

**BOARD OF HIGHER EDUCATION**  
**REQUEST FOR COMMITTEE AND BOARD ACTION**

**COMMITTEE:** Academic Affairs

**NO.:** AAC 20-03

**COMMITTEE DATE:** October 15, 2019

**BOARD DATE:** October 22, 2019

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**RECEIPT OF THE COMMISSIONER'S OPEN EDUCATIONAL RESOURCES (OER) WORKING GROUP FINAL REPORT & RECOMMENDATIONS**

**MOVED:** The Board of Higher Education receives the final report and recommendations of the Commissioner's Open Educational Resources Working Group.

The Board thanks the members of the Working Group, including co-chairs Marilyn Billings of the University of Massachusetts Amherst and Susan Tashjian of Northern Essex Community College, and DHE lead staff Robert Awkward, Ph.D. for their work. The Working Group's findings and recommendations provide a wealth of information about open educational resources issues, challenges, and practices.

The Board directs the Commissioner to continue to work with key stakeholders, including faculty, staff, administration, students, legislators and the leadership at our institutions of public higher education, to implement the short-term recommendations in the report. Further, the Board asks the Commissioner to conduct additional research, coordination, and due diligence on the mid-term and long-term recommendations in the report and to develop a plan of actionable items for Board consideration, as he may deem appropriate. The Board further directs the Commissioner or his/her designee to periodically report back to the Board on the Department's progress in this regard.

**VOTED:** Motion adopted by AAC 10/15/2019; adopted by BHE 10/22/2019.

Authority: M.G.L. c. 15A, §9(c) and (u)

Contact: Patricia A. Marshall, Ph.D., Deputy Commissioner for Academic Affairs & Student Success

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## Background

The Open Educational Resources (OER) Working Group was created by Commissioner of Higher Education Carlos E. Santiago in November 2018 to:

- a) address the growing legislative interest to identify lower cost educational resources for Massachusetts students;
- b) address public higher education "Big Three" goals through broader utilization of OER;
- c) identify and address the issue of equity of access and participation in higher education for underserved, low-income, and first-generation students, especially students of color;
- d) foster instructional effectiveness while lowering costs for students.

Open educational resources (OER) are any public and free teaching, learning, and research materials in any medium, which exist with an open license and that allows for access, use, adaptation, and redistribution by others with no or limited restrictions. OER enables faculty to replace costly textbooks and supplemental materials, if they so choose, which saves students significant costs of attending public higher education while still providing a quality educational experience. OER is a growing national effort that is serving as a disruptor to the oligopoly of textbook publishers that have enabled the cost of textbooks to rise 88% over the last decade (*OER State Policy Playbook*, 2018). Given the Commissioner's desire to increase access and affordability, OER can play a significant role in lowering student costs; especially for under-served students.

The OER Working Group was comprised of faculty, librarians, administrators, students and external representatives (i.e., campus bookstore manager, employer representative, and a union representative) from twelve institutions across the Commonwealth. It was important to have broad representation of people with expertise in OER, teaching, academic technology, academic support, and diversity as well as external stakeholders. The co-chairs were Marilyn Billings, Head, Office of Scholarly Communications, University of Massachusetts (UMass) Amherst and Susan Tashjian, Coordinator of Instructional Technology, Northern Essex Community College.

In preparation for the OER Working Group kickoff meeting, an OER prevalence survey was developed and conducted by the Massachusetts Department of Higher Education (DHE) and the UMass Amherst OER Consortium. There was a 100 percent response rate to the survey that provided important baseline information for the OER Working Group and the UMass OER Consortium. The survey results guided the development of regional OER training for faculty.

The OER Working Group met three times as a committee of the whole and created five sub-committees that met several times between November 2018 and April 2019 in order to identify key issues, to conduct research, and to generate recommendations. The sub-committees were as follows: Faculty Development, Infrastructure, Marketing Communications, Policy & Legislative, and Stakeholders. We were also fortunate to have assistance from other experts in the field, most notably Nicole Allen, Director of Education for Scholarly Publishing and Academic Resources Coalition (SPARC), a national OER advocacy organization, and Matt Noyes, Director of Trustee & Government Relations at the DHE.

A draft full report was shared with the Academic Affairs Committee on Tuesday, April 30, 2019 from which was received very useful and constructive feedback that was incorporated throughout the report over the summer. In addition, the draft full report was shared with the 28 public institutions of higher education for their review and feedback on August 29, 2019. They were given until September 20, 2019 to return any feedback. Only one institution responded, Bristol Community College, who commended the Department of Higher Education for their leadership of this work since it echoed much of the work they were already doing.

As a result of our work, the Working Group proposes the following time-based strategies and recommendations for consideration by the Board of Higher Education as the ways and means to increase the adoption and utilization of OER across public higher education in Massachusetts.

## **RECOMMENDATIONS**

### **Short-Term**

#### **Recommendation 1: Adopt a Statewide Definition and Guiding Principles for OER**

Given the proliferation of definitions and multiple interpretations of the term “OER,” it is critical to establish a common definition for OER in Massachusetts. This is especially true as many textbook publishers are offering low-cost solutions. Although low-cost is better than expensive options, it is not better than no cost of which there exists an abundance of quality alternatives. After clarifying what is meant by OER, the next step is to promulgate that definition across the Commonwealth so there is consistency across the system of public higher education.

Accordingly, the OER Working Group recommends the OER definition adopted by United Nations Educational, Scientific & Cultural Organization (UNESCO) that best defines what we believe is the best fit for Massachusetts:

*Open Educational Resources (OER) are teaching, learning and research materials in any medium – digital or otherwise – that reside in the public domain or have been released under an open license that permits no-cost access, use, adaptation and redistribution by others with no or limited restrictions.*

While a comprehensive policy framework will eventually be required, it will need to be delivered over time. We also advocate that such policies adhere to the following guiding principles:

- Ensure that policies are designed to encourage and support OER use, not mandate or pressure it;
- Consider speaking to faculty leaders in advance to communicate the intent to respect academic freedom; and
- Consider including language that recognizes that legislation should not be construed to infringe on academic freedom or the right of faculty to select course materials.

These guiding principles will ensure that policies developed will support the advancement of OER utilization and minimize barriers that could impede that increased utilization.

## **Recommendation 2: Establish Statewide Coordination and Support for OER**

- A. Establish a statewide advisory council comprised of a representative from each of the 28 institutions of public higher education which will serve to:
  - Advise and influence the development of subsequent OER public higher education policy;
  - Advocate at the statewide and campus-level for the use of OER;
  - Provide a forum for the sharing of best practices, knowledge and information;
  - Assist each of the other campuses with OER implementation;
  - Work with the designated office/person to develop and implement the mid-term and long-term recommendations; and
  - Develop a marketing and education plan for statewide utilization.
  
- B. Designate an office/person within DHE who will:
  - Convene the statewide OER advisory group to share best practices and provide education and training;
  - Influence the development of OER policy;
  - Identify funding sources (i.e., federal, corporations and foundations); and
  - Coordinate with other state, regional and national OER organizations

## **Recommendation 3: Designate OER Courses in Course Management Systems**

OER courses should be designated in the course management systems for all public higher education so that the use of OER may be encouraged by faculty and students, and tracked and reported.

## **Recommendation 4: Enable, Activate, and Support Student Advocacy for OER**

The DHE should continue to partner with students, especially the Student Advisory Council, to support student advocacy for OER.

### **Mid-Term**

## **Recommendation 5: Share and Encourage Faculty Development Best Practices**

The full report provides a range of recommendations that will provide faculty with the resources and tools they need to encourage and support greater adoption of OER.

In addition, a consistent, diverse, unified, high-quality source of OER education led and funded by the state – in addition to resources allocated through the Performance Incentive Fund (PIF) - would result not only in increased awareness and expertise, but would also lead to greater collaboration and information sharing among all institutions of public higher education. The additional funding would also be used to design and deliver statewide training for faculty, policy development, national/regional/state coordination, and for campus-level course development using one-time faculty grants.

## **Recommendation 6: Actively Promote the Use of OER in Graduate & Continuing Education to Meet Employers' Workforce Development Needs**

Provide OER solutions that are free and openly-licensed, which will keep the overall costs of delivering training and education lower, so that continuing education students (matriculating and workforce development) can have more of their tuition bill reimbursed by employers' tuition reimbursement plans. That is, if the employer can spend less money reimbursing textbooks and supplemental learning materials, they will have more funds to spend on tuition reimbursement.

### **Recommendation 7: Support and Expand a Unified Repository to Make the Discovery of Local Content Easier**

Findability and hosting issues will only be solved with a combination of faculty and staff education and outreach. Instead of creating another statewide OER database, this statewide OER initiative presents a perfect opportunity to foster cross-segment collaboration. Specifically, the Massachusetts Community Colleges have developed an OER Hub using federal Trade Adjustment Assistance Community College and Career Training grant funds (also known as TAACCCT) that is currently housed at Middlesex Community College and is only utilized by community colleges, but could also be utilized by four-year institutions.

### **Long-Term**

### **Recommendation 8: Address Issues Related to Technology and Access**

The full report provides several alternative solutions that could be employed to address the issue of students' ability to access OER learning materials in hardcopy format.

In addition, the OER Working Group wishes to explore how the Executive Office of Education or the Massachusetts Legislature could provide institutions access to resources, such as operating or capital funds for investments in technology. This approach would allow institutions to increase their technology capability and capacity. Typically, increases in technology spending are reflected in increased technology fees to students. However, increasing technology fees to students ultimately would offset student savings from the utilization of OER. A reliable wireless network, high broadband connectivity, and a solution that provides students with regular access to a device is key to providing equitable access to OER.

### **Recommendation 9: Recognize and Advance Open Educational Resources in Faculty Tenure and Promotion**

In order to encourage more adoption and creation of OER, it is advisable for faculty to become formally recognized for engaging in OER activities in the tenure and promotion process. Faculty, not unlike any other professionals, focus on the work for which they are recognized and rewarded. If there is a long-term desire to encourage more faculty to adopt OER and to develop OER textbooks and ancillary learning materials, then this work must ultimately be formally recognized as scholarship or service valued by the institution. This currently occurs on a case-by-case and institution-by-institution basis. Of course, it is understood that it will take time to address institutional culture, policy, and collective bargaining agreements.

### **CLOSING**

The OER Working Group Final Report includes findings and recommendations to address barriers to increasing the use of OER and opportunities to expand the use of these resources at our public

institutions of higher education. Adoption and implementation of these ideas as guided by the recommended timeframes will provide the necessary underpinnings of and foundation for advancing and deepening the utilization of OER in the Commonwealth.