



Higher Education & Employment Advancement Committee
Public Hearing

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Written Testimony
Submitted by

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Members of the Higher Education and Employment Advancement Committee, thank you for the opportunity to comment on *H.B.7235, An Act Concerning the Recommendations of the Open Educational Resources Task Force* and *SB 948, An Act Concerning Digital Discounts to Reduce the Cost of Textbooks and Other Educational Resources*.

My name is Martha Bedard, and I am the Vice Provost for Libraries at the University of Connecticut. The University is deeply committed to providing the resources necessary for all students to fulfill their academic and research needs. As an academic research librarian, I have been involved in the evolution of a variety of digital resources, including books, for nearly thirty years and in the Open Access movement for over a decade.

H.B.7235, An Act Concerning the Recommendations of the Open Educational Resources Task Force

I am currently chairing a University of Connecticut- wide effort to investigate and pursue the awareness and adoption of open educational resources, and had the privilege of co-chairing the Connecticut Legislative Task Force to Study Best Practices with regard to Open Educational Resources (OER) enabled by Special Act 15-18 - AN ACT CONCERNING THE USE OF DIGITAL OPEN-SOURCE TEXTBOOKS IN HIGHER EDUCATION sponsored by Representative Haddad and Senator Flexer. The availability of high quality, freely available educational materials viewed alongside the cost issues around requiring the use of commercially produced textbooks, digital or print, represent a clear financial difference for students. We need to create avenues and resources to raise the awareness of, and encourage the use of affordable and open educational materials to bring a Connecticut higher education degree within the reach of all students, regardless of ability to pay.

I would like to recognize the work of the Task Force members in investigating this issue, their willingness to talk about the opportunities and barriers to faculty adoption

of OER, and to participate in conducting a state-wide survey of faculty awareness, concerns, and willingness to try OER. We heard from national and local experts who reviewed the results of several key national studies reflecting the serious nature of the escalating costs of textbooks, as well as the chilling effect of publisher Access Codes which restrict access to one student and compromise the ability of students to complete a course without incurring this cost. In particular I would like to thank my co-chair, Kevin Corcoran, who worked tirelessly to solicit input and represent the Connecticut Conference of Independent Colleges and the Connecticut State Colleges and Universities. The summary report of our work, as well as suggestions for Next Steps are included in our January 5, 2017 report to the legislature.

In that report we summarized actions to date, including savings realized. Currently the University of Connecticut through the work of our internal committee and a number of external and internal grants, as well as donations, have projected savings of over \$1 million annually in a variety of disciplines including Agriculture and Resource Economics, Anthropology, Astronomy, Chemistry, English and Mathematics.

The Task Force recommended five avenues to explore:

1. Continued awareness efforts for faculty and administrators as well as students in OER and low cost alternatives
2. State-wide training opportunities for faculty and supporting staff on the adoption and adaptation of OER materials as well as providing executive leadership on OER strategy and policy development
3. State sponsored clearinghouse of OER materials targeted for CT faculty
4. Incentive program for the review, adoption, adaptation, and creation of OER materials
5. Exploration of other state and system OER models

Many of these are reflected in Raised Bill H.B. 7235. In particular I fully support the Purpose:

To establish an open educational resource program to help lower the cost of acquiring a college degree in Connecticut.

I support the appointment of a funded state-wide coordinator to assure that the resources allocated to this program are effectively administered and to productively engage the proposed Connecticut Open Educational Resource Coordinating Council. In addition, it has been my experience at UConn, and that of many other states, that a program of state funded competitive grants creates the most effective means of assuring adoption and creation of high impact OER materials. The creation of a state sponsored clearinghouse of OER materials is also important in addressing one of the concerns raised during the work of the task force- the difficulty and time it takes for faculty to find appropriate materials in their discipline.

I respectfully request that the language in section c, number 3 - Creative Commons attribution license applications- undergo further review for clarity and ability to implement. I would be pleased to work with the committee to address the changes needed in this regard, and to work with Appropriations to determine the amount of funding required to meet the purpose stated.

SB 948, An Act Concerning Digital Discounts to Reduce the Cost of Textbooks and Other Educational Resources

I believe that the availability of high quality digital materials is an important step in assuring easy access, but that the impact of the commercial publishers digital discount program has not been adequately studied to create law encouraging it. Just as the legislature chose to approve and appoint a committee to study the potential impact of the use of Open Textbooks if you decide to proceed with this I urge the Committee to consider a similar approach before this is enacted.

34 CFR 668.164 (c) (2) referred to in the proposed bill has received a number of public comments. The Executive Summary states "a number of reports from government and consumer groups document troubling practices employed by some financial account providers. Legal actions, especially those initiated by the Federal Reserve and Federal Deposit Insurance Corporation (FDIC), against the sector's largest provider reinforce some of these concerns". Further comments include "whenever books and supplies are included in tuition and fees, this results in students having no opportunity to decide for themselves whether or how to obtain these materials or what if anything to pay for them. Two separate provisions of title IV prohibit such a result".

It is my understanding that digital discount programs are billed to the student at the beginning of the semester and include an "opt out" for students which requires them to quick action (invoked within first two weeks of class) in order to not incur the cost for these digital materials, and that they may not be resold, are not available elsewhere on the market, and often bundled with homework and tests that limit, if not prevent, the ability for student who do opt out to pass the course. Open Educational materials such as those studied last year, and whose recommendations are included in HB 7235 offer a compelling alternative for legislative action.

I respectfully request that there is not enough information about the digital discount program itself, and the potential impact on student choice to support passage of S.B. 948 in its current form.

Thank you for the opportunity to share these thoughts and for your ongoing support for the University of Connecticut and our students.

