most appropriate instructional materials, whether digital or in print; and

Resolved, That the Academic Senate for California Community Colleges oppose the use of mechanisms to achieve zero-textbook-costs that are not sustainable and are inconsistent with the intent of California Education Code §78052.

7.02 S22 Ensure the Sustainability of the Zero-Textbook-Cost Degree Program

Whereas, California Education Code §78052 requires that districts “Develop degrees with consideration for sustainability after grant funding is exhausted, including how content is updated and presented” and that the California Community Colleges Chancellor’s Office ensure that “a grant does not result in the development or implementation of duplicate degrees for a subject matter to avoid duplication of effort and ensure the development and implementation of the greatest number of degrees for the benefit of the greatest number of students,” a requirement that can only be met for the Zero-Textbook-Cost Degree Program if the implementation of the program is truly statewide and collaborative;

Whereas, The Academic Senate for California Community Colleges (ASCCC) recognizes that open educational resources are “the preferred and most sustainable mechanism for eliminating course costs” (Resolution 03.05 F21);

Whereas, The ASCCC has requested that the California Community Colleges Chancellor’s Office, as part of the Zero-Textbook-Cost Degree Program, explore the provision of centralized accessibility and licensing support to local colleges and districts to facilitate the adaptation and adoption of open educational resources (Resolution 07.01 F21), effectively advocating for a statewide solution to address local zero-textbook-cost implementation challenges; and

Whereas, The ASCCC has established mechanisms for convening discipline faculty for the purposes of making curriculum determinations, including systems for ensuring statewide vetting of developed resources;

¹ Zinshteyn, Mikhail. (2021, January 13). “Newsom calls textbooks ‘racket,’ proposes money to create free ones.” *CalMatters*. <https://calmatters.org/education/2021/01/newsom-fund-free-textbooks/>.

Resolved, That the Academic Senate for California Community Colleges work with the California Community Colleges Chancellor's Office, as part of the Zero-Textbook-Cost Degree Program, to establish the funding and process necessary to ensure that ZTC resources will remain current and relevant beyond the 2027 reporting deadline established in California Education Code §78052.

13.01 S22 Ensure the Transparency of Resources Used to Establish Zero-Textbook-Cost (ZTC) Certificates and Degrees

Whereas, The California Community Colleges Chancellor's Office, in its 2020 Zero-Textbook-Cost Degree Grant Program Legislative Report, has recommended that future zero-textbook-cost (ZTC) funding should focus on investment priorities, including efforts to do the following:

- Evaluate existing ZTC programs and courses and incorporate culturally relevant content to contribute to advancing equity in teaching and learning;
- Share and adopt existing quality ZTC program and course materials, especially within the same community college district;
- Develop and curate quality ZTC materials for courses that satisfy general education requirements; and
- Post ZTC program courses on the California Virtual Campus Course Exchange and quickly make ZTC programs and courses available to all California community college students;

Whereas, The Academic Senate for California Community Colleges (ASCCC) "recognize[s] open educational resources as the preferred and most sustainable mechanism for eliminating course costs" ([Resolution 3.05 F21](#));

Whereas, Resources may only be modified, developed, curated, and freely shared when those resources are openly licensed, and the ASCCC "encourage[s] the establishment of support structures for OER development that require developed resources to be openly licensed and made available to expand the diversity of OER resources" ([Resolution 9.05 S19](#)); and

Whereas, [California Education Code §78052](#) requires that "All open educational resources used as learning materials for a degree developed pursuant to this section shall be added to the California Digital Open Source Library established in Section 66408," yet no public-facing information is available that delineates how colleges that established ZTC certificates and degrees did so, and the list of ZTC degrees developed reveals duplication of resources and degree pathways ([Zero-Textbook-Cost Degree Grant Program Legislative Report, CCCCO 2020](#));

Resolved, That the Academic Senate for California Community Colleges urge the California Community Colleges Chancellor's Office to require that all recipient colleges

and districts of zero-textbook-cost (ZTC) funds delineate how ZTC status was achieved for all courses in a given pathway in a designated public-facing location and ensure that openly-licensed resources are shared as required by law; and

Resolved, That the Academic Senate for California Community Colleges encourage the California Community Colleges Chancellor's Office to support the development of a repository for the sharing of open educational resources used to establish zero-textbook-cost certificates and degrees that can be searched by specific course parameters as defined by faculty.

13.06 S22 Faculty Responsibility for Confirming Course Resource Accuracy

Whereas, Faculty have both the freedom to select the course materials they deem most appropriate and the responsibility to consider the cost burden as they do so (California Code of Regulations [Title 5 §59404](#));

Whereas, Provisions of the [Higher Education Opportunity Act](#) that went into effect in July 2010 require each institution of higher education receiving federal financial assistance to “disclose, on the institution’s Internet course schedule and in a manner of the institution’s choosing, the International Standard Book Number and retail price information of required and recommended college textbooks and supplemental materials for each course listed in the institution’s course schedule”;

Whereas, The Academic Senate for California Community Colleges encourages local academic senates to advocate for the implementation of a process for consistent, clear, and transparent messaging to students prior to registration regarding all material and supply costs in appropriate locations, including the schedule of classes and the bookstore ([Resolution 20.02 F20](#)); and

Whereas, Textbook information is commonly provided to students prior to and at the time of registration via a section-specific link to the bookstore, and the information may in some cases be inaccurate, misleading, or missing despite the best efforts of faculty to submit clear and accurate information in a timely manner;

Resolved, That the Academic Senate for California Community Colleges encourage local academic senates to work with local administration to ensure the online class schedule contains the clear and accurate textbook and class resource information submitted by the instructor, that their sections are properly noted with the zero-cost or low-cost icon if appropriate, and that accountability processes are established.

13.08 S22 The Open Educational Resources Initiative and Technical Assistance for the Zero-Textbook-Cost Degree Program

Whereas, The Academic Senate for California Community Colleges Open Educational Resources Initiative (OERI) was formally launched in early 2019 with funds allocated to the Academic Senate for California Community Colleges (ASCCC) in Assembly Bill

1809 (Higher Education Trailer Bill, 2017-2018) “to support the development of, and the expansion of the use of, open educational resources for the California Community Colleges” and has established a faculty-led infrastructure to support local open educational resources (OER) implementation efforts, but the funding for the OERI was scheduled to end in 2023, thereby dramatically curtailing or ending the statewide development, curation, and implementation efforts as well as coordinated maintenance and updating of resources developed under the OERI;

Whereas, The OERI, in helping to unlock the potential of faculty to create innovative learning experiences for students through the development of new content, has a proven track record of meeting the OER needs of faculty and students across the state, and, as reported in the ASCCC OERI Department of Finance Progress Report in February, 2022, accomplishments of the OERI since its inception include the following:

- Facilitated the awareness, adoption, and adaptation of OER through the hosting of over 135 general, discipline-specific, and tool-specific webinars that have been attended by over 2100 faculty. In addition, 56 webinars were hosted for local OER advocates or OER liaisons,
- Identified—and supported—OER liaisons at each of the colleges to ensure on-going communication between the OERI and local faculty and college colleagues,
- Created a website—asccc-oeri.org—to promote OER and simplify the identification of available OER by providing easy access to OER resources organized by 27 comprehensive discipline collections, general education area, and 25 transfer model curricula,
- Established a team of over 30 discipline leads to curate existing OER and facilitate OER awareness and adoption,
- Initiated the formation of discipline-specific communities of practice to support faculty OER efforts,
- Developed a wide array of resources to support OER-related work, including two self-paced courses (OER Basics and Accessibility Basics), a series of OER “Quick Guides” on OER-related topics that can be accessed online or printed for local use, a variety of resources for OER developers, and an ever-expanding collection of resources to support local OER advocacy,
- Supported the creation of 63 new OER over three competitive funding cycles, with an emphasis on collaboration, meeting state-wide needs, and sustainability,
- Developed the ASCCC OERI IDEA Framework for reviewing and revising OER and other course resources to ensure that they are inclusive,

- diverse, equitable, and antiracist, which will be integrated into future OERI supported projects and used to review and modify existing resources, and
- Collaborated with representatives from the California State University and the University of California to host Cal OER, a free OER conference intended to highlight the state’s OER/ZTC work and attended by over 400 faculty;

Whereas, In the 2021-2022 Budget Act, the California Legislature and Governor Gavin Newsom designated \$115 million for investment in the expansion of zero-textbook-cost (ZTC) degrees and open educational resources at the state’s community colleges, and in Resolution 3.05 F21, “the Academic Senate for California Community Colleges recognized open educational resources as the preferred and most sustainable mechanism for eliminating course costs unless where instances will arise in which eliminating costs is not possible”; and

Whereas, Education Code §78052 states “that community college districts develop and implement zero-textbook-cost degrees and develop open educational resources for courses to reduce the overall cost of education for students and decrease the time it takes students to complete degree programs” and “to the extent possible, prioritize the adaptation of existing open educational resources through existing open educational resources initiatives, or elsewhere, before creating new content,” indicating the legislative intent of the use of OER in ZTC degrees and the need for collaboration with established initiatives such as OERI;

Resolved, That the Academic Senate for California Community Colleges advocate to the California Community Colleges Chancellor’s Office and system partners for allocating a portion of the \$115 million for ZTC degrees in the 2021-2022 Budget Act to fund the work of the OERI to reduce duplication and guarantee usability in OER development and implementation as well as ensure a statewide approach and promote sustainability in ZTC degrees.

13.10 S22 Student-Facing Zero-Textbook-Cost Information

Whereas, The California Community Colleges Chancellor’s Office, in its 2020 Zero-Textbook-Cost Degree Grant Program Legislative Report ([Zero-Textbook-Cost Degree Grant Program Legislative Report, CCCCCO 2020](#)), has recommended that future zero-textbook-cost (ZTC) funding should focus on investment priorities, including efforts to share and adopt existing quality ZTC programs and course materials, and [California Education Code §78052](#) requires that “All open educational resources used as learning materials for a degree developed pursuant to this section shall be added to the California Digital Open Source Library established in Section 66408,” yet no public-facing information is available that delineates how colleges established ZTC certificates

and degrees;

Whereas, In October 2021, the ASCCC Open Educational Resources Initiative completed an [analysis of public-facing ZTC degree information](#) provided by California community colleges and found no information regarding when ZTC sections would be offered, minimal information regarding the ZTC courses that were available and would meet specific general education requirements, and no information regarding how ZTC status was achieved for specific courses;

Whereas, The Academic Senate for California Community Colleges passed Resolution 20.02 in fall 2020, encouraging local academic senates to “advocate for the implementation of a process for consistent, clear, and transparent messaging to students prior to registration regarding all material and supply costs in appropriate locations including the schedule of classes and the bookstore” and providing this same clear messaging and information regarding the planned availability of ZTC sections that would enable students to plan to truly complete a ZTC degree; and

Whereas, Clear messaging for planning purposes is an integral part of guided pathways implementation to better serve students, and integrating information regarding ZTC sections would further advance the equity and achievement goals of the California Community Colleges by clearly mapping ZTC degree pathways.

Resolved, That the Academic Senate for California Community Colleges urge the California Community Colleges Chancellor’s Office to require all colleges and districts that receive zero-textbook-cost (ZTC) funds to provide public-facing information and student messaging that delineates the planned scheduling of ZTC sections; and

Resolved, That the Academic Senate for California Community Colleges advocate for the California Community Colleges Chancellor’s Office to require that all colleges and districts receiving zero-textbook-cost (ZTC) funds delineate in a designated public-facing location how ZTC status was achieved for all courses in a given pathway, demonstrate that sufficient ZTC sections are available to enable student completion of ZTC degree pathway, and ensure that openly-licensed resources are shared as required by law.