

# FINAL BILL REPORT

## E2SHB 1561

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### PARTIAL VETO C 268 L 18 Synopsis as Enacted

**Brief Description:** Concerning open educational resources.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Frame, Pollet, Doglio, Kloba, Bergquist, Kilduff, Stanford, Dolan, Peterson, Stonier, Senn, Slatter, Fey, Lovick, Macri, Tarleton, Tharinger, Sawyer, Goodman and Farrell).

**House Committee on Higher Education**  
**House Committee on Appropriations**  
**Senate Committee on Higher Education**  
**Senate Committee on Ways & Means**  
**Senate Committee on Higher Education & Workforce Development**

#### **Background:**

##### Open Educational Resources.

Open educational resources (OER) are educational materials and resources that are free and available for use by anyone. Some resources are under license to remix, improve, and redistribute. The OER include full courses, course materials, learning objectives, software, and intellectual property licenses, among other things.

##### K-12 Open Educational Resources Project.

In 2012 the Legislature passed Engrossed Second Substitute House Bill 2337 which required the Office of Superintendent of Public Instruction (OSPI) to take the lead in developing new, or identifying existing, openly licensed courseware aligned with the Common Core State Standards and license it under an attribution license. The project also required the OSPI to advertise the availability of openly licensed courseware, identify an open courseware repository, and provide associated professional development programs. Under the project, the OSPI has: expanded the Reviewed OER library; created a Washington Hub on OER Commons; established a grant program to support K-12 districts adapt, develop, or implement OER; hosted OER summits; delivered OER awareness presentations; joined the #GoOpen Initiative; and developed an OSPI Copyright and Open Licensing Policy. The project is set to expire June 30, 2018.

##### Washington State Institute for Public Policy.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Washington State Institute for Public Policy (WSIPP) is a nonpartisan research organization that carries out research at the direction of the Legislature or the Board of Directors. The WSIPP produces reports on a variety of topics of interest to the state and estimates benefit-cost analyses for a variety of state programs.

**Summary:**

Higher Education Open Educational Resources Grant Pilot Program.

A higher education OER Grant Pilot Program (Program) is created. The Student Achievement Council (Council) must administer the Program for the public, four-year institutions of higher education. The grants must be used for either one or both of the following: (1) to create a designated campus coordinator who will be the campus lead and centralized contact regarding OER; or (2) to support faculty to adopt and modify, or create new OER. Grants cannot be used to duplicate the OER that are already free and publicly used. The Council must develop an application form and processes for selecting applicants, for awarding grant funding, and for the grant awardee to report back on the use of the grant. The Council must prioritize applicants that estimate the highest cost reduction to students and determine how many grants may be awarded based on funding received.

The Council must also conduct outreach to other states and higher education agencies to identify whether there is interest in establishing a multistate OER network to establish a platform for peer review, coordinating, and sharing of OER.

The Council must report to the Legislature by December 1, 2019, on the OER Grant Pilot Program and on the outreach conducted regarding a multistate OER network. The report must include the following information:

- number of grant applications received;
- number of grants awarded;
- evaluation of how the grants were used to expand OER use; and
- how the Council conducted outreach to other states and their feedback on the concept of a multistate OER network.

Campus coordinator and OER are both defined.

Washington State Institute for Public Policy Study.

By December 1, 2019, the WSIPP must conduct a study on the cost of textbooks and course materials, and on the use of OER at the four-year institutions of higher education. The study is to address the types of costs, and average cost per student, for required textbooks and course materials, including digital access codes and bundled items, and in specific degree programs. The study must also review OER use at the institutions and in specific degree programs, courses, or both.

K-12 Open Educational Resources Project.

The K-12 OER Project expiration date is removed, and the project is made permanent.

**Votes on Final Passage:**

House 64 34

House 72 24  
Senate 49 0 (Senate amended)  
House 81 17 (House concurred)

**Effective:** June 7, 2018

**Partial Veto Summary:** The Governor vetoed the null and void clause.