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February 1, 2023

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

VIA EMAIL: [ISAC.CCMTaskForce@Illinois.gov](mailto:ISAC.CCMTaskForce@Illinois.gov)

Dear Illinois CCM Task Force:

Thank you for the opportunity to provide comments on the Task Force's draft College Course Materials Affordability and Equitable Access Collaborative Study and for the opportunity to present to the Task Force during its May 2022 meeting. SPARC is a non-profit advocacy organization that supports systems for research and education that are open by default and equitable by design. Our membership includes more than 240 academic and research libraries across North America, including eight members in the state of Illinois.

We recognize that this study was a significant undertaking and acknowledge the extensive work that went into compiling this draft report. Our comments are focused on addressing several areas that would benefit from further elaboration, clarification, and transparency.

#### 1. Use of the Term "Equitable Access"

Our first concern is the Task Force's interpretation of the term "equitable access." Throughout the draft report, "equitable access" is used interchangeably with "equitable access program" to refer to a procurement model that charges students a flat fee for access to all of their course materials. However, this is not consistent with how the term "equitable access" is used in Public Act 102-0122. The law specifies that the Task Force's duties are to "examine the cost-saving methods and practices ... for improving students' equitable first-day-of-class access to required course materials..." Nowhere in the law is

“equitable access” used to suggest a specific model, nor does it even appear on the list of models the Task Force is explicitly charged with studying.

This is a crucial misunderstanding. By equating the broader concept of “equitable access” with the procurement model sometimes known by that name, the draft report misses critical elements of what it means to provide truly equitable access. Students’ ability to access course materials is affected by a multitude of factors, including whether they have reliable internet access, whether they have an up-to-date digital reading device, what disability accommodations they may need, what their format preferences are, or how heavily their finances rely on being able to shop around for the cheapest option. While it might be said that “equitable access programs” offer *equal* day one access, the concept of *equity* recognizes that not all students arrive on day one with equal circumstances and have different needs. A flat fee program might make the same digital materials available to everyone, but some students face additional barriers that make access *inequitable*.

We recommend that the final report clearly articulate the definition of “equitable access” and expand its examination of cost-saving models to address other barriers that impact students. We also urge the Task Force to replace the term “equitable access programs” with something more suitable in order to eliminate confusion. We suggest something descriptive such as “flat-fee programs” that can help readers distinguish this model from others discussed in the report.

## 2. Overemphasis on Procurement Models

Another overarching concern we have about the report is its central focus on procurement models, as opposed to strategies that can effectively reduce or eliminate costs. The high cost of textbooks is not a procurement problem; it is a market problem. The textbook market does not operate like a normal consumer market because students are captive consumers. Once a faculty member assigns a textbook, the student *must* buy it—regardless of how much it costs. While faculty have become more conscious of the cost of materials to students, not having to buy the materials themselves inevitably means there is an information imbalance that diminishes the role of price in decisions.

This market dynamic is the root cause of skyrocketing prices over the previous three decades, and it is not effectively addressed by any of the procurement models discussed in the draft report. In fact, they exacerbate it. Under the status quo (or “self-procurement” model), students at least have the agency to shop around for lower prices and other format

options. Inclusive access and flat-fee (“equitable access”) models take even that limited range of choice away from students, making them an even more captive market. On the faculty side of the equation, flat-fee programs dramatically reduce the incentive to consider less expensive materials, since there is no direct benefit to their own students.

If the goal is to save students money and provide equitable access on day one, procurement changes can only go so far. As SPARC noted in our presentation to the Task Force, the savings from procurement-central models like inclusive access come from charging students for a different *format* of the material, not from actually replacing an expensive material with a more affordable one. In fact, the bulk of the savings achieved through inclusive access are already available to students through the self-procurement model; unlike used books that have a limited supply, any student who wants an e-textbook from a major publisher can already buy one. However, as the report’s student survey data shows, a large number of students still make the choice to use print or are successful in finding a cheaper option on the secondary market. To the extent inclusive access saves these students money, it does so more by *preventing* their purchase of print than *offering* them a better option. Even if campuses are able to negotiate discounts off of market e-textbook prices, it does nothing to change the underlying dynamic of the market, and discounts will become meaningless if the publishing industry resumes its historical rate of price increases.

Of the primary cost-saving methods the report discusses, only OER offers a way to directly address the root of the problem by offering students free, high-quality options. We strongly recommend that the report explain the structural problems with the textbook market and analyze each of the cost-saving models through that lens.

### 3. Characterization of OER Implementation Costs

The report’s discussion of the costs associated with OER on pages 17 and 80-83 would benefit from clarification on several points.

While the report correctly identifies that some institutions devote resources to the development and maintenance of OER, these costs are fundamentally different than those associated with other models. Unlike traditional textbooks, OER do not need any complex procurement infrastructure or permissions clearance. For example, the largest publisher of open textbooks, OpenStax, publishes titles in dozens of high enrollment subjects that are openly licensed and used by thousands of faculty and millions of students for free. These

OER textbooks are maintained by OpenStax and look, feel, and act just like an expensive traditional textbook, right down to an ISBN that faculty can provide the bookstore for optional print copies. Similarly, the University of Minnesota's Open Textbook Library maintains a catalog of more than 1,000 open textbooks that can be used by faculty anywhere. In these cases, the process of adopting OER is just like any other textbook.

The most common type of costs associated with OER are strategic up-front investments in expanding their creation, adaptation, or use. The Achieving the Dream OER Degree grant program referenced in the report is an excellent example of how such up-front investments in eliminating textbook costs can pay off in substantial savings over time. There are also excellent examples of this type of investment from Illinois institutions included elsewhere in the report. The difference between OER investments and other costs is that once implemented, OER can be used by students for free in perpetuity. That is in contrast to an inclusive access model, where each new class of students will buy the textbook over and over every semester, and the ongoing costs stack up quickly.

We recommend updating the report's coverage of OER implementation costs to make it clearer that OER does not necessitate any cost to the institution, and that the typical costs institutions do incur are strategic, voluntary, upfront investments, as opposed to long term or recurring costs. For the costs reported in the survey, it is essential to distinguish between those that are truly OER-specific and those that would be incurred regardless of the type of resource used. For example, it may appear that switching to an open textbook requires faculty to do a lot of work, but most if not all of the work is simply because they are switching to a new textbook at all, not because the textbook is OER. If this is not known, we encourage the Task Force to publish the survey instrument, as the exact wording of the question would provide helpful insight on this and other points.

#### 4. Transparency in Task Force Membership

Finally, we would like to raise two concerning issues with the Task Force's membership. As we and others have noted, the sole position designated for a student (the Student Advisory Committee member) has been listed as "pending" since the Task Force's inception. As the constituency most affected by the decisions made by the Task Force, students clearly ought to have a seat at the table, and the lack of a confirmed student Task Force member during meetings and the drafting of this report is a significant concern. Additionally, it appears that a seat intended for a representative from an Institution of Higher Learning was instead filled by a member affiliated with the publishing company McGraw-Hill. This is on top of

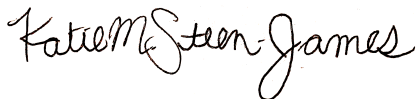
three other Task Force seats held by large publishers and their trade association. We strongly encourage that the final report explain the reason for these discrepancies, along with any steps taken to address the potential for bias arising from the absence of a student member and overrepresentation of publishing companies on the Task Force.

Thank you again for the opportunity to submit these comments. We hope you will consider our recommendations as the Task Force completes the final report.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Starr Allen". The signature is fluid and cursive, with the first name being the most prominent.

Nicole Starr Allen  
Director of Open Education

A handwritten signature in black ink, appearing to read "Katie M. Steen-James". The signature is cursive and includes a middle initial.

Katie M. Steen-James  
Manager of Public Policy & Advocacy