

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HIGHER EDUCATION

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B E F O R E: INEZ D. BARRON
Chairperson

COUNCIL MEMBERS: James Vacca
Fernando Cabrera
Jumaane D. Williams
Laurie A. Cumbo
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A P P E A R A N C E S (CONTINUED)

Vita Rabinowitz, Executive Vice Chancellor and
University Provost
City University of New York, CUNY

Greg Gosselin, Interim University Dean
Libraries and Information Systems
City University of New York, CUNY

Jean Amaral, Assistant Professor
Outreach Librarian & BMCC's Open Alternative
Textbook Program
City University of New York, CUNY

Maura Smale, Chief Librarian and Professor
New York City Tech

Wendy Lader
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Rich Hershman, Vice President
Government Relations
National Association of College Stores

Fatima Arucci
CUNY Delegate & CUNY Student Senate

Jona Kerluku, Vice Chair Fiscal Affairs for the
University Student Senate
CUNY Student Senate

[sound check, pause] [background
comments] [gavel]

CHAIRPERSON BARRON: Good morning. Thank
you for coming. Welcome to today's oversight hearing
on CUNY's efforts to reduce costs associated with
rising textbook prices. My name is Inez Barron,
Council Member Inez Barron, and I'm the Chair of the
Committee on Higher Education. Today's hearing is an
update to an earlier hearing we had on September 30,
2014. During that hearing, I expressed my concerns
regarding students burdened by increasing tuition
costs coupled with high textbook prices. It was
clear the increasing costs of textbooks was forcing
many students to figure out how they could also pay
for required textbooks for their courses.
Unfortunately, since the last hearing, textbook
prices have not decreased. Today, the price of one
textbook can cost \$200 and sometimes as much as \$400.
In fact, according to the Consumer Price Index, CPI,
the price of textbooks rose 181% from 1998 to 2016.
That is a remarkable increase when compared to the
CPI of recreational books, which decreased by 4.2%.
According to the National Association of College
Stores, the average price of a new textbook increased

from \$57 in 2007 to \$82 in 2014. Even the cheaper alternatives to new textbooks, used textbooks, saw their prices increase from \$49 to \$59. Those high textbook costs have forced students to use their financial aid money to buy books. In 2015, a 2015 survey found that 30% of the students indicated that they relied on their financial aid to cover 70% of their textbook expenses. These high textbook prices, have a disproportionate impact on community college students, on community college students where 65% of these students use their financial aid to cover their entire textbook expenses while 50% of the students at four-year colleges use their financial aid to cover their entire textbook expenses. Of the 30% of students using financial aid for their textbook expenses the average amount was over \$300 per semester. In community-in community college, that amount adds up to \$1,200 and \$2,400 at a four-year college. However, that total cost translates to higher interest payments for students who have to borrow money for college. A student in community college who borrows \$1,200 will accrue \$277 in interest while the four-year student who borrow \$2,400 will incur \$555 in interest payments on

average. For a student who is working their way through school, that would have—they would have to work close to 28 hours in a minimum wage job to buy a \$200 textbook. To buy \$600 worth of textbooks per year, that student would have to work an additional two hours per week for the entire year. Those extra hours do not account for the cost of living in addition to other necessary expenses such as food and transportation. In response to the high cost of textbooks, some students opt not to buy textbooks because they simply can't afford it. An overwhelming majority of the students who made this decision, did so while acknowledging that while failing to purchase the required text could have a negative impact on degree. Additionally, students also allowed the price of the assigned textbook to influence their decision on whether to enroll in a particular course or how many courses they were going to take in a semester. Either decision prevents students from taking a full course load, which can result in more years in school and may increase the likelihood that they will not graduate on time or even graduate at all. While CUNY still offers a most affordable college education in the New York City Metropolitan area,

students have had to contend with a 45% increase in tuition at community colleges, and 31% at senior colleges with a 3% increase expected over the next five years. By 2021, students at senior colleges will be paying \$7,330 per year. In addition to tuition, students also have to pay various fees that range from \$15 to \$180. Thus, for community-college CUNY students many of whom come from families making less than \$30,000 a year, expensive textbooks can severely limit their chance of graduating. While students may receive financial assistance via PAL and TAP, these programs are based on a student's family income and are not always enough to cover the full cost of attending college. More notably, not all CUNY students are eligible for financial aid and many have to pay for tuition and expenses associated with going to college out of their pockets. This is one of the main reasons why I criticize Governor Andrew Cuomo's Excelsior Scholarship, which failed to take into account the additional expenses such as textbooks that make it difficult for students to graduate from college. We must do better to ensure students have access to the essential tools they need to succeed. During today's hearing I'm interested in learning

more about CUNY's initiatives to address the increasing costs of textbooks. I'm particularly interested in CUNY's use of Open Educational Resources, OER, which is—which it—which CUNY indicated it had started to implement at the last hearing. I would also like to know how CUNY is utilizing the \$4 million, which it was given by the New York State Department of Education to invest in its OER Initiative. I'm also interested in CUNY's progress with regard to implementing virtual book stores across CUNY. During the last hearing, CUNY testified that the John Jay College of Criminal Justice was the only school that had replaced its brick and mortar bookstore with an online bookstores across CUNY. I'm also interested in hearing from any textbook publishers that may be here today on their best practices to improve access and decrease their cost of their materials. And lastly, but perhaps most importantly, I would like to hear from CUNY students and to learn more about their experiences, what their experiences have been in dealing with the high cost of textbooks, and which CUNY initiatives have worked in helping them to have access to their required textbooks. I would like to acknowledge my

colleagues and the committee who are present, and that's Council Member Ydanis Rodriguez.

Additionally, I would like to thank my Chief of staff Joy Simmons, and my CUNY Liaison, as well as Amarati (sp?) Clay who is my CUNY Liaison, and N'dgo Washington, my Director of Legislation, Ky Rugacheru (sp?), the Committee Counsel Chloe Rivera, the Committee Policy Analyst and Jessica Ackerman the Senior Finance Analyst to the committee. Now, in accordance with the rules, I will ask my counsel to swear in the first panel and that panel will Vita Rabinowitz, Senior Vice Chancellor; Greg [background comments]. Greg, help me Greg.

INTERIM DEAN GOSSELIN: Gosselin.

CHAIRPERSON BARRON: Gosselin. Okay, from CUNY, Jean Amaral from the BMCC CUNY, Mora Small from the New York City College of Technology and CUNY. [background comments] Okay, thank you and when you give your name, I'll try to get the correct pronunciations. I always think it's important to pronounce people's names the way they pronounce it.

LEGAL COUNSEL: Please raise your right hand when you're ready. Do you affirm to tell the truth, the whole truth and nothing but the truth in

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2 your testimony before this committee and to respond
3 honestly to council members' questions?

4 PANEL MEMBERS: [off mic] I do.

5 LEGAL COUNSEL: Thank you.

6 CHAIRPERSON BARRON: Thank you. You may
7 begin. [pause]

8 VICE CHANCELLOR RABINOWITZ: Good morning
9 Chair Barron and members of the Higher Education
10 Committee. I am Vita Rabinowitz, the Executive Vice
11 Chancellor and University Provost of the City
12 University of New York. I very much appreciate the
13 opportunity to discuss with this committee the
14 exciting work we are doing at CUNY around open
15 educational resources, and also to answer the Chair's
16 questions about the virtual bookstore and other
17 affordability initiatives. I look forward to
18 explaining why this work is so important to CUNY's
19 access and excellence missions. With me to day on
20 the panel are Greg Gosselin, Interim University Dean
21 of the Libraries and Information Systems; Jean
22 Amaral, Assistant Professor and Outreach Librarian
23 who co-facilitates BMCC's Open Alternative Textbook
24 Program and Maura Smale, Chief Librarian and
25 Professor from New York City Tech, one of CUNY's

three comprehensive colleges. Council Members, before delving into the focus of our panel, I want to take this opportunity to thank the City Council, the Higher Education Committee and you, Chair Barron particularly for your extraordinary support of CUNY over the years and in particular for your recent very generous support of CUNY's Comprehensive Remediation reform effort, the reform of our developmental education programs to bring them in line with best practices nationally is essential to our goal of improving access and degree completion for the 57% of CUNY students who began their careers in remediation, and I look forward to talking with you at a later date about how we are investing these resources and what we expect to achieve with them. As you well know, as you just stated, another barrier to access equity and excellent in higher education is the prohibitive cost of college to which the exorbitant cost of textbooks is a major contributing factor. The issue of affordability is central to racial and socio-economic disparities and academic achievement of the United States. As you know, estimates are that by 2020, 65% of all jobs will require some kind of post-secondary credential. Yet, only 41% of the

nation's 18 to 24-year-olds are pursuing post-secondary degrees that will prepare them for high-high skilled jobs. As Chair Barron stated, students spend between \$1,000 and \$1,200 annually on textbooks, and supplies, which amounts to 14% of tuition for students in public four-year colleges nationally and 39% of the tuition in two-year colleges according to the college board. City University of New York's estimates are in line with those figures with expected textbook expenditures of about 20% of tuition at CUNY's Baccalaureate colleges and 27% of the tuition at our community colleges. For many CUNY students the cost of textbooks makes them unaffordable and, therefore, unattainable given that 40% of CUNY students come from households with annual incomes of less than \$20,000 a year. Largescale studies have reported, as Chair Barron noted, that many students choose not to register for courses with high textbooks and materials costs, and as a result, they may not pursue majors including majors in the sciences that require expensive textbooks. Even if students started as majors, they often end up withdrawing from or failing courses and changing majors because of the cost of the materials.

Even for students who manage to borrow textbooks from libraries or other students, pass their courses and persist challenges in paying textbooks can lead to an increased number of years students spend in college. Thereby, reducing the likelihood that they will ever earn a degree. As a professor for many years at Hunter College I observed first hand in the 1980s and 1990s the affects of not buying textbooks on my psychology students. They often struggle to keep up their grades and they did less well than they otherwise might have. They simply did not get the same education as other students as I did when I was an undergraduate. They were not able to excel. It's very hard to earn very high grades when you don't have the foundational materials, and it was—and it was harder for them to compete in their fields. Economically disadvantaged students need more supports not fewer. Textbooks and other primary learning materials must be available to students by the first day of class, and ideally before the start of the semester. For the last several years, CUNY has aggressively take actions to help offset the burden of the high cost of textbooks for our students with a number of initiatives including the Virtual

Bookstore Initiative of which you are aware, and of—
about which we are pleased to update you. In 2013 to
2015, as part of CUNY's Textbook Initiative and
Student Financial Aid Initiative, \$3 million was
allocated to purchase textbooks to place on reserve
in the library as well as to purchase electronic
books and other electronic materials. But libraries
quickly realized that simply buy more textbooks to
put on reserve or that made a difference was not
adequate to meet the need. For example, such
reserved books often have a four-hour loan period,
which for many students was just not practicable, but
a viable and scalable solution did present itself,
Open Educational Resources. OER, our teaching,
learning and research materials that reside in the
public domain or they have been released under
intellectual property license that permits free use
and repurposing and updating by others. Awareness of
OER began taking hold in academic libraries at the
beginning of this decade and at CUNY around 2011,
2012. I have to excite—I have to cite the
extraordinary leadership of CUNY librarians in
noticing this trend and sparking the movement at
CUNY. Beginning in 2013, some CUNY libraries began

divert their textbook funds, their normal allotments into new OER efforts primarily towards supporting faculty to adopt OER into their teaching practices. BMCC and City Tech were early adopters. Hence their presence today at the panel, but there were others. In what began as an offshoot of the Textbook Initiative, some libraries continued to fund OER in some cases with additional campus funding. These local efforts created the technological, logistical and administrative know-how, and the policies and practices for converting existing CUNY courses to OER and laid the groundwork for more widespread awareness of adoption. That preparation set the stage for two recent game changers that will be discussed in detail by Dean Gosselin. First, CUNY received a prestigious grant by the Hew-Hewlett Foundation and the Achieving the Dream Organization to create whole degree programs with no associated textbook costs. The second initiative, which was based in part on that success was a major investment of \$4 million from the State of New York that is changing the landscape of textbook availability and college affordability of CUNY. Just this week, colleagues, you may seen a News 12 feature on the growing OER movement at Lehman

College. It featured an interview of a student and a faculty member that points to the fact that the benefit of OER go beyond cost savings although the savings to CUNY students from OER are already in the millions of dollars with many more millions about to be saved if this works as planned. So, what are these other benefits? They are academic. Our faculty are over the moon about this initiative. As the interview illustrates and our experience bears out, OER provides the opportunity for faculty to engage in their teaching anew, and a community of practice that helps them rethink their courses, refresh their pedagogy and their curriculum. As they research options and see what's available, their passion for teaching is reignited. Even more importantly numbers peer reviewed studies report that the use of OER foster students' success. Students not only enjoy saving their saving and, of course they do, but they also like the mix of materials and the news modes of learning that OER provides, the opportunity for more active and interactive learning, and the convenience of having access to material any-any time from anywhere. So, across the country faculty enthusiasm and administrative support of OER

use are evident in the growing number of conferences and skyrocketing attendance at those events.

Established OER repositories are the sources of curated peer reviewed OER materials now available across the globe. Our Chief Librarian will talk about some of the quality organization like Open Stax, the Open Textbook Network from the University of Minnesota that will support our work. CUNY will continue to cultivate existing partnerships and seek new partnerships with OER providers and organizations in higher education. CUNY faculty are now excited about developing their own OER materials and texts specifically for CUNY students and CUNY courses. So, Council Members, this movement in which CUNY is becoming a leader after a slow start will deliver on its promise to keep college more affordable and promote students' success. For a more detailed accounting of where we are in OER implementation, I would like turn now to the Dean of the Libraries, Greg Gosselin.

CHAIRPERSON BARRON: Thank you, Mr.

Gosselin.

INTERIM DEAN GOSSELIN: thank you, Vita

and thank you Chair Barron and you the members of the

esteemed Committee on Higher Education. My name is Greg Gosselin. I am the Interim University Dean of Libraries and Information Systems at CUNY. In February 2016, which was a very good year for us. [background comments] Sure, sure. How's that. Alright In February of 2016 with backing from the Hewlett Foundation, the Achieving the Dream organization issued a request for proposals for community colleges to develop and deliver entire degree programs using only OER resources—materials that is. The CUNY Office of Library Services authored a proposal and coordinated participation of three Community College partners including the Bronx, Borough of Manhattan and Hostos. Thankfully, and deservedly, CUNY was selected and award \$300,000 to create those Z degrees, where complete degree programs with no textbook costs. We're well on our way to degree program conversations in criminal justice, early childhood ed and gen-ed with a history concentration. Each degree program is converting approximately 25 courses including all major requirements and a selection of gen ed requirements as well. Initially 76,000 students will benefit. Once implemented, the courses in these zero cost

textbook degree programs will be available for instructors in similar programs across CUNY and the world to adopt and adapt as they wish. The ultimate goal is to scale these gen ed courses across all sections and then across colleges. The same goes for degree programs. This was the tipping point for OER at CUNY at the system level. It generated positive national press and as important awareness within CUNY academic units and administration of the benefits of OER in terms of cost savings pedagogical innovation. The momentum generated by the Achieving the Dream Initiative caught the attention of the university registrar who helped us fast track an implementation of the zero textbook cost course attribute and the university catalogue, a very important development. This designation indicates a course that replaces costly textbooks with OER. As of spring 2017, CUNY students and their advisers can now search for their courses by this attribute [coughs] and faculty can designate their costs this way and from here on out. As CUNY OER operates begin to multiply so, too, will be the demand for it. As more faculty use this course attribute we will better be able to track OER activity and analyze and correlate that impact on

student's success and academic momentum, as well as generate further awareness for instructors and students. The culmination of CUNY's ground break-ground breaking work in OER was Governor Cuomo's \$4 million tax levy support to CUNY's of Academic Affairs to establish support and enhance ongoing OER initiatives throughout CUNY. It is an acknowledgement of the work we have done and investment in the future and our potential to execute a bold vision. I would like to thank the Governor and his team for making this historic investment. This funding must be spent in 2018, fiscal year. The short-term goal of the OER initiative is to reduce costs for students and accelerate their progress through college but an important secondary impact is to change the culture to create systems and structures that connect curriculum and pedagogy to updated student learning outcomes. The expected result will be large scale course conversions throughout the university, and that is what we intend to do: Institutionalize OER practices across the extraordinary mosaic that is CUNY. Funding for the CUNY OER Initiative was awarded to the campuses based on proposals OER solicited from the colleges.

Preference was given to those plans that targeted high enrollment general ed classes or 2 degree, though we issued funding to every college that submitted a proposal. Campus funding includes generous allowances for faculty participation, institutional support, staffing as well as training and professional development. Details of the initiative are available on the CUNY OER Summary handout provided to you. Additionally, the CUNY Central Office will provide system wide coordination assessment and the establishment of communities of practice as well as facilitation of support and a variety of training options for the campuses. This includes on-site workshops, as well as CUNY wide training events. This massive initiative coupled with ongoing OER projects has created the need for a central office staffing in addition to campus staffing needs. To ensure that project goals get met and remain on track, it is imperative the central coordination is staffed appropriately. At present, all CUNY—all CUNY colleges with undergraduate programs are participating in OER initiatives. Awareness and enthusiasm that blossom in cross-campus conversations have been enabled at every level. It's

been an amazing year, and we're truly just beginning. So, too, has our developing partnership with SUNY also and Achieve the Dream participant, and also the recipient of \$4 million for Governor Cuomo. The Achieving the Dream Grant sparked conversations between both our systems and how we may formally collaborate and support one another as we begin to change the paradigm on our campuses as well as learn from each other. Our goals are to envision and develop a shared infrastructure and a web presence, consider and execute partnerships with agencies and technology partners in both higher education and vendor spaces and to share statewide programming and professional development. We're close to realizing the goal, our first goal of developing a shared OER services hub that will go live tomorrow. Also in the works is a shared OER catalog that will integrate into the services hub in joint partnership with the OER Commons, a not-for-profit OER repository and digital publishing platform. We are also developing standards for peer review and research, data collaboration, discovery meta data, and lastly aligning the assessment framework. It's been a most eventful year in support of CUNY's mission. I will

now pass the baton to Jane Amaral, my distinguished colleague at BMCC who will share both their triumphs and experiences with OER. Thank you.

JANE AMARAL: Good morning Chair Barron and members of the committee. My name is Jean Amaral, and I'm an Assistant Professor and Librarian at the Borough of Manhattan Community College. I am also Co-Coordinator of BMCC's Open Alternative Textbook Program and other campus open educational resources initiatives. Thank you for this opportunity to share with you the progress at BMCC as an example of one of CUNY's seven community colleges has made in providing no cost textbook options to our students since the fall of 2014 textbook affordability hearing of this committee. BMCC has two campus specific program, which address the barrier of expensive textbooks to our students' learning. One zero cost option for students is BMCC's libraries ongoing Textbook Reserve Program. The library purchases every textbook that the campus book store stocks as well as textbooks requested by faculty members and makes them available to students for use in the library. In 2016-17 there were over 78,000 checkouts from the collection of more than 2,700 textbooks and recommended readings.

While students are able to save money by accessing textbooks in the library, this is an imperfect solution that does not provide the 24/7 access afforded by most open educational resources nor the pedagogical benefits we've seen when faculty redesign their courses, replacing commercial textbooks with OER. As you may know, the more important—or as you do know given the introduction today, the more important zero cost option for our students is the availability of courses that use OER and other no-cost materials in place of expensive textbooks. At BMCC, we are very fortunate to have the wholehearted support of President Perez and Provost Karen Wilkes for our efforts in this area. Beginning in spring 2015, BMCC established its Open Alternative Textbook Program through which faculty redesigned courses with open educational resources and other no cost materials available online and through the library. Since the program's establishment, 75 faculty from 15 of 17 departments have participated in the program and redesigned over 50 courses including more than 100 sections. With an investment of \$80,000 used to support participation, the program has saved approximately 6,750 students an estimated \$1 million

cumulatively from the programs launched through this fall semester. BMCC is building on the success of our Open Alternative Textbook Program with participation in the Achieving the Dream OER Degree Initiative. Beginning fall 2018, all 20 courses required for the Criminal Justice Associate in Arts Degree, BMCC's second largest degree program, will have at least one OER section offered and often more. For example, this fall there are 24 OER sections across the six require Criminal Justice courses. Each student who enrolls in all of the OER sections for the degree will save an estimated \$2,500 over the course of completing their program. BMCC is also receiving funds as part of the New York State Department of Education's recently funded formally and OER Initiative. Our faculty will be redesigning with OER and other no cost materials 225 sections of 45 courses, 25 of which are high enrollment. Estimated savings per semester for students enrolled in these zero textbook cost courses is close to \$850,000. Equally important, as we have heard as the financial impact of the OER courses is the pedagogical transformation that takes place when faculty redesign their courses with OER and other no

cost materials. In questionnaire responses, our faculty talk about being freed from the tyranny of the textbook being more creative in their course design, adding interactivity and more current content as well as aligning learning materials to learning outcomes and assessments. Students recognize this difference in their OER courses as well. In a response to a survey question about the benefits of OER, students mentioned access to materials and learning more frequently than they did cost savings. They described OER courses as being more engaging, more real world. Students also emphasized the positive impact on their potential to learn because they have access to material on the first day of class, and 24/7 throughout the semester as many, though not all OER are delivered online. It is clear that the pedagogical impact of OER courses is as significant if not more than the financial. I have provide a fact sheet that includes additional data and information as well as quotations from students and faculty about the impact of OER courses. While we are very proud of our accomplishments at BMCC, we know that we have a long way to go in removing the barrier to learning that textbook costs pose for our

students. In fall, 2018, approximately 22% of BMCC's courses and 13% of course sections will be zero textbook costs and 10% of faculty will have participated in training sessions. This is not enough. When we have students choosing between textbooks that will help them succeed in their courses and buying groceries or Metro Cards or paying bills. It's not enough when our students and faculty along with national research studies have told us about the positive impact OER has on learning and engagement. We can do more, and we'll continue to seek the resources we need to support and grow BMCC's OER initiatives. Some say that students should buy overpriced textbooks because they need to invest in their education. At BMCC we believe in investing in our students. We believe they will succeed when barriers to their learning are removed and that's what we're doing with OER. Thank you.

MAURA SMALE: Good morning, Chair Barron and members of the committee. Thank you for inviting me. I'm Maura Smale. I'm Chief Librarian and Professor at New York City College of Technology, and I'm grateful to be here to discuss textbook affordability. Like our colleagues at BMCC, City

Tech has been an early institutional leader in OER resource development at CUNY. Since 2014, the library has coordinated an OER fellowship for faculty, which pays them a stipend to convert course— a course they teach and replace their textbook with and OER or other cost-free materials for students, for example, library resources. Our fellowship program led by my colleague Professor Caileen Cooney has involved 34 faculty members so far, and we've saved students nearly \$240,000. City Tech has also been a leader in open source platform development at CUNY and we host our OER on the City Tech Open Labe, which is an open visual platform for teaching, research and collaboration that was originally funded by a Title 5 grant that the college received. Our prior work has well positioned us to participate in this year's state funded OER Initiative. We are significantly expanding our efforts this year aiming to covert at least an additional 200 course sections to OER, and impacting an additional 5,000 students alone. (sic). We've also surveyed and interviewed students and faculty to learn more about their experiences with OER, and that's what I'd like to share today. So, we're heard about students

appreciating cost-free materials, which, of course they do. They appreciate spending less money overall on textbooks and their course materials. City Tech students have told us that they cannot always afford to buy to buy their textbooks like many CUNY students, and as we know, and you mentioned Chair Barron, while students at CUNY senior colleges do report a slightly higher household income than at community colleges, they are still economically constrained. Fifty-four percent of students at the students at the senior college receive Pell grants and 37% have a household income of less than \$20,000. And, of course, many of our CUNY Community College students will transfer to the senior colleges and will bring their expectations of OER with them likely. Our students also appreciate the time saved with OER. Our CUNY students are busy. Many have jobs, caregiving responsibilities, other commitments in addition to their academic work. In our interviews with students, we've heard about the strategies that they use to get access to the textbooks and to stay within their economic means, which can be surprisingly time consuming. They search for and books online, which sometimes means

they don't have the book until a few weeks into the semester. They buy used books from other students. They stand in line at the book store and the library to get the books. A student told me that they take pictures of the relevant pages in the books of a classmate that they encounter in their class or they just don't get the book at all. Saving students time in getting their textbooks makes it easier for them to do their coursework and to be successful. Students also appreciate, as my colleague Jean mentioned, the easy access to course materials that OER offer. Since OER are hosted online, typically students have more flexibility in accessing the materials that they need. Our library do offer print textbooks unreserved but they can only let it be used by one student at a time and only when the library is open. His flexibility allows students to work on assignments at their own convenience. While not all of our students have broadband Internet access at home, most have Smartphones and the opportunities to access OER are growing especially with increased WiFi availability on subways and buses. For student who prefer to read their course materials on paper, our libraries do generally offer some free printing for

them. One student mentioned to us that the OER saved her from developing back pain, a problem she has faced in the past when traveling with heavy textbooks and others have shared their relief at not having to worry about the logistics of transporting a textbook to and from classwork and elsewhere, which has helped them eliminate stress and complications while managing their complicated academic work and life schedules. Students and faculty also appreciate the range of content featured in OER. OER allow faculties to include an engaging range of course content from text to images, video, audio, simulations, a far more diverse range of materials than a print textbook can provide and without the high cost of a publisher provided digital supplement. Updates to OER are easy to implement at no cost as well. In contrast to textbook edition updates every few years, this is an advantage that our City Tech faculty in particular have been quick to note, and it is especially important for rapidly changing disciplines like the STEM fields. Again, at City Tech this has been important for us. We have the highest number of STEM students across CUNY over 78,000 as of fall 2016, or 7,800. Sorry. At City

Tech our OER remain accessible to students even after their class has ended. Students in our Biology Department for example have access to their general biology course materials even as they progress through anatomy and physiology and molecular biology, which allows them to go back and review previous material as needed while they're in their later courses. And finally, students and faculty report increased engagement with OER. Surveys of students in our OER courses have been positive. They said that they preferred OER to a traditional textbook. Faculty have also noted that students were more engaged in their courses with OER as opposed to a traditional textbook. They have told us that students heavily annotate their printed OER pages, which they had not done with the textbook because they wanted to be able to resell that book. They also beyond the immediate and significant financial benefits, continue-continued expansion of OER at City Tech supports several of our important institutional goals: To provide students with a rich set of learning materials available online from any location to support active learning and more effectively use online instruction. To provide both part and full-

time faculty with useful updated and ideally collaboratively developed resources and to achieve consistency across sections of the course and coherence between sequential courses. Thank you.
[pause]

CHAIRPERSON BARRON: Thank you to the panel for coming, and giving us your testimony. I do want to acknowledge that we've been joined by other members of the committee, Council Member Fernando Cabrera, and Council Member Vanessa Gibson. So, we're glad that they're here. I was so excited when BMCC sent me a letter telling me of what they were doing, and brought to my attention the status of where we were with OER, and I said immediately to my staff listen, this is going to be our first hearing topic because I'm excited about this. It's something that I think is much needed in terms of helping students who are burdened with these costs of textbook to address that. So, I was very excited to hear about that, and I've got lots of questions and I believe my colleagues will as well, and I'll give them an opportunity to ask those questions. So, as we talked about the time that's needed and the training that's needed for faculty to—faculty to

understand how to do that, and I'm glad to know that there is some small stipend for them because I understand that it takes quite a bit of time. But can you talk to me about how much time it takes first in terms of the training to get faculty to understand what this platform is, and then the time to actually do the work in converting the materials. [background comments]

JEAN AMARAL: So, at BMCC we do have a program where we work with faculty and the training workshops generally allow us 8 to 10 hours. So, faculty come together to learn about--

CHAIRPERSON BARRON: [interposing] Can you pull the mic a little closer. We want to make sure we record it.

JEAN AMARAL: Absolutely. So, faculty come together in those training workshops to learn about all the information they need in terms of creative comments, licenses for urban educational resources. I think you mentioned the licensing or Chancellor Rabinowitz might have mentioned that, and there are lots of other things that go into creating this. This is also a peda- pedagogical endeavor. So, we work with the faculty with what's called in

education backward design where they're thinking about their learner outcome and then figuring their assessment and how OER fits that. So, it's not a simple exercise and it does take time, and in our workshop series it's just to get them started and—and it's certainly many, many hours beyond that that the faculty are working together. What we found is that if we can bring faculty together from a particular department, say we had seven Spanish faculty members come together to create OER specifically for our students and their needs that we can create some efficiencies when faculty do collaborate with a department. We also find that these trainings are a great place for developing those communities of practice that were mentioned, and really creating sort of energy and education and knowledge around those resources that's been shared within departments with other faculty members.

MAURA SMALE: I would say that at City Tech we've worked similarly to way Jean has described at BMCC. We have a fellowship that requires three or four meetings over the course of a semester and then faculty are developing their OER and then we teach with it the following semester. One of the things

that's really exciting to us about the state initiative is s that we cannot only expand that fellowship, but also bring the element of the fellowship back to really work with diffusing this into their departments. We have had, you know, as you mentioned I think having a number of faculty come together from a similar department is really helpful because then you get that strong cohort in that department. We so far had sort of one faculty member per department kind of bring it back, and I think we're going to be able to expand it as well. Generally, though, we're looking at a similar investment about 8 to 10 hours of training, and then availability for folks to come back and talk with us well. You know, to find information online or to come back and talk to us as they are continuing to develop, which again, we will expand this year with the new funding.

CHAIRPERSON BARRON: So, I think you alluded to a question that I had here. Who besides faculty is involved in creating these materials or is it limited to faculty? Are there other persons who are asked to participate and what are the

qualifications for someone joining and submitting materials for this OER?

MAURA SMALE: Right. At City Tech it has been faculty creating and curating. So, they're either creating their own materials and their own courses or they're going out to see, you know, as Greg mentioned Open Stax being received in Minnesota. There are some materials that are out there. So, going out and bringing materials together we have really benefitted at City Tech in a way that is not always the case with the other schools in that we have this open lab, which is a platform that we use to host. It's a digital platform and we do have some technical support for the open lab. So the technical end of the support tends to come from Open Lab stuff and then its library who have been working with faculty in the departments to curate and evaluate and find the OERs. It's been a really nice partnership. I think the library faculty have a good knowledge of the scholarly communications landscape, but we don't have the deep disciplinary knowledge that the faculty and the departments do. So, the pairing is—is an optional I think.

CHAIRPERSON BARRON: So, as a faculty member is going to gather the materials, they're able to go to whomever they think would be a resource to help them to develop the material and to present it in its final form.

VICE CHANCELLOR RABINOWITZ: Yours.

JEAN AMARAL: Yeah, absolutely and I think there are a couple of key constituents on campus to help with that. So, certainly technical support on one side in terms of the faculty actually curating and bringing together and delivering those resources. Also, in our case we partner with the Center for Excellence in Teaching, Learning and Scholarship. So this is really a faculty development initiative. The library has lots of expertise as faculty ourselves that we bring to that, but a partnership with the Center for Excellence in Teaching, Learning and Scholarship is natural in this case because they also do a lot of faculty development work. So, it's a really synergistic relationship, and some of our colleges do have instruction with designers, and they will also be involved. We're not one of those, but it does help when everybody who works on an instructional design,

as we said, this was a pedagogical exercise. So anybody who is involved in that instructional design can be helpful as well. So, often it's technical instructional design as well as our Centers for Excellence in Teaching and Learning.

CHAIRPERSON BARRON: Okay, so in a perfect world I guess, you know, faculty, instructors and professors would say oh, this is great, but what kind of resistance or pushback or hesitancy do you encounter from perhaps that professor whose written a great textbook, which is the source and acknowledge as the go-to document who is now being presented with this new design for instruction?

MAURA SMALE: To answer your specific question, we have encountered that, and in some cases that faculty member is amenable to making that textbook to either letting the copyright with the publisher of that textbook expire or to in some cases if it's a self-published textbook, to making that available at no cost or to authoring your own cost materials—their own course materials. But that is—that is an open question. You know, we do have faculty who are textbook authors, and I do think that the—we have seen that the students do not have the

book argument as a persuasive argument. And it is—it is a situation that the faculty are encountering everyday in their classes students who don't have the book. So, the—that—that is—that is something that that we can point to that can make those changes, but it is an open—it is an ongoing conversation. Again, having some plans to pay a modest stipend or to, you know, not only to help develop, but also to give some support, financial support for them to develop materials is very helpful for sure.

CHAIRPERSON BARRON: So, what's your goal in terms of participation of faculty across CUNY? What's your goal?

VICE CHANCELLOR RABINOWITZ: Sure.

CHAIRPERSON BARRON: In a timeline manner.

VICE CHANCELLOR RABINOWITZ: Right, right, no, no, you raised a great question, and well, to be frank, our goal is to convert as many courses and programs to OER as possible so that students can go through CUNY if they need to and wish to without ever having to invest in a textbook. I think that it's a worthy goal because we always want to re-imagine access in our time, and that is an

opportunity that has presented itself in our time.

We will need to fix and-and reimagine many things for that to happen. I appreciate Maura's comments about faculty resistance and your question. Whereas our faculty have been incredibly enthusiastic and really remarkably collegial, and excited about this initiative. Even though it's more work for them--

CHAIRPERSON BARRON: [interposing] It's a lot more work.

VICE CHANCELLOR RABINOWITZ: --and lots of times in both development and in--

CHAIRPERSON BARRON: [interposing] Yes.

VICE CHANCELLOR RABINOWITZ: Quite frankly in delivery, and one of the things that--that I would like to address as this expands rapidly, and it appears that it will because as I believe Greg said, now that our students can find on the global search tool all of the OER courses that we offer, we expect students to seek these courses out in increasing numbers and take them, which will put pressure on faculty and courses that are not--that--that are--are, you know, that are not free of charge or nearly free of charge. One of the things we will need to address is not simply incentivizing the

faculty to develop the courses, but quite frankly to recognizing and honoring this work. In other words--

CHAIRPERSON BARRON: [interposing] Uh-hm

VICE CHANCELLOR RABINOWITZ: --what is the role of OER development, maintenance, improvement and 10-year promotion and other forms of faculty recognition?

CHAIRPERSON BARRON: Interesting.

VICE CHANCELLOR RABINOWITZ: And again, Chair Barron, I would like to you if I said we've had that conversation in a serious comprehensive way.

CHAIRPERSON BARRON: That it's--that it's being considered?

VICE CHANCELLOR RABINOWITZ: Yeah, that's right, but I know it's coming. Just like online learning generally, which, of course, is--is somewhat different from this, and though we are as often a part, of fully online program development. If you're asking for quality and you're asking for outcomes, the question arises what--what are the incentives for faculty units. (sic)

CHAIRPERSON BARRON: Okay. When you talked about the, um, the OER Initiative and that it was awarded to campuses based on their proposals, how

many campuses submitted proposals? I heard you—I read that all of them received something, but how many campuses submitted proposals.

DEAN GOSSELIN: Every campus.

CHAIRPERSON BARRON: And what was the range of the awards, the dollar amounts?

DEAN GOSSELIN: The range is from \$30,000 to \$260,000.

CHAIRPERSON BARRON: And the schools that all of the campuses responded, did they have the capacity for the support that's needed to have all of the students now?

DEAN GOSSELIN: So do and some don't. So, for example BMCC and City Tech, they have internal infrastructure, internal IT support and instructional design support, and—and so [coughs] hence their proposals were—were big--

CHAIRPERSON BARRON: [interposing] Uh-hm

DEAN GOSSELIN: --and—and we felt like they were attainable. Based on our knowledge, you know, the lever is really kind of we converse with—with all the colleges. We're—we're more or less a hub--

CHAIRPERSON BARRON: [interposing] Uh-hm

DEAN GOSSELIN: --that coordinates training, support and advice about technology options for colleges that are just getting their feet wet in OER. So, we do a lot of handholding in that respect. So, that--it's really a partnership between the Office of Library Services and sometimes we pull in Jean for example or other sort of OER champions who are well versed to help the schools sort of just, you know, as I said before get their feet wet, start a program and, you know, our sort of--our experience with--with dealing of colleges of varying sort of capacity levels, you know, it makes us an ideal partner.

CHAIRPERSON BARRON: And my last question before I pass it to my colleagues, this is a grand opportunity I think to address the floors of textbook, which are limited, which lock many cultural contributions from lots of different groups out of what's written in the textbook. Is there an emphasis or is there some push to make sure that now that we have this opportunity that we are much more inclusive with the contributions of African-Americans, of Latinos in constructing those materials?

VICE CHANCELLOR RABINOWITZ: Chair
Barron--

CHAIRPERSON BARRON: Within other groups.
I'm just raising this, too, as a question.

VICE CHANCELLOR RABINOWITZ: No, no, no.
It's—it's a great question. It's a great question
for CUNY in this moment, you know, in our
development. Only time will tell and one of the
things we want to do is monitor the OER experience.
What do these courses look like? How are they
different, but knowing CUNY faculty and knowing that
this new opportunity to curate, to build courses will
inspire them, I can only imagine that the courses are
already more inclusive, more up to date, have more a
global perspective, reflect our student body and our
diverse faculty but, I—I want to—to also can forward
the professors about Chair Barron's issue of
diversity inclusiveness and how our materials might
look different from standard texts.

JEAN AMARAL: Sure. I can give the case
of BMCC. So, there's actual a national conversation
that's just starting on this topic, and two of our
faculty have been invited to participate on the panel
at Anaheim, California at the Urban Ed Conference in
October. And so, this is a panel about equity and
the lack of culturally responsive material in OER,

and so it's a really terrific question and something that is just getting on the table for is, and it's really important to remember that OER are definitely context specific contextual, and so to acknowledge that within the United States, but also within the global, north global and south dynamic. This is a worldwide movement, a national movement, and so we want to be a part of that conversation, and we want to be leading the way. And the other thing in terms of context to give you an example of or Criminal Justice program with the degree, they are very progressive and actually have a critical pedagogical focus specifically in this area. And so, we design courses that are OER courses, and we found out that actually they're not transferring to other colleges that are more traditional.

CHAIRPERSON BARRON: Hm.

JEAN AMARAL: They aren't looking at criminal justice the way we are, and so this is really significant, but it's also an opportunity that there may be people who are not aware of that critical lens on criminal justice who see these course, which are now open to anybody in the country, but that may change perspectives, and actually allow

us again to lead in terms of bringing together those materials in that way.

CHAIRPERSON BARRON: So, I said that was my last question, but that generated another question. So, if the materials are content specific, and if it addresses the curriculum, why would it not be accepted as a transfer to another school? What's the op--what's the treatment? (sic)

JEAN AMARAL: There are local differences. For example with our Criminal Justice Program, we offer some courses that aren't offered in other criminal justice programs in community colleges across the country.

CHAIRPERSON BARRON: So, it's not that it's OER, but that it's CUNY?

JEAN AMARAL: No, no, no.

CHAIRPERSON BARRON: Okay.

JEAN AMARAL: Yeah, no, it's to the population and to--

CHAIRPERSON BARRON: [interposing] Okay.

JEAN AMARAL: --and to the focus of the faculty involved in that.

CHAIRPERSON BARRON: Okay, good. I'm going to go first to Council Member Cabrera, and he'll be followed by Council Member Gibson.

COUNCIL MEMBER CABRERA: Thank you so much, Madam Chair and welcome. I'm just curious with—with the Administration with CUNY and also—I'm sorry, with CUNY and would the professors be amicable to the idea that in the contract with the professors there will be a certain amount—there would be a percentage every year where more and more courses would be guaranteed to be an OER?

VICE CHANCELLOR RABINOWITZ: Right. The truth is Council Member Cabrera, you are right that online offerings have posed challenges regarding faculty workload that must be, you that, that are—that are always part of our negotiations and our conversations with the Professionals Staff Congress and—and it's a—it's an important issue. To me it has a challenging faculty workload, as you know, and—and we are—we're asking more of our faculty. Again, there's no question about that, and the fact that they love it that they throw themselves into it is a tribute to the kind of faculty who are attracted to a committee or a team. Obviously faculty or not in any

way pressured to teach the kinds of courses that they are not inclined to teach. And, at CUNY, faculty have tremendous influence over their curriculum and pedagogy. A lot of faculty are attracted to this because of the kind of people they are, and they—they want to do better for their students. They want to deliver more. They—they see this as an opportunity and the affordability issue is always uppermost in our minds. It has to be. So, what—I—I have—the question has come to me with regard to online courses and online programs. Frankly, not in the context of OER specifically because OER can be an important part of an otherwise traditionally taught class. I want to ask my fellow librarians who know better. I've never taught an OER class. I haven't been in a classroom in too many years. In terms of additional workload and how faculty feel about—and—and how faculty reflect about that, could you add anything to enter that would address the Council Member's question?

MAURA SMALE: I can—I can start. I do think that there—there can be additional workload but we all—we always like to start with the baseline of any time you bring in a new textbook, you are going

to need to make some changes to your course. So that is our workflow and a process that faculty are familiar with especially again faculty in fast changing disciplines who are going to have to adapt to a different course, a different textbook. We also at City Tech we have a number of unusual programs. So, for example we have a degree program in Entertainment Technology, which is variously about stage technology and lighting design as well as about emerging media, robotics and other Internet based technologies. Many of those materials, actually many of those courses have been OER courses for a long time—

COUNCIL MEMBER CABRERA: [interposing]

Right

MAURA SMALE: --because there simply are no textbooks that address the content of the course. So, faculty are already kind of predisposed to—to do that, and some faculty are doing that work to supplement as well. You know, it's—it's a little bit off the record, but you do hear faculty who—I've heard from students that a faculty member that they came to class with a book because they—it was in the syllabus, but then the book was never used. And that

faculty member is preparing other materials with the students--

COUNCIL MEMBER CABRERA: [interposing]
Right.

MAURA SMALE: --who have access to. So, you know, I think appealing to some of the work that faculty were doing anyway will help us get there, at least help us have a positive starting point to the additional and conversations?

COUNCIL MEMBER CABRERA: Let me tell you what's toing to happen. You have the eager professors who are eager to do this work. You're going to hit a wall very soon because you would essentially run out of professors who are eager to do the work because they're so benevolent about their work and then--then we're going to end up in a situation where most courses will not be offering OER and there will be continually paying this exuberant work with many courses. You're so right. I--I--I'm also a professor and--and I can tell you and I was the program director, I could tell you numerous professors who required this expensive book you never used in class. They never cared for it because they were told by the Department use this book. So, I--I think on one point

if professors are really serious about their students, they have to be serious about the accessibility of this textbook and the only way I foresee that we could do that if it is done through the contracts. Thank you so much.

VICE CHANCELLOR RABINOWITZ: Well, well thank you.

CHAIRPERSON BARRON: Council Member Gibson.

COUNCIL MEMBER GIBSON: Thank you very much, Chair Barron and good morning to all of you at CUNY. Thank you so much for our testimony, your presence and certainly all of the efforts that you're making. As a CUNY grad myself I certainly appreciate all of the efforts that CUNY has undertaken to really look at affordability of textbooks, and making sure that we provide as much access and opportunity for so many students. I wish OER was around when I was at school, but unfortunately, it wasn't, but I was one of those students that I really tried to expand on my hustle game. So, I was able to rent books online and really use the library as much as I could because at the end of the day, you do have a lot of students that do have to make that difficult choice do I

spend, you know, \$100, \$200 on this textbook, or do I use it for something else, and obviously all of the different amenities are very important, food, transportation, et cetera, but I do understand the plight of so many CUNY students. So, I also am excited as our chair has indicated, and I wanted to find out the level of relationship and consistency that the department that CUNY has with all of the professors around the entire system in terms of keeping pace with the textbook requirements. So, one of the challenges I realized at Baruch when I was taking classes for my masters was every semester there seemed to be a new edition. There would be one chapter that would change, and then the requirement was to have Edition 1-A or 1-B and it was really frustrating because the initial book I had was simply good enough, but yet it wasn't good enough for the professor. So, I wanted to understand the relationship that CUNY has with all of the faculty in terms of keeping pace with all of the requirements to make sure that obviously professors are very sensitive to the costs, and making sure that, you know, do we necessarily have to have an amendment to this particular book? Do we have to have a Chapter

1-A? So, could you give us a better sense of what CUNY is doing to make sure that you keep pace with some of the requirements that our professors are placing?

VICE CHANCELLOR RABINOWITZ: Okay, Council Member Gibson, I'll start and tell you CUNY does not have a policy, a university wide policy on textbook adoption that would give guidance to faculty regarding how often they might change a textbook every time there was a new edition. I certainly know from my own experiences being a professor, a teaching professor for more than 20 years that some faculty always adopted the new edition, and other faculty waited longer to do that. What I can tell you is more and more departments do provide—I don't know if the word is guidance or pressure to use particular textbooks. That is the intro, you know, cite text at such and such a college might be one or at most two textbooks. So that there aren't 14 different intro to cite textbooks being offered at a place like Hunter College, a large college. So...so, but...but those are policies that are mostly not only not at CUNY levels, but they're not even at the college level, they're at the department level. But the

issue that you raised is an important one. It's tremendously burdensome for students to have to buy new textbooks because a few charts or graphs are no longer current, or a chapter is, you know, there's new chapter that—that might be added or subtracted as fields change. And that's where OER offers a tremendous benefit for fast changing disciplines. But again, CUNY has no policy. It's really college and discipline specific. Does anyone have something to say about textbook policies at colleges for—to-to answer the Council Member's question.

JEAN AMARAL: I think you've covered it.

CHAIRPERSON RODRIGUEZ: Okay. Yeah, it's—no CUNY policy on it.

COUNCIL MEMBER GIBSON: Okay, well, do you think that's something will be discussed further on down the line? I guess my concern is I want to make sure that there is a level of consistency and there are some level of guidelines that come from CUNY to give direction to the various colleges across the system. I would love to see, you know, at least to have a conversation to find if that's something that could even be viable.

DEAN GOSSELIN: Yes, actually I can—I can comment on this just—just t a little bit, the whole OER conversation. You know, OER, the advent of OER [background comments] Sure, sure. The advent of OE really has been, it—it started with a grassroots movement, and—and as I said, it culminated, but throughout the past few years, you know, awareness of it has—has slowly and surely taken hold, and with any type of movement like this, and you could go to any system, and even systems that provide sort of robust infrastructure, getting the faculty to buy in, especially when you have different cultures at the department levels and at assistant level it. There's—there's just—there's many layers to the onion, but one thing that we do at the central office is, you know, I think that a lot of faculty aren't really aware of, you know, the cost of their decisions to—to require a new textbook, require a new \$200 textbook, and at—at least in my—in my day at CUNY I have not really heard this conversation happening at the highest levels

COUNCIL MEMBER GIBSON: [interposing] Uh—hm.

DEAN GOSSELIN: And that's something that I—I think that we can bring to the Provost Council, we can bring to the Discipline Councils to raise awareness.

COUNCIL MEMBER GIBSON: Okay.

VICE CHANCELLOR RABINOWITZ: I just want to add her because it's—it's a great question you raise. Many times we can despair of changing behavior and this gets to Council Member Cabrera's comments as well, but faculty and students both respond to information about how—how—as Greg suggested—how their decisions are affecting our students and how others are acting who are successful and who are effective. For example, if I may, an example from remediation. Many of our students if left on their own will not take a retest for which they are qualified, for which they are eligible. But if they're told something like 42% of students who take the test again, pass it on the second try, they will be much more likely to show up to take the test. If they get some kind of information real data that—that give them a sense that people like them can do this, and faculty can also respond to information about how we deal with the exorbitant cost of

textbooks. So, Councilwoman, you've given me an idea about how we can move the needle.

COUNCIL MEMBER GIBSON: Okay, great. I love ideas. I just have one more question I wanted to ask and I see that CUNY has been a recipient of several different grants, the Gates Grant in 2016. Both Council Member Cabrera and I represent Bronx County, obviously BCC, Lehman and Hostos. So we hear a lot from many student who are our constituents. So, I wanted to ask about the long-term funding streams in terms of grant opportunities that you are receiving. Are those grants over several years and, you know, do we anticipate furthering, you know, those grant opportunities? I want to make sure obviously OER is successful. So, we want to continue to make sure that these granters are investing, and will continue to invest in successful measures for students.

VICE CHANCELLOR RABINOWITZ: Right.

COUNCIL MEMBER GIBSON: They all have deadlines I assume, right?

VICE CHANCELLOR RABINOWITZ: They all have deadlines and I'm going to say, just repeat what Greg said and then pass it over to him. The \$4

million investment by the state, our largest investment is a one-year investment. So, we're, you know, working as hard as we can to show as much, not just activity, but results as we can, but--

COUNCIL MEMBER GIBSON: Okay.

VICE CHANCELLOR RABINOWITZ: --but I will pass this on, too.

COUNCIL MEMBER GIBSON: Okay, that means you'll be going to Albany in January, right?

VICE CHANCELLOR RABINOWITZ: We'll be.

COUNCIL MEMBER GIBSON: Okay.

VICE CHANCELLOR RABINOWITZ: Hopefully in January.

COUNCIL MEMBER GIBSON: Yes, it's cold but for \$4 million you can travel to Albany.

DEAN GOSSELIN: So, we're hoping to speak softly and carry a big stick--

COUNCIL MEMBER GIBSON: [interposing]
Okay.

DEAN GOSSELIN: --so, to maximize a return on their investment. You know, I think they really laid the gauntlet down for us. They gave us \$4 million and like a month to-to-to develop and execute a strategy, and that strategy--the result of

that strategy was our, you know, our internal RFPs, which were really sort of driven by participation because we really need to deliver maximum results. So, that's-that's kind of our mindset is, you know, we don't want to be won and done with the state, and I think that that we-the-the state has already seen progress. They've seen the sort of structure of our strategy and so far so good. They asked-they asked us for another proposal, for a four-year proposal as well.

COUNCIL MEMBER GIBSON: Alright, great.

DEAN GOSSELIN: So, you know, we're just going to keep our nose to the grindstone and keep working on executing our strategy. Gates Grant was actually a two-year grant.

COUNCIL MEMBER GIBSON: Okay, two years.

DEAN GOSSELIN: And the ATD Grant is 2-1/2 years if I'm not mistaken.

VICE CHANCELLOR RABINOWITZ: [off mic]
Achieving the Dream.

DEAN GOSSELIN: Achieving the Dream,
excuse me.

COUNCIL MEMBER GIBSON: Okay.

DEAN GOSSELIN: So, you know, I mean, the Achieving the Dream begat the Gates Grant. Actually, there was a partner in both and that was Lumen Learning, a technology vendor who's kind of the glue, and so, we're networking with the Hewitts of the world, the Gates of the world and--and some of the technology partners and, of course, we do the same with SUNY, too. So, you know, we brainstorm with SUNY all the time about joining forces, and that Gates Grant was actually the first CUNY/SUNY grant of its type that I believe.

COUNCIL MEMBER GIBSON: Okay.

DEAN GOSSELIN: So, we want to leverage that.

COUNCIL MEMBER GIBSON: Okay, I agree and capitalize on everything that you have available. I happen to be a graduate of SUNY also. So, anyway, that, you know, certainly we can be helpful, we want to make sure that we are having the right conversation so that you can continue to receive those grant opportunities. For all the students from our respective districts, we really appreciate it. So, I encourage you keep up the work and thank you very much, and thank you, Madam Chair.

CHAIRPERSON BARRON: Thank you. My colleagues have generated some other questions, which I want to bring forth at this time. So, according to the Higher Education Opportunity Act, textbook provisions publishers are required to disclose the prices and the vision information when they're marketing their textbooks to professors—to professors. So, how does that notification process work? How can students access that information? How can we make sure that professors are sensitive to that information when they are assigning their textbooks for their classes?

VICE CHANCELLOR RABINOWITZ: Right, right. So, Chair Barron, in reviewing the 2014 testimony, the last time you—you had a panel on this, which was—which was itself galvanizing, I—I saw that CUNY's compliance with the Higher Education Opportunity Act was, let's just say not impressive at that time, but since that time, we have been much more responsive to the need for students to know what a textbook costs than we were three years ago. The numbers still not where we want to be, and I'm very pleased to have Wendy Lader from Computer Information Systems here to help me, but I do want to be more

responsive. So, what percentage of our professors and of our textbook costs are now available to students. Here's where that virtual bookstore Akademos made—has made a difference. When—when you held a hearing in 2014, one college John Jay had expressed interest in—in contracting with a virtual bookstore to bring down textbook costs and all of it, and I—I—according to my notes, and one day I may call you up for some help. What happened there is three other CUNY colleges subsequently piggybacked on John Jay's contract: Queens, Medgar Evers and the law school and so four CUNY students—CUNY colleges went all in on the virtual bookstore. It is our plan that every CUNY college will be a part of the virtual bookstore because it saves students money, and it also helps us our compliance with the Act. In addition to the original four colleges, eight new colleges began using the CUNY virtual bookstore this year, and Brooklyn, City, Guttman all across the—Hunter, the School of Medicine, York, and two more colleges will go live next year. You may ask why aren't they all in virtual bookstore. Many of our colleges have contracts with bookstores that would be expensive to get out of. So, as soon as their

contracts with their—with their vendor expires, they become a part of Akademos. And, for colleges that are in Akademos, and there are 12 of them, the compliance rate with the Higher Ed Opportunity Act is between 77 and 86%. That's a big—when we last came before you, we were way under 50%, but the colleges that are non-Akademos schools and there several of them only have 44% compliance rate at tis time. So much better again than we were three years ago, but we're not there yet. I can't explain why the compliance is so low except that this is an individuals matter, and when the bookstore is not supporting the effort consistently we get lower compliance rates. I'm going to turn to my fellow librarians and—and Wendy, do you have anything to add to the statement about again CUNY compliance over time. I also understand that these numbers may improve because 18% of colleges that are not in compliance have some material up. So, this is, you know, this is not our best foot forward. Is there anything that you might add, please?

WENDY LADER: [off mic] yes.

CHAIRPERSON BARRON: Okay, you need to come forward--

2 VICE CHANCELLOR RABINOWITZ:

3 [interposing] I'm sorry.

4 CHAIRPERSON BARRON: --and be sworn in--

5 VICE CHANCELLOR RABINOWITZ: [interposing]

6 Yes.

7 CHAIRPERSON BARRON: And then you can

8 gladly give your testimony.

9 VICE CHANCELLOR RABINOWITZ: Yes.

10 [background comments]

11 LEGAL COUNSEL: Please raise your right

12 hand. Right here. [laughs] Right here.

13 WENDY LADER: Sorry.

14 LEGAL COUNSEL: No, that's fine. Do you

15 affirm to tell the truth, the whole truth and nothing

16 but the truth in your testimony before this committee

17 and to respond honestly to the council member

18 questions?

19 WENDY LADER: Yes, I do. So, just to add

20 to that---

21 LEGAL COUNSEL: Thank you.

22 CHAIRPERSON BARRON: [interposing] Your

23 name, please for the record.

24 WENDY LADER: Wendy Layer on the OER.

25 CHAIRPERSON BARRON: Thank you.

WENDY LADER: This is going to be by Akademos who runs the virtual bookstore platform for the colleges that are participating. They've been providing us data on the Higher Education Opportunities Act compliance, and they've found that 86% on average of the colleges have complied, 86% of the courses at the participating colleges have submitted the data that's required by Act, which is substantially higher than the other colleges that are not yet on the platform.

CHAIRPERSON BARRON: So, 86% of the colleges and that 12 campuses?

WENDY LAYER: Twelve campuses right.

CHAIRPERSON BARRON: So, what's required? What--what are the--what's the process that we don't have all of our schools complying? I mean what are the obstacles? Do they need more training? Do they know that they have to do it? Why isn't it--I'm glad to know that it's more than it was.

VICE CHANCELLOR RABINOWITZ: No, no, we-- it--it--

CHAIRPERSON BARRON: But why don't we have a great number than 12? That's less than half of our schools.

VICE CHANCELLOR RABINOWITZ: It is—it is Chair Barron, and again two more schools are coming online next—next year and the others will follow.

I'm going to—Greg, do you have any sense of what the barriers are to higher compliance despite our efforts on reminders?

DEAN GOSSELIN: Maybe I have an analogy.

CHAIRPERSON BARRON: Okay.

DEAN GOSSELIN: And that is CUNYfirst is a--is a new central platform that manages most of the business processes at CUNY. CUNYfirst has been a project that replaced—I believe there was 11 different flavors of—of that type of backend system. So, there was kind of a rolling long-term implementation of CUNYfirst. So, it's certain aspects of—of CUNYfirst that may have been compliance related were probably introduced, but they weren't sort of followed through in as timely a fashion as possible. I'm only speculating but I—I just know that when you're talking about a system wide migration of—of not only systems, but the wraparound policies, et cetera behind that, it may not be the smoothest transition.

CHAIRPERSON BARRON: Okay, so let me go to another question. When do we expect that we'll have 100%? I'll ask that question.

VICE CHANCELLOR RABINOWITZ: Okay, actually. Well, Chair Barron, now that we're on this, and--and textbook costs are going to be a focus, 100% is tough when faculty are involved. That is when it's not simply a matter of officers of the university.

CHAIRPERSON BARRON: Okay, when we will have 99%? [laughter]

VICE CHANCELLOR RABINOWITZ: Okay, alright, I get. Okay, I'm more comfortable answering that.

CHAIRPERSON BARRON: Okay.

VICE CHANCELLOR RABINOWITZ: I would-- Wendy, when will--do we know when all of the--CUNYfirst is now fully implemented and that--that will help. There is no question about, right, and thank you, Greg, for mentioning it. When will the last college come online or come into the Akademos Virtual--Virtual Bookstore umbrella?

WENDY LADEN: We don't have a schedule for that. It is open. It's a CUNY wide platform.

So, it's open to any college whose bookstore contract expires or is terminated.

VICE CHANCELLOR RABINOWITZ: Right.

CHAIRPERSON BARRON: Right.

WENDY LADEN: We do--

CHAIRPERSON BARRON: [interposing] So, then perhaps the question is do we know when those contracts--

WENDY LADEN: [interposing] Right, that's right.

VICE CHANCELLOR RABINOWITZ: That's the question.

CHAIRPERSON BARRON: Okay.

VICE CHANCELLOR RABINOWITZ: That's the question, Chair Barron.

CHAIRPERSON BARRON: Alright.

VICE CHANCELLOR RABINOWITZ: And we can get that for you.

WENDY LADEN: [interposing] We can get that for you, right.

VICE CHANCELLOR RABINOWITZ: Absolutely.

CHAIRPERSON BARRON: And--and are there any other colleges that no longer have that brick and

mortar? I think there was just one previously, John Jay, so now do we--?

VICE CHANCELLOR RABINOWITZ:

[interposing] Right, so John Jay has more--

CHAIRPERSON BARRON: Right.

VICE CHANCELLOR RABINOWITZ: --book

store. I don't know that other colleges have closed their bookstores.

WENDY LADEN: I believe a lot of them have.

CHAIRPERSON BARRON: So, we could find out and get back with those records.

VICE CHANCELLOR RABINOWITZ: We could find out. That's right. That's right.

CHAIRPERSON BARRON: Okay, and so those bookstores have contracts.

VICE CHANCELLOR RABINOWITZ: Yes.

CHAIRPERSON BARRON: You said it would be expensive to try to get out it--

VICE CHANCELLOR RABINOWITZ:

[interposing] Right, that's right. That's exactly right, but it seems that they are--we have not heard any feedback that a college does not want to come under the virtual book store.

CHAIRPERSON BARRON: Okay, okay, okay, then. I have a few other questions before our next panel. Oh, here's the question. How are students notified about the health concerns and best practices regarding the--regarding exposure to too much blue light? There's a health concern. The health community says that there is some concerns with extended exposure to the blue light of the screens.

VICE CHANCELLOR RABINOWITZ: Uh-hm

CHAIRPERSON BARRON: So, I think that if we don't have the answer now, we can--

VICE CHANCELLOR RABINOWITZ:

[interposing] I do.

CHAIRPERSON BARRON: --try to make sure that we consider that and make students aware that they need to gauge the time that they're spending on that.

VICE CHANCELLOR RABINOWITZ: Uh-hm.

CHAIRPERSON BARRON: Your testimony said that at present CUNY Colleges with undergraduate programs are participating. Do we envision moving this to the graduate level, and what's the time table for that?

DEAN GOSSELIN: Absolutely. So the \$4 million was earmarked only for the undergraduate considerations.

CHAIRPERSON BARRON: Oh, okay.

DEAN GOSSELIN: And—and I think that, you know, the OER movement is really born out of the community college—community colleges.

CHAIRPERSON BARRON: Yes, right.

DEAN GOSSELIN: However, the—the graduate level offers a variety I think of very compelling options. One—one is involved with digital humanities, and the Grad Center is actually a national leader in digital humanities, which are really digital learning objects that can be used as learning objects. I—I wish I had an example off the top of my head, but I can certainly provide those later. You know, another thing that we've been talking about with the Graduate Center is to help train a cadre of their grad students in the principles of OER and get—and get them on board so to speak or get them exposed. So, you know, it is a tremendous factory of—of teachers that come out of CUNY and so--

VICE CHANCELLOR RABINOWITZ: [interposing]
Right.

DEAN GOSSELIN: So to include that, you know, in their curriculum is something that we're—we're—we're talking to the Grad Center right now about doing.

CHAIRPERSON BARRON: And finally before I call the next panel, can you describe how students are tracked or will be tracked via their usage of OER? So, are students tracked for a number of reasons? We want to get the data collection, of course, and then are there any privacy concerns about the software that students are reading? You know, big brother kind of concept looking at them. So, and will we be able to collect that data as we expanding the use of OER?

DEAN GOSSELIN: I can give the central perspective, and—and that is, you know, with this attribute, and CUNYfirst, the course attribute we can begin to start gathering data and since that attribute was really just implemented a few months ago. This will go into the standard set of—of data analysis and collection in privacy protections that [coughs] that the Office of Institutional Research

is guided by. So, this—this data will flow basically into their systems and their processes. So this is something that we will have to get back to you on.

CHAIRPERSON BARRON: Okay, and finally, in terms of textbook costs, which are the majors that are the most expensive. I think I know, but what are majors that are most expensive in terms of textbook costs?

VICE CHANCELLOR RABINOWITZ: That is faculty?

WENDY LADEN: Anything STEM.

VICE CHANCELLOR RABINOWITZ: Yes.

WENDY LADEN: Anything STEM.

CHAIRPERSON BARRON: Any STEM.

WENDY LADEN: Especially for us it's like the—the health sciences. So, nursing is a very expensive business. Also very expense.

VICE CHANCELLOR RABINOWITZ: Yep, I would agree. Yep. Exactly.

CHAIRPERSON BARRON: Great. Thank you so much.

WENDY LADEN: Humanities are cheaper.

CHAIRPERSON BARRON: Humanities are cheaper, right. Okay, thank you so much. I do

appreciate your testimony, and if you could respond to those questions that we asked.

VICE CHANCELLOR RABINOWITZ:

[interposing] Respond to those questions, yes.

CHAIRPERSON BARRON: Thank you very much.

CHAIRPERSON RODRIGUEZ: Thank you.

JEAN AMARAL: Thank you.

CHAIRPERSON BARRON: Thank you.

[background comments]

CHAIRPERSON BARRON: The next panel is just going to be Richard Hershman from the National Association of College Stores. [background comments, laughter, pause]

RICHARD HERSHMAN: I'm all alone this time.

CHAIRPERSON BARRON: Oh, that--that's okay, you can carry it. We're going to ask our Counsel to swear you in.

LEGAL COUNSEL: Right. Raise your right hand, please. Do you affirm to tell the truth, the whole truth and nothing but the truth in your testimony before this committee and to respond honestly to the council member questions?

RICHARD HERSHMAN: I do.

LEGAL COUNSEL: Thank you.

RICHARD HERSHMAN: Chairman Barron, and members of the Committee on Higher Education, on behalf of the National Association of College Stores, I thank you for the opportunity to testify today on how college textbooks can be made more affordable for college students. My name is Rich Hershman. I'm the Vice President of Government Relations for the National Association of College Stores. We originally were founded here in New York City in 1923, and now are in the quiet town of Oberlin, Ohio. That is our headquarters. This is the third time I've been before this committee in 2014 and then and also in 2010, and I've been to a lot of hearings on this issue over the last 12, 13 years of my career in this space, and I always find this--this committee is really engaged in the topics. So, I appreciate that, and I'm really anxious to get into some of the questions and answers for you. When I last testified in 2014, the transformation in college textbook affordability efforts were really getting underway at reducing costs, creating greater transparency and more choices in the marketplace and you've heard about some of those choices like open educational

resources. And I'm pleased to report the progress continues and the results are pretty clear and positive. However, there's work that remains particularly in enhancing the value and use of course materials, addressing some of the underlying financial pressures on students, which as you know, are not limited to tuition fees and course materials. I think I—one of the things I've really remarked— noted in all the hearings I've seen this year, and discussions around textbook affordability. I hear more about gas, food and transportation today than I've ever heard in—in previous hearings, and discussions around the textbook affordability issue because there's larger issues in play. The good news is that the average student nationally spent about \$579 in the 2016-2017 school year, which is 17% lower than it was in 2007-2008, when students on average spent \$701. Our association has a research arm. We survey a large number of students. I think the example is around 20,000 students every year twice a year on their course material spending, behavior issues and now they interact with course materials, and so this data we've been tracking now for—for quite some time. The positive trend despite all of

the fact that students are still requiring about the same amount of materials. So, even as spending has declined, generally students are still acquiring the same number of units as they were in the past. Quality and features of course materials are improving both in OER and in commercial materials, and, you know, other costs attendance are continuing to climb. So federal data, which also shifts—staring to show this is showing costs of attendance is increasing, but this one area at least is either getting stagnant, not increasing, and actually decreasing or slightly decreasing depending on the sector. It's important to understand these are averages. So, I mean if any students in the room they might say well I spent over a \$1,000 or \$1,200 or \$1,500. So it can vary significantly between community college students and four-year institution students from freshmen students who tended to take a lot of introductory courses to upper level courses, which tended not rely as heavily on expensive course materials. So, it—it varies and it's important to recognize that, and—and the last question about majors, we have some data in our—in the attachment on my testimony which shows what students are saying

they're spending based on the major. Some STEM areas, math, computer sciences are the lowest levels of spending. Other—others are high and I think the witnesses correctly indicated business and medical areas, particularly nursing have higher costs, higher spending. I know there the Excelsior Scholarship Program, and it's been limited to tuition, and I know that's been subjected to a lot criticism among the higher education policy experts that I interact with in Washington. One thing I—I would note as a positive in that with respect to course materials is for those students in Excelsior, it provides an opportunity to fully utilize the American Opportunity Tax Credit, the Federal Tax Credit for Course Materials. So, the tax credit will no longer have to be consumed by tuition and fees, but could be applied more directly towards course materials. Tax credits are a perfect way of doing financial aid, but there are ways to get that money into the hands of students front loading by if they're working by reducing their withholdings on their paychecks. Schools I think need to do a better job, though in informing students about available financial aid including the tax credits, and how to claim them because a lot of

students are not taking advantage of tax-of tax credits like the should. Some discussion about the cost of books, supplies and equipment as part of the overall cost of attendance, a lot of those comparisons earlier in testimony were referenced in relation to tuition fees, but when we look at the total cost of attendance according to the College Board, books, supplies and equipment covers about 2-1/2% of the cost of attendance at public four-year institutions and 8.2% of the cost at community colleges. So, there's-it is a significant cost, but there are other cost pressures involved as well. Campus bookstores today provide students a choice between new, used, rental, digital options and information on how to obtain materials at no additional cost such as OER materials or library resources. Many of CUNY institutions also continued to offer physical store locations to better assist students and faculty with their variety of needs and preferences. So, not every institution. Obviously, some have contract obligations, and not everyone has completely gone over to virtual stores, and I would also point out that Hunter College, which did sign up with partnering with Akademos. Also partner with an

off-campus independent book seller Across the Street as their official brick and mortar store. So, the institutions really need to weigh what's the appropriate model and how to best serve their student body, which may differ at different institutions, and virtual stores may be the right answer for some, and other answers it may be both click and brick. Online marketplaces allow students to shop online at the campus store from a variety of other online providers, and simultaneously and one of the significant progress that's been made here at CUNY since our last hearing was that the 13 or 12 institutions that have gone to Akademos offer that online marketplace solution like NYU was doing at that time. So, students can shop on Amazon, eBay and several other providers off of Akademos' platform. All the institution bookstores, all the institutions in the system now offer price match guarantees with online competitors. So, that's another way of ensuring students are getting a good value, and the institutions are providing the best possible price. Faculty have more options in the marketplace to choose from, from both more affordable commercial materials as well as open educational resources.

However, in our most recent faculty survey, 55% of faculty report being unsure about the role they play in textbook affordability, and more than 40% of faculty do not view textbook affordability as a priority for the institution of themselves. So, certainly we were concerned with that data. I think things have improved with faculty, and I would probably say if we looked at data specifically to the CUNY system, I think faculty would be far more sensitive to this issue, than--than a large sample. Public institutions tend to be a lot more sensitive as well as community colleges in particular. A new generation of Course material discovery, selection and price saving tools are being deployed across the CUNY system. You heard a little bit about that. I think the record needs to be addressed a little bit about the--the adoption cycle. CUNY, the problem that CUNY had in 2014 is common among a lot of institutions where they need leadership of the president, the provost to really enforce faculty submitting their adoptions in on time and that is a challenge in a lot of institutions. CUNY certainly has a lot of very independent minded faculty, which I think probably presents some unique challenges. But

what was—part of the problem was CUNY's created a self-design in-house solution to the faculty submitting adoptions, which was cumbersome and not very helpful to faculty. And so, we ended up with these two different systems. Some institutions were using the bookstore system. Some were submitting in this very bare bones system a CUNYfirst, and what we have now that was part of the RFP and the contract that was awarded for the virtual stores, was a requirement to use a more state-of-the-art textbook adoption platform that allows faculty to discover materials including OER materials and adopt them, and do it in a—in a way that's much more quick and easy for the faculty. So, you take away some of the pain, and the institutional stores that still have brick and mortar, they have those platforms, too, and there should be an increase, and I did check with Akademos, and they said that their adoption rates have increased. And some of that has to do with the—the way that CUNY has integrated CUNYfirst for the single long-in back over to their platform. So, the bookstore is now managing this process more fully instead of Central IT Department, and we're getting more reliable data, which is the biggest concern I

had four years ago, which is making sure that the information is accurate for the students. Because it's one thing to submit it, but if a professor just puts it in, the wrong IBN number of something else, posted online without anyone verifying it that can create problems for students if they go shopping and will end up with the wrong book. So, that's I think very important and—and I think CUNY should be complimented for making progress in that space, but a continued leadership has to happen with the President and Provost, and reminders frequently. Bookstores do everything and anything to get faculty to turn in their adoptions. Some do pizza parties. Some award book scholarships, courtesy of the department. They will do anything to get adoptions in because it means lower costs for students and allows the stores to source materials at the lowest possible cost. Increasingly these platforms are incorporating OER materials, and Barnes & Noble, which runs several of the—about seven of the CUNY institutions has implemented a program called Faculty and Light, which allows school faculty and administrators the ability to discover open educational resources. So they can do some of the same things that are begin discussed

in sourcing from different repositories. So, they're pulling information from repositories like the Merlot Repository and some of the other OER repositories across the country, and presenting it to faculty, and what's powerful about it is in these systems is that they're presenting OER alongside commercial materials. So a professor can take a look and see whose using the material in different states or different colleges and universities and compare between this commercial textbook being offered and Open Stax textbook that's being offered. Some of these programs, I don't know if Akademos does it, but I—I know a platform called Sidewalk. To address the councilwoman's question, if a professor adopts a new textbook, a new edition, they have a warning. If the price goes up on the adoption after they've submitted all the information, they—a warning goes on the screen are you sure you want to do this? This is more expensive. If you say to the older edition this is what students will pay, and some have also implemented affordability scales so faculty can see how does this textbook or this option compare to other options in the marketplace. So, these tools if they're fully utilized can really create valuable

information and put it into the hands of faculty.

So, they make the most informed decisions, and weight

cost as part of their considerations, which, you

know, still I—I believe personally that quality

should still remain the key determination, but cost

needs to be part of that discussion. We're

partnering with a number of folks. Akademos, which

is now at several institutions is partnering with an

e-book distributor called Red Shelf. Red Shelf just

announce a major change in—in partnership with Open

Stax, which is going to provide their e—their open

textbooks, which are generally in a PDF or EPUB

format in an enhanced platform, e-book platform. So,

it's going to have the notate—notations in other

kinds of things to make the digital textbook a little

more useful and readable in a better experience for

students because generally students don't like just

PDF eBooks. It's not a—a value add to what they've

been using in print materials. So, you really have

to create digital materials in a way that enhance the

students' learning. We also partner with Open Stax

to distribute print copies in hard copy format, and

we've worked with them to bring the cost down of

those hard copies, and institutions are also able to

produce print copies on their own as well and I know there's a lot of interest in developing and printing, making low-cost print options available for students who prefer that format. Finally, I—I should say. I don't speak for the publishers, but I think the publishers are starting to make some significant efforts to try to lower prices and increase value and effectiveness of their products. For once one of the things that I track is the Consumer Price Index you mentioned in your opening remarks as well as the Producer Price Index goes back to the 1980s, and for the first time in the last—for the first time the Producer Price Index the wholesale price of textbooks is going down. Now, there's some issues with the price indexes and how the Bureau of Labor Statistics does the data, but I've been really interested to see that nowhere since 1982 have prices gone down, but they have for the last eight months. So, it will be interesting to see if that continues, but publishers are trying to find different ways to reduce their pricing and—and also deliver materials in a different way. One of the initiatives that colleges stores are working with in—with publishers on is immediate access, inclusive access programs, which address the

issue of making sure every student has access to the materials by the first day of class. The model that our members are mostly using involves working with faculty and the institutions to negotiate a lower price with the publisher, making sure that it's well below competitive market rates offered in used books rental, and other ways of students getting the materials. The students get free access to the materials, and they maintain free access to the materials to the add drop date, at which point they continue and then they get charged. So, the price is right there on the course. So, they know what they're getting when they sign up for the course and what it will be. Students are free to opt out at any point from registration all the way to the add drop date. So, some of these institutions like San Diego State University, University of California Davis have demonstrated lower costs. The publishers like it because it reduces—it increases the number of students acquiring materials and then they negotiate lower—lower prices. So, there's a lot of piloting going on. We're not sure we're all in, but there is some promise in the model if it's done the right way focused on students. Finally, NACS recently

announced a partnership with two publisher on to textbook rental programs to reduce the price of rental, essentially bringing the publishers in as part of the process so they see value in the rental program where they haven't in the past, and can lower their prices further. I'll just make a few quick recommendations. I think (1) you've talked about is making sure that institutions have good processes in place for adoptions and getting faculty to turn in their adoptions. Second, they really need to take advantage of these new textbook discovery and adoption platforms. That should be part of the OER mix. The Z Degree programs and some of these other initiatives around are more of a top-down approach to the institution, but you need to expose faculty at all levels many of whom are interested in OER, but just don't have enough information, but have shown an interest in-in moving in that direction. You have to expose them and Lumen Learning, which was mentioned earlier, they announced a partnership with about 1,000 college bookstores to populate their OER coursework into this platform because it means more faculty are going to see it and have a chance to adopt it. So, it has to be both a top-down and a

bottom-up approach to address that. So, I'd like to see the system and the institutions more integrating that as part of the initiative. Stakeholder engagement, you heard a lot about libraries. You need to have the bookstores at the table and you need to have students at the table, and you need to ensure faculty are at the table and as well as disability support services to make sure that whether it's commercial materials or OER materials, faculty that the materials are accessible to all students, which may require different formats and uses in—in ways those students can consume it. OER presents a lot of opportunities there, but there's a lot of effort underway right now to make sure these materials and the thought that goes into them are at the same level as some of the investments publishers have made. And then again, better information for students on they can budget for course materials, and how they can gain access to the full spectrum of services and support from institutions. There should never be a student that drops out of college because of the cost of textbooks. That should not be a barrier, and there are resources available whether they're emergency loans at a number of institutions here in

the—in the city and in the state where other efforts to ensure the students have access to the materials. They shouldn't be dropping out. So, I hope that helps and happy to answer your questions.

CHAIRPERSON BARRON: Thank you so much for your testimony, and I'm glad for your coming back again after having been at previous hearings on this topic. Just—just one point. In your testimony you say course materials are core academic costs of higher ed. The good news is that the average student nationally spend \$579 in the 2016-17 school year on required materials, which is 17% lower than it was in 2007-2008 when students on average spent \$701. I don't want people to leave here with the impression that it's—it's much lower and things are going down. You reflect—you are referencing course materials, which may be other items rather than just textbooks, and actually your same organization MACS said the average price of a new textbook increased from \$57 in 2007 to \$82 in 2014.

RICHARD HERSHMAN: Right.

CHAIRPERSON BARRON: And you talked about the price of used textbook. So, we've been seeing an increase, and that particular one-year that you cited

may have been something other. So, I want to make sure that people understand it's been going up, textbook costs have been going up. So, I just wanted to say that, and I do have a question for you as well. When you talk about open online access program materials.

RICHARD HERSHMAN: Yes.

CHAIRPERSON BARRON: So, do you think that professors are aware that it requires an online access code, is that correct, and that it's only for that period of time that the course is being offered that the student has access to those materials?

RICHARD HERSHMAN: So, access codes are effectively a delivery or a purchasing method in order to obtain digital commercial content.

CHAIRPERSON BARRON: Right.

RICHARD HERSHMAN: So, it's not the access code per se, it's—it's the digital content whether that—whether that's an ebook or—or an enhanced digital version of the textbook, or it's some kind of software or supplemental materials that either accompany the textbook or more or less replace the textbook. So, an access code is how you—is how the publisher provides the permission--

2 CHAIRPERSON BARRON: [interposing] Uh-hm

3 RICHARD HERSHMAN: --for the student to
4 access the materials. So, college stores or
5 publishers or institutions either provide or sell
6 access codes to students, and they gain access to a
7 website or are able to download in some cases
8 offline. So, and I think the question really is
9 what's--what's the nature of the digital content?
10 Where's the value of it, and how well is it being
11 integrated into the--into the course, and then what
12 are the terms of use. When you--when you buy a
13 digital textbook or anything digital basically,
14 you're not buying it. You're buying a license to
15 access those materials. For many of the immediate
16 access programs that are being done, some of those
17 terms of use are being expanded within the scope of
18 that program. So, many institutions have negotiated
19 with publishers so the student has access to those
20 materials for the full length of time they're
21 enrolled. So, if they're freshmen, they would have
22 access to that through--others who are saying, alright
23 this is the material you had access to at that point.
24 We're constantly updating this content so you--you can
25 have it. You can have the old version. It's yours.

Print copies are being made available for sale at very discounted rates to students enrolled in some of these inclusive access as sort of an added cost. So, one of the things that—the biggest concern I think I have per se is not in—if you ask students about college textbook costs, historically and it's still largely true today, it's not the price, which is the biggest concern the students have. Sometimes it is. It's is it going to be used? Why are students not obtaining the materials by the first day of class? Because a lot of students, particularly by their spring semester or sophomore year are smart enough to know hey I'd better find out if the professor is really going to use it. And what we found out in our faculty survey and out student survey is a major disconnected between the perception of faculty about the value of course materials, and the student perception of that value. I mean we asked a number of questions to each, and, you know, back when I was in K12 doing K12 policy, we talked about the achievement gap. There's a—there's a value perception gap in higher ed when it comes to course materials, and a lot what you were hearing in the first panel isn't necessarily about OER per se. It's

about course redesign and making sure that the content that's being used in that course is being really integrated into the instruction. That's part of it. Obviously, OER has other benefits to it and opportunities, but a lot of that is about course redesign, and ensuring that the materials are fully utilized, and--and that was the big disconnect in the first hearing we had in 2010 about bundling. People--

CHAIRPERSON BARRON: [interposing] Yes.

RICHARD HERSHMAN: --students complained all about bundling textbooks. I bought this textbook, but I've got to buy all this other stuff. I get to class, the professor hasn't mentioned any of it, and there was this big disconnect why am I being-- why do I have to buy this big textbook and all this stuff and I'm not using? Or why am I buying this 600, 700-page book and we're only using four chapters. So, the industry has tried to address some of that. We've gone to some custom solutions, which have pluses and minuses when it comes to resale, but trying to tailor the contents to the specific needs of the professor and the--and the requirements of the course that has to happen. And--and I think part of

what's been going on in a lot of schools that have been doing course redesign whether it's with commercial materials or not or OER, it's part of that trying to make sure the content fits what they're trying to do in the course.

CHAIRPERSON BARRON: Well, I-my position is yes, it's the value of the materials that is fundamentally what we need to make sure we get but certainly my position is that students are concerned about the cost and the price of the textbook. So, and-and most of the testimony that we've heard students do talk about the price of the textbook.

RICHARD HERSHMAN: And-and we're in the same position.

CHAIRPERSON BARRON: Okay.

RICHARD HERSHMAN: I mean both from trying to find ways to lower prices to supporting OER. There will be a bill introduced in Congress. It was supposed to be this week. It sounds like it might get pushed to next week by Senator Dick Durbin of Illinois to support open educational resources where we've work with the Senate on the bill. We support it. We supported it in the past Congresses.

CHAIRPERSON BARRON: [interposing] Yes.

RICHARD HERSHMAN: We worker with Senator Schumer back in 2006-07 on a textbook rental initiative, which ended up funding about \$20 million to textbook rental programs, and also some of the early investments in OER. So, we're—we're on all the strategy of reducing textbook costs--

CHAIRPERSON BARRON: [interposing] Right, right.

RICHARD HERSHMAN: --and next month in Atlanta, Georgia we have our third Annual Textbook Affordability Conference where we bring in OER folks, libraries, bookstores, faculty, administrators, student government, and everyone sits down over two days and tries to really hammer out different issues.

CHAIRPERSON BARRON: And as we talk about historically those movements and issues and initiatives that have been implemented to try to reduce the textbook costs, I do have to give a shout out to my predecessor--

RICHARD HERSHMAN: [interposing] Yeah.

CHAIRPERSON BARRON: --former Council Member Charles Barron because he did have a program with Barnes & Noble.

2 RICHARD HERSHMAN: [interposing] Yes,
3 that was the first—that was the first hearing.

4 CHAIRPERSON BARRON: Yes, and that where
5 Barnes & Noble have an agreement where they would
6 work with a particular campus school to reduce the
7 cost, but we do want to thank you for your testimony,
8 and we look forward to working with you further.

9 RICHARD HERSHMAN: Thank you.

10 CHAIRPERSON BARRON: This is the last
11 panel.

12 LEGAL COUNSEL: Yes.

13 CHAIRPERSON BARRON: Okay. Okay, we're
14 going to have some students. We're going to have
15 Jona Kerluku come, Fatima Arucci come and Chita is
16 here, Chica Onyejiukwa. Come please and take your
17 places at the table. Once you're seated, the counsel
18 will administer the affirmation. [background
19 comments, pause]

20 LEGAL COUNSEL: Good afternoon. You guys
21 read? Raise your right hand please. Do you affirm
22 to tell the truth, the whole truth and nothing but
23 the truth in your testimony before this committee and
24 to respond honestly to the council members'
25 questions?

PANEL MEMBERS: [in unison] I do.

LEGAL COUNSEL: Thank you.

CHAIRPERSON BARRON: Thank you. You may begin.

FATIMA ARUCCI: Hello. This is my first time testifying in front of the City Council. So, I'm—I'm really excited, kind of nervous, but I'll go right into what I have prepared for today. So, greetings honorable Committee Chairperson Barron. Thank you for having us here today.

CHAIRPERSON BARRON: Can you give us your name?

FATIMA ARUCCI: Yes, my name is Fatima Arucci and I serve as a delegate for the City University of New York, University Student Senate otherwise known as CUNY USS. Thank you. USS is the student government's organization responsible for representing the interests of the nearly 500,000 students that attend CUNY each academic year. I'm a student John Jay College of Criminal Justice studying English and philosophy, minoring in Computer Arts and Interdisciplinary studies. I also have the distinct honor to serve as the President of John Jay Student Council and in addition to that I'm a proud member of

City Council District 30, which is represented by Council Member Elizabeth S. Crowley. So, in my four years as a student at John Jay, I've heard many stories from fellow classmates and students regarding the struggles that they undergone in order to get to college and continue to excel while in college. Our students and their stories are what inspire me every day to work towards improving their overall experiences. Through many conversations I've had with students, I've come to realize something rather unfortunate and that is that one of the common denominators that I found to be at the core of students' inability to succeed is the issue of paying for textbooks. The rising cost of textbook place an additional financial burden on our students and those increased costs have a direct affect on student academic success. So, I will recount today two instances which I can assure you are not outliers, and are situations that many students at CUNY find themselves in. So, I've changed the names for the students so that, you know, we don't single out any particular student, but-- So, Sarah was a student in my Social Science Math class who confided in me that she was a part-time student who was living paycheck

to paycheck. When our professor announced to the class that the textbook for the semester would cost each person in the class a whopping \$140, both of our jaws dropped. The textbook included an electronic access code to a website where we were supposed to do our math homework and, in fact, the access code actually cost more than the textbook itself. Because Sarah couldn't afford to put up such a huge amount for one textbook, she ended up dropping the course, and I never saw her again. So, I feel that no student should ever feel like that's their only option in this situation is to drop the course that they're taking, a decision that may delay the continuation of a student's degree program, and this is especially true for students who are seeking to enter the STEM field and come from socioeconomic groups that traditionally do not have a major stake in STEM. So, that was Sarah's story, but Sam's story is a little bit different. Was a student in the American Studies Literature-Literature course that I actually co-taught with a professor. Because Sam could not afford to buy the books that he needed for this course, and because electronic devices were not allowed in the classroom, which is typically the case

in literature courses, Sam borrowed one of his
classmate's books and every week would go to the
library to individually scan print every single page
of every single novel that we were reading. What I
finally realized what he was doing, in order to save
him the trouble of having to worry about such a
menial thing, which I could tell was taking away from
the time he put into his responses as the co-teacher
for the course. I lent him my books because I had
read them all in advance. When he didn't have to
worry about making sure he had the readings for each
week, the quality of his writing improved and in the
classroom I could tell that he seemed more
comfortable and willing to engage with class
discussions. Perhaps not having the books was a
source of embarrassment for Sam. It kept him from
being engaged, something which he was then able to
overcome because he didn't have to worry about that
any more. So, these are only two students' stories,
but as I stated previously, their situations that are
more common for students than you might think, and
it's my hope that the City Council will do more to
ensure that textbooks in higher ed remain affordable
that—and the greater access to these materials be

provided to students. So, I want to close by thank you all for the tremendous work that you do on behalf of members in our community and we look forward to working with to make CUNY a place where everyone can expect access to an affordable and high quality higher education. And as for my copy of that \$140 textbook, it sits buried in my closet somewhere collecting dust. The access code never having been used. If only these were new. (sic)

CHAIRPERSON BARRON: Thank you. Next.

JONA KERLUKU: Greetings, Honorable Chairperson Barron. My name Jona Kerluku, and I serve as Vice Chair Fiscal Affair for the City University of New York, University Student Senate also known as SUNY USS. USS is the student governance organization responsible for representing the interest of nearly 500,000 students that attend CUNY each academic year. I currently attend Lehman College with a major in exercise science and mathematics. I'm also a proud member of the City Council District 32. Among other barriers to completing a college degree income is a leading factor that can hinder a student from reaching their full potential. The average 2016 graduate of

accumulates 30—about \$37,000 in debt. In 2012, 71% of students, that is about 1.3 million individuals graduated from a 4-year college with debt. Graduate students owe about \$57,000 on average not reflecting any other debt that they accumulated while an undergrad. The City University of New York has historically been in a special position to offer low-income students an opportunity to receive a quality education at an affordable price. Unfortunately, throughout the years tuition at CUNY has risen along with other mandatory costs that are required for students to actively participate in class. A study conducted by the U.S. Government Accountability Office in 2013 found that textbook costs rose about 82% from 2002 to 2012, and textbooks now are costing students roughly \$100 to \$400 for books that are often just used for one class and just for one semester. Some classes require multiple books as other testimonies have shown. It is wrong to interpret the narrative that the afflictions of poverty are eliminated when a low-income student enters college. Student drop out due to the financial strain they are feeling not only at school but also at home. Governor—Governor Cuomo barely

attempted to solve these systemic issues through the Excelsior Scholarship. This last dollar scholarship takes financial aid away from our most needy students that can be used towards transportation, books, fees and other school related bills. For graduate students, even less resources are available, and to add to the financial crisis most students are facing, CUNY recently raised their tuition, and not only did the federal government just eliminate a program that would mitigate debt students are accumulating, they are actively taking steps to underfund public education. And from the testimonies that I heard earlier, I would just like to add something about Open Resource Textbooks and that they should not compromise the quality of our education because some students feel that some of the textbooks being used do not include all the information that previous textbooks were used, and also as my colleague mentioned, some classes have online components that although free textbooks are being used, it negates the purpose because an access code can cost just as much or even more than the textbook that was eliminated. And virtual bookstores are not necessarily something that all students want

especially because CUNY has a population of students that are non-traditional, sometimes older and are accustomed to a different way of learning. And so of those virtual textbook book stores, are a good option. They should not be the only option, and that the shipping costs associated with a virtual bookstore sometimes affect the ability of a student to receive those books by the first day of class. And so, now more than every we need our brightest people working to solve these problems affecting the students in New York and USS is calling on legislators to pass and sign a bill that will begin a task force on private student loans, refinancing and on efforts to reduce textbook costs. Thank you for all the work that you do on behalf of members in our community, and we look forward to working with you to make CUNY a place where everyone can attain a higher education.

CHAIRPERSON BARRON: Thank you. Next.

CHIKA ONYEJIUKWA: Greetings, Honorable Chairperson Barron and Honorable Council Members. My name is Chika Onyejiukwa, and I serve as a chairperson of the City University of New York's University Student Senate, also known as CUNY USS. I

am a proud recent graduate of Hunter College having studied Community Health Education, and I'm a proud resident of City Council District 27 represented by Council Member Daneek Miller. My colleagues today have detailed to you the plight of the CUNY student. The cost of textbook coupled with the out-of-reach costs of tuition and expenditures have disenfranchised many students from attaining a quality and affordable education. We are here today to call on the Council to take the following measures:

1. CUNY students asks in New York City Council to adopt Resolution 1559 calling on the Governor, calling on Governor Cuomo and the State Legislature to enact into law refinancing of student loans and developing a refinancing student loans task force.

2. Tuition continues to rise, but there is less financial aid available to cover books and transportation. CUNY students ask the New York City Council to call on the State to reform the Tuition Assistance Program, TAP in four ways.

i. Removing the one-year full-time eligibility requirement so that more students are eligible for full-time TAP.

ii. To amend the Excelsior Scholarship Program to a first dollar so that students can use TAP and Pell Grants to cover books and transportation costs.

iii. Extend the number of semesters students receive TAP so transfer students can complete their degrees without running out of financial aid, and

iv. On behalf of our undocumented students asking them to please pass the New York State Dream Act so our students can have the real leadership that they need more now than ever.

3. Students ask the New York City Council to write a letter to the New York State Legislature and Governor requesting that they adopt amendments to the Get On Your Feet Student Loan Program to include graduate student loan debt.

4. CUNY students ask the New York City Council to continue to provide funding for the City Council Merit scholarship, and

5. CUNY students that the New York City Council request the state freeze tuition for the new-- for the next two academic years because our students deserve a break. I would be remiss if I didn't take time to thank each and every member of this committee who continues to work tirelessly to ensure that the City University of New York has the resources we need to educate and to succeed. Thank you for your time.

CHAIRPERSON BARRON: Thank you much. I appreciate you coming, and just a few comments. You talked about Mr. Arucci--

FATIMA ARUCCI: [interposing] Uh-hm

CHAIRPERSON BARRON: --you talked about co-teaching.

FATIMA ARUCCI: Yes.

CHAIRPERSON BARRON: I wanted to hear you talk a little bit more about that experience.

FATIMA ARUCCI: Sure. So, co-chat with a professor in the English Department. It was a hybrid course and so most of the school work was done online and we met once a week during the actual semester, and for me that was a very transformative experience because as an undergraduate student, you don't get many opportunities to see what it's like to be a

professor, and to experience academia in that light, and so I got a chance to, you know, create my own course folder based off of research that I did independently, but I got to teach two of the students through online and—and in person, and that's an opportunity that I think more students at the undergraduate level definitely need. It's part of—it should be something that's a part of the experiential learning component to higher education. So, that—that's something that meant a lot to me as a student, and there's more comments I can make on the things that have passed before us today, but I want to toss it back to you for whatever comments you have.

CHAIRPERSON BARRON: And—and what school was that at?

FATIMA ARUCCI: John Jay.

CHAIRPERSON BARRON: At John Jay. Okay, great. Thank you, and the hybrid course, what was the title of the course, do you remember?

FATIMA ARUCCI: It was American Stories, but the course code was Literature 233 I believe.

CHAIRPERSON BARRON: Okay, good.

FATIMA ARUCCI: Yeah, I taught as an—it was an independent study for me. So it was a 300 level for me, but I co-taught.

CHAIRPERSON BARRON: Good. [coughs]
Great. Thanks and Chica.

CHIKA ONYEJIUKWA: Uh-hm

CHAIRPERSON BARRON: Thank you once again for the leadership that you provided, and once again we always know that, you know, USS comes before us and they have a plan, they have a vision, and we're so excited to be able to continue to work with you in that regard, and I don't think that I have any other questions. I want to keep you encouraged and keep the relationship and the communications open. Thank you so much for coming here to testify.

CHIKA ONYEJIUKWA: Thank you Council Member.

CHAIRPERSON BARRON: Thank you.

CHIKA ONYEJIUKWA: Thank you for having us.

FATIMA ARUCCI: Council Member.

CHAIRPERSON BARRON: Yes.

FATIMA ARUCCI: If you don't mind, if I could just say some more words.

CHAIRPERSON BARRON: Sure.

FATIMA ARUCCI: So, going back to the OER topic, something that Jona touched on that is very pertinent to our students is the fact that those virtual textbook stores are not always the best thing that works for students. You know, John Jay College was the first college to move from the brick and mortar bookstore to the virtual system, and since then I've heard so many complaints from students that they don't, you know, they don't use that—that source. For myself I've used it maybe twice, and both times the textbooks have come in late, or they shipping costs have been higher than the actual cost of textbooks. So, for me it's easier to get on the train, and get my ass to the—to the strand, and pick up books up books from there than to have to worry about getting them over the virtual online bookstore because they might come in two months into the semester or I might be paying over \$50 for just shipping alone. So, that's one thing that is important about it, but more than anything, I want to talk about the communal value that the bookstores actually give to our college communities because bookstores are more than just about the books. You

can go to the bookstore and you can pick up utensils. You can pick up notebooks. You can pick up apparel for your college and it's about school, community and spirit as well. You know, John Jay got rid of theirs. Brooklyn College got rid of theirs last year, and their student newspaper actually released an article that very much highlighted the student negative reaction to what was happening with the bookstore. And so I would really hope that the City Council takes that information into consideration when it comes to this kind of stuff. One thing that I did want to note also on top of that was something a very nice professor of mine did for students this semester regarding textbooks. He actually had a partnership with the publisher of-of this particular textbook that he wanted to use for our course, and instead of pulling the entire textbook for the course, which is supposed to cost about \$200, made that partnership, and was able to get USBs for everyone in the class for \$40 each. Now, the one downside to that is the professor actually had to put up the money himself. So let's say SUNY drops the course, that professor ends up being unable to pay off that bill, but that is something that this professor did of his own

concern for student affordability costs with textbooks, and I think something that we should talk about. Like Jona said, is these other ways to look at what affordability looks like with textbooks and maybe private and public partnerships with those publishing companies can be one of those things.

CHAIRPERSON BARRON: Great. Thank you so much, and certainly it speaks to as you started out talking about the uniqueness of individual learning styles, and not any one program or plan fits everyone, and we need to make sure that as we're designing this materials that we're cognizant of that a fact. I love a book to hold in my hand, to see the words. I get a few things online, but I prefer books. So, we certainly have to respect people's individual learning styles, and we're glad to know that there are instructors such as the one that you referenced who are not only concerned about the cost to students, but is willing to go into his own pocket and provide that. So thank you so much.

FATIMA ARUCCI: Thank you.

CHIKA ONYEJIUKWA: Thank you.

JONA KERLUKU: Thank you.

1 COMMITTEE ON HIGHER EDUCATION

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2 CHAIRPERSON BARRON: And seeing no other
3 testimony, we're going to conclude this hearing.
4 Thank you so much. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date September 24, 2017