

February 1, 2023

College Course Materials Affordability and Equitable Access Task Force
Illinois Student Assistance Commission
500 W. Monroe Third Floor
Springfield, IL 62704-1876

VIA EMAIL: ISAC.CCMTaskForce@Illinois.gov

Honorable Task Force Members:

Thank you for the opportunity to comment on the draft of your study.

Congratulations on gathering and assembling a very comprehensive set of data concerning textbook costs and current practices. However, we have some concerns about the narrative that accompanies the presentation of that research.

OpenStax, part of Rice University, is the world's largest publisher of peer-reviewed, openly-licensed instructional materials (OER) for higher education. All of our instructional materials are available at no cost in a variety of digital formats, and are designed to be ready-to-use by faculty. All student materials can be downloaded free from OpenStax.org at any time without access codes and without needing to submit any user information. They are available "first day", any day, always.

More than 23 million students have used OpenStax textbooks in just our first ten years. And for some disciplines, OpenStax textbooks now lead the market in adoptions.

By choosing OpenStax textbooks for their classes, faculty have produced savings of more than \$1.7B for their students, compared with the cost of commercial textbooks. Since OpenStax is ready-to-use OER, the institutional costs for adoption are minimized, and are comparable to the cost of adopting commercial texts, regardless of the commercial model used.

In Illinois, more than 38,000 students are benefiting from OpenStax textbooks in the current school term, in 581 courses across 210 higher education institutions and high schools.

And our course offerings and faculty adoptions continue to grow. We've recently been selected by the Texas Higher Education Coordinating Board to create and publish a comprehensive free online curriculum for nursing education programs. This new series will reduce the high cost of course materials that is recognized as a significant barrier to entering the nursing profession.

We do all this because we know that free, high-quality instructional materials improve equity and access in all areas of higher education, a goal that we know you share.

Our main concern with the draft is the theme that OER and "inclusive/equitable access" are equivalent, or to quote the draft, "not mutually exclusive 'as a rule'". In theory, that may be true, and in fact OpenStax has provided materials through some inclusive access programs in the past.

But in current practice, inclusive/equitable access programs diminish or eliminate the benefits of zero textbook-cost courses for students, often include barriers to adoption of OER by faculty, and encourage or enforce a digital-only model which many students do not prefer.

1.) As per-course fee ("equitable access") programs are currently structured, savings from faculty adoption of OER go to the vendor, not to students or the institution. The vendor has zero cost of materials for that course or course section, but continues to charge the same per-course fee. We are not aware of any institutional agreements that require those substantial savings to be passed on to students through a reduced per-course fee.

This is hardly "equitable". Why should students pay for free materials? Moreover, why would any professor make the effort to create OER, or to search the OER repository for appropriate free materials, if their students get no direct benefit?

The State of West Virginia recognized this shortcoming of equitable access programs and provided a statutory solution in HB 4355, passed during its 2022 legislative session. The law prohibits state higher education institutions from assessing a per-course or per-credit instructional materials fee:

" ... for a course or course section for which all required educational materials are generally available at no cost in at least one form to the student, such as:

(A) an open educational resource material;

(B) digital materials available at no cost through a multi-user license held by the institution's library; or

(C) other materials generally available at no cost and without limitation to all students enrolled in the course or course section."

In the absence of such a policy, equitable access programs discourage with the adoption of OER.

2.) Institutions that adopt inclusive/equitable access arrangements increasingly require that all instructional materials be provided through the vendor's electronic platform, even if they are otherwise free or faculty-produced. Faculty have reported to us that this makes it difficult to adopt materials that are not already provided by the vendor through the platform. This limits faculty choice and conflicts with the free provision of OER, since students are often assessed fees for the use of the mandatory platform, even when accessing free materials.

3.) The draft report highlights that a substantial percentage of students still prefer to use printed materials. For example:

"Forty-two percent of all Illinois student survey respondents (all MAP grant recipients who are lower-income students) reported their preferred course material format was traditional print textbooks."

But options for print copies of materials in inclusive/equitable access programs are often limited, when they exist at all. And printing from digital copies is heavily restricted or prohibited.

It is the stated goal of major commercial publishers to limit the number of print copies that they will sell, or to eliminate print completely. This is a sensible business decision for the publishers, as reselling of used print copies on the Internet has substantially cut into publisher earnings. But by limiting or eliminating print, publishers limit student options to use the materials best suited to their educational success.

By contrast, OER is free to print, in whole or in part, using any method the student or instructor chooses. OpenStax offers a low-cost print option, but we in no way restrict printing to just that option (nor can we, under the terms of an open license). A student, instructor or institution may print or copy OER in whatever way they want, and may edit or rearrange it to suit their needs.

For these and other reasons, we believe that inclusive/equitable access programs, as currently marketed and implemented, are mutually exclusive with the continued robust growth of OER. While we believe it is possible to develop an inclusive/equitable access program that would encourage the continued expansion of OER and the benefits it brings to students, we do not see a commercial incentive for textbook vendors to do so.

That leaves it up to higher education institutions, with appropriate support from their governing bodies, to make sure that student equity and access are placed first when agreeing to any textbook sales program. As part of that, institutions must make sure their participation in such a program does not diminish the impact or momentum of the substantial investments in OER made by faculty, institutions, governments and philanthropy.

We ask that you consider these concerns in the final version of your report.

Thank you again for your hard work on this important topic, and for your consideration of our comments.

Sincerely,

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