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AB-607 Public postsecondary education: course materials. (2023-2024)

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Assembly Bill No. 607

CHAPTER 660

An act to amend, repeal, and add Section 66406.9 of the Education Code, relating to public postsecondary education.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 607, Kalra. Public postsecondary education: course materials.

Existing law requires each campus of the California Community Colleges and the California State University, and requests each campus of the University of California, to clearly highlight the courses that exclusively use digital course materials, as specified, and clearly communicate to students that the course materials for these courses are free of charge and therefore not required to be purchased.

This bill would, commencing July 1, 2024, require each campus of the California Community Colleges and the California State University, and request each campus of the University of California, to prominently display the estimated costs for each course of all required course materials and fees directly related to those materials, for no less than an annually increasing percentage, up to 75% by January 1, 2028, of the total number of courses on the online campus course schedule for which a faculty member or course instructor has been assigned. The bill would define, for purposes of this requirement, "course materials" to include digital or physical textbooks, devices such as calculators and remote attendance platforms, and software subscriptions. By imposing new duties on community college districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66406.9 of the Education Code is amended to read:

66406.9. (a) Each campus of the California Community Colleges and the California State University shall, and each campus of the University of California is requested to, do both of the following:

- (1) (A) Clearly highlight, by means that may include a symbol or logo in a conspicuous place on the online campus course schedule, the courses that exclusively use digital course materials that are free of charge to students and may have a low-cost

option for print versions.

(B) The digital course materials described in subparagraph (A) may include open educational resources, institutionally licensed campus library materials that all students enrolled in the course have access to use, and other properly licensed and adopted materials. Each campus of the California State University, each participating campus of the University of California, and each community college district shall ensure that these materials comply with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Copyright Act of 1976 (Public Law 94-553).

(2) Clearly communicate to students that the digital course materials used for the courses identified pursuant to paragraph (1) are free of charge and therefore not required to be purchased.

(b) For purposes of this section, the following terms have the following meanings:

(1) "Course schedule" is a collection of available classes, course sections, or both, published electronically, before the start of an academic term.

(2) "Open educational resources" are high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license, such as a Creative Commons license, that permits their free use and repurposing by others, and may include other resources that are legally available and free of cost to students. "Open educational resources" include, but are not limited to, full courses, course materials, modules, textbooks, faculty-created content, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.

(c) This section shall become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed.

SEC. 2. Section 66406.9 is added to the Education Code, to read:

66406.9. (a) Each campus of the California Community Colleges and the California State University shall, and each campus of the University of California is requested to, do all of the following:

(1) (A) Clearly highlight, by means that may include a symbol or logo in a conspicuous place on the online campus course schedule, the courses that exclusively use digital course materials that are free of charge to students and may have a low-cost option for print versions.

(B) The digital course materials described in subparagraph (A) may include open educational resources, institutionally licensed campus library materials that all students enrolled in the course have access to use, and other properly licensed and adopted materials. Each campus of the California State University, each participating campus of the University of California, and each community college district shall ensure that these materials comply with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Copyright Act of 1976 (Public Law 94-553).

(2) Clearly communicate to students that the digital course materials used for the courses identified pursuant to paragraph (1) are free of charge and therefore not required to be purchased.

(3) Prominently display, by means that may include a link to a separate internet web page, the estimated costs for each course of all required course materials and fees directly related to those materials, for no less than 40 percent by January 1, 2025, 55 percent by January 1, 2026, 65 percent by January 1, 2027, and 75 percent by January 1, 2028, of the total number of courses on the online campus course schedule for which a faculty member or course instructor has been assigned. "Course materials" as used in this paragraph includes digital or physical textbooks, devices such as calculators and remote attendance platforms, and software subscriptions.

(b) For purposes of this section, the following terms have the following meanings:

(1) "Course schedule" is a collection of available classes, course sections, or both, published electronically, before the start of an academic term.

(2) "Open educational resources" are high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license, such as a Creative Commons license, that permits their free use and repurposing by others, and may include other resources that are legally available and free of cost to students. "Open educational resources" include, but are not limited to, full courses, course materials, modules, textbooks, faculty-created content, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.

(c) This section shall become operative on July 1, 2024.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

