



SENATE HEALTH, EDUCATION, AND ENVIRONMENTAL AFFAIRS COMMITTEE

Senate Bill 667

University System of Maryland - Textbooks - Availability of Free Digital Materials

February 26, 2020

Unfavorable Report

Chair Pinsky, Vice Chair Kagan and committee members, thank you for the opportunity to share our thoughts on Senate Bill 667. The bill requires each University System of Maryland (USM) institution to develop a method to “clearly and conspicuously” show free online course digital materials – including openly licensed educational resources – by July.

The USM supports decreased textbook costs for students and increased transparency around instructional materials costs for students. Senate Bill 667, which requires USM institutions to designate zero-cost and low-cost instructional materials classes in the online course catalog is not the appropriate place to ensure this transparency for students. The bill duplicates existing policy and practice creating unnecessary administrative overhead that can be put to better use toward scaling and sustaining open educational resource (OER) adoptions.

The USM is a national leader in the OER movement. In collaboration with our colleagues in Maryland’s community college and private, non-profit, sector, the USM’s Kirwan Center for Academic Innovation has been leading the statewide Maryland Open Source Textbook (M.O.S.T.) initiative since 2013 as a means to increase access, affordability, and achievement for our students.

Since then, M.O.S.T. has supported the adoption of OER in 159 courses across 24 Maryland 2-year and 4-year higher education institutions, saving over 65,000 students more \$10.4M cumulatively on textbook costs. At the same time, the USM’s University of Maryland Global Campus (UMGC) has moved entirely to zero-cost instructional materials, saving their students over \$20M annually. As a result of these efforts, faculty across Maryland are increasingly aware of and supportive of OER and are, more importantly, now attuned to the need to keep instructional materials costs as low as possible for students.

The USM is also in full support of need for transparency regarding textbook fees and making students aware of the availability of low-cost instructional materials. As written, Senate Bill 667 would be an impediment to that transparency.

The course catalog is not the appropriate place to create this transparency for students. An institution’s course catalog provides students a general listing of **ALL** the institution’s MHEC-approved courses. This listing includes the course number, title, brief description, number of credits, and whether there are any pre- or co-requisites. Specific details about when courses are offered, faculty of record, required texts, and the like are intentionally left out to avoid

introducing inaccuracies because these aspects of a course regularly change due to a variety of circumstances --including the availability of high-quality instructional materials.

Decisions about instructional materials are for USM faculty alone to decide. Whether the instruction emanates from the lectern, a hard book, or the Internet.

Senate Bill 667 is duplicative of policies and laws the state has in place. Board of Regents policy, state law, and the federal Higher Education Opportunity Act already requires USM institutions to post textbook information prior to course registration. Students can link to an institution's online bookstore from the schedule to see that costs of the books associated with courses, by section, for which they are registering.

Senate Bill 667 also carries serious unfunded costs. The additional administrative overhead alone could be better directed in other ways to support the USM's OER adoption efforts. There would be costs associated with creating the infrastructure, through the Office of the Registrar, to post the materials and/or links to them for every course as well as monitoring compliance. As noted in the USM's fiscal impact report, our institutions are estimating this will require the addition of at least one new full-time staff member.

Moreover, Senate Bill 667 does not define "free" or "low cost" and is ambivalent on the need for these materials to be fully accessible for students with disabilities, as required by federal law.

All of this said, the USM is anxious to work with legislators to determine the best ways we might support an expansion of the Open Educational Resources initiative in Maryland.

At this time, the USM respectfully requests an unfavorable report on Senate Bill 667.