



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4924

Introduced 2/18/2020, by Rep. Grant Wehrli

SYNOPSIS AS INTRODUCED:

110 ILCS 205/9.39 new
110 ILCS 805/2-27 new

Amends the Board of Higher Education Act and the Public Community College Act. Requires the governing board of each public university and community college district to annually submit to the Board of Higher Education or the Illinois Community College Board a plan to expand the use of open educational resources, open textbooks, and commercial digital learning materials in order to achieve savings for students enrolled in the institution of higher education. Requires the Board of Higher Education and the Illinois Community College Board to review the plans and report their findings and recommendations to the General Assembly. Effective June 1, 2020.

LRB101 18408 NHT 67856 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Board of Higher Education Act is amended by
5 adding Section 9.39 as follows:

6 (110 ILCS 205/9.39 new)

7 Sec. 9.39. Open educational resources report.

8 (a) As used in this Section:

9 "Open copyright license" means a world-wide, royalty-free,
10 non-exclusive, perpetual, irrevocable copyright license
11 granting the public permission to access, reproduce, publicly
12 perform, publicly display, adapt, distribute, and otherwise
13 use a work and adaptations of the work for any purpose,
14 conditioned only on the requirement that attribution be given
15 to authors as designated.

16 "Open educational resource" means a teaching, learning, or
17 research resource that is offered freely to users in at least
18 one form and that either resides in the public domain or has
19 been released under an open copyright license that allows for
20 its free use, reuse, modification, and sharing with
21 attribution.

22 "Open textbook" means an open educational resource or set
23 of open educational resources that either is a textbook or can

1 be used in place of a textbook for a postsecondary course at an
2 institution of higher education.

3 (b) Within one year after the effective date of this
4 amendatory Act of the 101st General Assembly, the Boards of
5 Trustees of the University of Illinois, Southern Illinois
6 University, Chicago State University, Eastern Illinois
7 University, Governors State University, Illinois State
8 University, Northeastern Illinois University, Northern
9 Illinois University, and Western Illinois University, after
10 consultation with faculty members at their universities, shall
11 annually submit to the Board of Higher Education a plan to
12 expand the use of open educational resources, open textbooks,
13 and commercial digital learning materials in order to achieve
14 savings for students enrolled in their universities. The plan
15 may include strategies employed by the university during the
16 previous academic year.

17 (c) The Board shall review the plans submitted by the
18 Boards of Trustees to ensure that each plan has the potential
19 to:

20 (1) achieve the highest level of savings for students
21 through the sustainable and expanded use of open textbooks
22 in courses offered by the university;

23 (2) produce the highest quality open textbooks that can
24 be most easily utilized and adapted by faculty members at
25 the university and that correspond to the highest
26 enrollment courses at the institution;

1 (3) ensure that the full and complete digital content
2 of each open textbook created or adapted in accordance with
3 the plan is made available to students enrolled in the
4 university:

5 (A) on the university's college bookstore website
6 in an easily accessible location; and

7 (B) in a machine readable, digital format that a
8 student can download;

9 (4) ensure that the university is making a good faith
10 effort to provide open educational resources and open
11 textbooks to students; and

12 (5) provide for the implementation of programs that
13 reduce the cost of commercial digital learning materials.

14 (d) The Board shall, in consultation with the Illinois
15 Community College Board, report its findings and
16 recommendations concerning open educational resource programs
17 to the General Assembly by filing electronic or paper copies of
18 its report by December 31 of each year as provided in Section
19 3.1 of the General Assembly Organization Act. The first report
20 shall be filed no later than December 31, 2021.

21 Section 10. The Public Community College Act is amended by
22 adding Section 2-27 as follows:

23 (110 ILCS 805/2-27 new)

24 Sec. 2-27. Open educational resources report.

1 (a) As used in this Section:

2 "Open copyright license" means a world-wide, royalty-free,
3 non-exclusive, perpetual, irrevocable copyright license
4 granting the public permission to access, reproduce, publicly
5 perform, publicly display, adapt, distribute, and otherwise
6 use a work and adaptations of the work for any purpose,
7 conditioned only on the requirement that attribution be given
8 to authors as designated.

9 "Open educational resource" means a teaching, learning, or
10 research resource that is offered freely to users in at least
11 one form and that either resides in the public domain or has
12 been released under an open copyright license that allows for
13 its free use, reuse, modification, and sharing with
14 attribution.

15 "Open textbook" means an open educational resource or set
16 of open educational resources that either is a textbook or can
17 be used in place of a textbook for a postsecondary course at an
18 institution of higher education.

19 (b) Within one year after the effective date of this
20 amendatory Act of the 101st General Assembly, each board of
21 trustees shall, after consultation with faculty members at the
22 community college, annually submit to the State Board a plan to
23 expand the use of open educational resources, open textbooks,
24 and commercial digital learning materials in order to achieve
25 savings for students enrolled in the community college. The
26 plan may include strategies employed by the community college

1 during the previous academic year.

2 (c) The State Board shall review the plans submitted by the
3 boards of trustees to ensure that each plan has the potential
4 to:

5 (1) achieve the highest level of savings for students
6 through the sustainable and expanded use of open textbooks
7 in courses offered by the community college;

8 (2) produce the highest quality open textbooks that can
9 be most easily utilized and adapted by faculty members at
10 the community college and that correspond to the highest
11 enrollment courses at the institution;

12 (3) ensure that the full and complete digital content
13 of each open textbook created or adapted in accordance with
14 the plan is made available to students enrolled in the
15 community college:

16 (A) on the community college's college bookstore
17 website in an easily accessible location; and

18 (B) in a machine readable, digital format that a
19 student can download;

20 (4) ensure that the community college is making a good
21 faith effort to provide open educational resources and open
22 textbooks to students; and

23 (5) provide for the implementation of programs that
24 reduce the cost of commercial digital learning materials.

25 (d) The State Board shall, in consultation with the Board
26 of Higher Education, report its findings and recommendations

1 concerning open educational resource programs to the General
2 Assembly by filing electronic or paper copies of its report by
3 December 31 of each year as provided in Section 3.1 of the
4 General Assembly Organization Act. The first report shall be
5 filed no later than December 31, 2021.

6 Section 99. Effective date. This Act takes effect June 1,
7 2020.