

# HOUSE BILL REPORT

## HB 1701

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**As Reported by House Committee On:**  
College & Workforce Development  
Appropriations

**Title:** An act relating to notifying students of courses with low-cost instructional materials and open educational resources at the four-year institutions of higher education.

**Brief Description:** Notifying students of courses with low-cost instructional materials and open educational resources at the four-year institutions of higher education.

**Sponsors:** Representatives Van Werven, Leavitt, Sutherland, Entenman, Rude, Kraft, Gildon, Young, Jinkins, Bergquist, Doglio and Fey.

**Brief History:**

**Committee Activity:**

College & Workforce Development: 2/5/19, 2/8/19 [DPS];  
Appropriations: 1/30/20, 2/6/20 [DP2S(w/o sub CWD)].

**Brief Summary of Second Substitute Bill**

- Requires the universities, regional universities, and The Evergreen State College to designate whether course materials are "low-cost" in their online course descriptions.

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### HOUSE COMMITTEE ON COLLEGE & WORKFORCE DEVELOPMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Hansen, Chair; Entenman, Vice Chair; Leavitt, Vice Chair; Van Werven, Ranking Minority Member; Gildon, Assistant Ranking Minority Member; Graham, Assistant Ranking Minority Member; Bergquist, Kraft, Paul, Pollet, Ramos, Rude, Sells, Slatter, Sutherland and Young.

**Staff:** Megan Mulvihill (786-7304).

**Background:**

Affiliated Bookstores.

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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.*

Bookstores affiliated with public higher education institutes have certain requirements relating to the sale of course materials, such as textbooks and access codes to homework websites. Affiliated bookstores must sell unbundled books, disclose the cost of materials to faculty and staff, disclose how new editions vary from previous editions, and promote book buy-back programs. Finally, with some exceptions, students must be provided with information on required course materials including title, authors, edition, price, and the International Standard Book Number (ISBN) four weeks before the start of the class.

Faculty and staff take into account cost when assigning course materials such as adopting the least expensive edition, free or open textbooks when available, or working with librarians to use free online and library resources.

#### Open Educational Resources.

Open Educational Resources (OER) are teaching and learning materials that are freely available to students, educators, and the general public. The OER are openly licensed so others may adopt or reuse material for their own purpose. These resources may be retained, reused, revised, remixed, and redistributed. Many OER use licenses to indicate how the resource may be used. Creative commons licenses allow the author to provide for how the resource should be cited, adapted, redistributed, and whether it may be used for commercial purposes.

Various online databases provide students and educators access to the OER. The State Board for Community and Technical Colleges (SBCTC) created the Open Course Library, an online database which makes available digitally shareable course material including syllabi, course activities, readings, and assessments.

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#### **Summary of Substitute Bill:**

The state universities, regional universities, and The Evergreen State College must designate in their online course descriptions which students use to register, whether a course uses the OER or low-cost required instructional materials. A course uses low-cost instructional materials if the entire cost of the required materials equals \$50 or less. Universities may designate whether the course uses low-cost materials or OER at a later date than registration if, at the time of registration, the faculty member has not yet been assigned to the course.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill modifies the time at which universities must designate whether the required course materials are low-cost or use the OER if the faculty member has not yet been assigned at the time of registration.

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**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Many students in Washington's public institutions are from low-income families. By designating whether the course uses the OER or low-cost instructional materials, it empowers students to seek out classes that meet their educational needs.

(Opposed) None.

**Persons Testifying:** Representative Van Werven, prime sponsor; and Jeremy Mohn, The Evergreen State College.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on College & Workforce Development. Signed by 33 members: Representatives Ormsby, Chair; Robinson, 1st Vice Chair; Bergquist, 2nd Vice Chair; Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Caldier, Chandler, Chopp, Cody, Corry, Dolan, Dye, Fitzgibbon, Hansen, Hoff, Hudgins, Kilduff, Kraft, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Schmick, Senn, Springer, Steele, Sullivan, Sutherland, Tarleton, Tharinger and Ybarra.

**Staff:** Kate Henry (786-7349).

**Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On College & Workforce Development:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date of Second Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Testifying on behalf of all six public baccalaureate institutions, many institutions already meet the spirit of the bill, and acknowledge the importance of the costs associated with course materials. Almost half of the students at The Evergreen State College come from families below the federal poverty level. Staff and faculty currently collaborate to ensure

course materials are available on reserve in the library in addition to classes using open educational resources through the bookstore website.

(Opposed) None.

**Persons Testifying:** Jeremy Mohn, The Evergreen State College.

**Persons Signed In To Testify But Not Testifying:** None.