



MEMORANDUM

September 30, 2025

ESS 25-63 | Via Email

TO: Chief Executive Officers
Chief Instructional Officers
Chief Student Services Officers
Chief Business Officers
Academic Senate Presidents

FROM: James Todd, Vice Chancellor of Academic Affairs
LaTonya Parker-Parnell, President of Academic Senate for California Community Colleges
Michelle Pilati, Project Director of Academic Senate for California Community Colleges
Open Educational Resources Initiative

RE: Empowering Day-One Access through OER (Title 5, § 54221)

Purpose

Every student should begin every class fully equipped to learn—no fees to clear, no codes to buy, and no waiting for financial aid. California Code of Regulations, title 5, [§ 54221 Burden-Free Access to Instructional Materials](#), advances this vision by calling for district policies that ensure first-day access to textbooks and supplemental materials, minimize financial and administrative burdens on students, and preserve faculty responsibility and academic freedom in selecting course materials. This memo embraces the regulation not as a checklist, but as an opportunity to widen the path to transfer and completion by encouraging colleges to achieve its intent through the adoption of open educational resources (OER) and building sustainable Zero-Textbook-Cost (ZTC) pathways.

This new regulation also directly advances the goals of Vision 2030: equity in access, equity in support, and equity in success. By eliminating the cost barrier to instructional materials, students who have historically been excluded from timely participation in their coursework can engage from the very first day. By encouraging the use of OER and establishing Zero-Textbook-Cost (ZTC) pathways, colleges can provide consistent, sustainable affordability across entire programs, and not just individual courses. And by embedding burden-free access into local policy, districts help students complete their educational journeys more efficiently and equitably, strengthening pathways to transfer, degrees, and family-sustaining careers.

This guidance follows the Chancellor's Office memorandum issued July 22, 2025 ([ESS 25-43](#)), which outlined the regulatory provisions for burden-free access, and previewed this empowerment memo to support local policy development and day-one access across textbooks, supplies, and supplementary materials.

Background

As noted in [ESS 25-43](#), title 5 [§ 54221 Burden-Free Access to Instructional Materials](#) was filed July 1, 2025, and became effective July 30, 2025. Districts have 180 days—until Jan. 26, 2026—to align local policy. While policy is the start, meeting the intent of the regulation will take local focus and collaboration. Core expectations include: ensuring first-day access to textbooks and supplemental materials (including through adopting or adapting OER or, where needed, providing initial textbook chapters consistent with copyright); strengthening access to all other instructional materials before they are required; upholding faculty academic freedom; and fostering student-centered practices such as ZTC degrees, library lending, and early financial-aid disbursements consistent with federal regulations.

The regulation defines “instructional materials” broadly as all required items for a course—textbooks, supplemental materials, and supplies. Textbooks are the educational resources listed in the syllabus; supplemental materials include lab manuals, workbooks, required software or homework systems, journal articles, interactive websites, and readers. This breadth invites colleges to reimagine the entire learning experience—not just the book—through an affordability lens.

Why This Matters

The July memo underscored what students have told us for years: required materials can cost hundreds of dollars annually, forcing many to avoid courses, change majors, or attend class without required tools. When day-one access is the norm, faculty can teach to the syllabus from the first moment; students engage immediately; and momentum toward transfer and completion strengthens—especially for learners who have historically shouldered the greatest financial burdens.

From Regulation to Reality: Colleges Can Deliver Day-One Access Through OER

Imagine the first week of each term on your campus. A student opens Canvas on Sunday night and finds the resources they need to start the class—ready to go, without the barrier of a required payment. A faculty member feels free to choose the best materials for learning and to adapt them over time to better reflect local communities and program outcomes. A library has built the connective tissue—stable links, print-on-request at institutional cost, course reserves—to make materials persistently available in multiple formats. This is the day-one experience the burden-free regulation invites us to co-create.

To move toward this vision, consider a collaborative arc that brings together administrators, local Academic Senates, libraries, student services, and faculty, with the [Academic Senate for California Community Colleges Open Educational Resources Initiative \(OERI\)](#) as the practical hub. The OERI, stewarded by the Academic Senate, has become a cornerstone for this work. It offers far more than a collection of open resources. OERI curates [comprehensive discipline-specific collections of](#)

[OER](#) that are aligned with the California Community Colleges' transfer infrastructure, including C-ID course descriptors and Transfer Model Curricula (TMCs). This means that for many of the courses students must take to transfer, there are already high-quality, peer-reviewed OER textbooks, ancillaries, and even OER for complete Associate Degree for Transfer (ADT)-aligned pathways available for adoption. OERI also supports faculty through accessibility checklists, DEIA-informed style guides, and professional development webinars, while fostering a statewide network of OER liaisons and discipline leads who share practices, troubleshoot challenges, and participate in materials development where gaps exist. In other words, OERI offers both the content and the community needed to make day-one access through OER not only possible, but practical and sustainable.

Consider the possibilities for your college:

- **Discovery aligned to transfer.** Departments might begin with high-enrollment, transfer-critical courses such as those in Cal-GETC or ADT pathways. Faculty and OER liaisons can [explore OERI's curated collections](#)—organized by discipline, aligned to C-ID, and scaffolded to TMCs—to locate ready-to-adopt texts and ancillaries that match California transfer patterns.
- **Adopt for day one; adapt for your students.** When a strong match exists, faculty can post OER in Canvas ahead of the term, ensuring immediate, no-cost access. When gaps appear, OER licensing enables remix and localization. Faculty can integrate culturally responsive examples, adjust sequencing, and align assessments without delaying access to students. The regulation preserves academic freedom even as it encourages zero-cost practices; OER expands the palette of choices available to instructors.
- **Cover the whole syllabus.** Because instructional materials also include supplemental items such as homework systems, readers, software, and manuals, faculty and librarians could cross-walk each syllabus against open or library-licensed alternatives. Where proprietary elements remain essential and no open alternative exists, districts can implement policies and practices that eliminate student costs through lending, targeted purchasing, or library acquisitions—so students still begin fully equipped.
- **Accessibility and DEIA by design.** Instructional designers, accessibility experts, and librarians might use OERI's accessibility practices and discipline-based quality approaches during adoption cycles, so accessible formats, alt-text, captions, and inclusive examples are standard.
- **Make it seamless for students.** Colleges are already required to mark no-cost sections in the schedule of classes, assisting students in finding those sections that are already aligned to the new regulation. In addition, colleges can ensure durable library links to resources are available and provide print options at institutional cost. When a print bridge is helpful, providing initial chapters consistent with copyright keeps learning moving from day one.

- **Stitch courses into pathways.** Departments may convene and discuss how to connect course adoptions into ZTC degree maps, using OERI’s C-ID and TMC scaffolds, so students can complete certificates and degrees without materials charges.
- **Support the people doing the work.** Adopting and adapting OER is scholarly and pedagogical work. Colleges might recognize this through providing faculty time, flex credit, peer mentoring, adoption “studios” supported by instructional designers and librarians, and by recognizing and valuing OER work in evaluation and professional growth. The OERI liaison network and regular webinars provide community, professional learning, shared ancillaries, and just-in-time help as faculty move away from publisher bundles.

Throughout, imagine the compounding effect for students: consistent, predictable no-cost access course after course; a schedule that clearly signals affordability; and a Canvas page that always opens to what they need.

Policy To Practice This Year

[ESS 25-43](#) encouraged colleges to view the new regulatory provisions as a strategic opportunity to formalize and strengthen policies that already align with equity plans and board priorities.

Adopted policies are not expected to result in the immediate establishment of no-cost first-day access, but to establish the conditions to achieve this goal over time. Local Academic Senates and administrators together might consider:

- **Policy as a runway.** Rather than a single compliance moment, imagine policy language that guides long-term decisions—procurement, budgeting, library investments, and program review—toward sustainable practices that gradually eliminate student costs for instructional materials. OER offers the clearest pathway toward this goal, with lending and targeted purchasing filling in when open options are not yet available.
- **Collaborative pathway build-outs.** Colleges may convene cross-functional design sprints—faculty leads, OER liaisons, librarians, instructional designers, financial aid—to map the next wave of OER adoptions in large GE and transfer bottlenecks and publish a living OER/ZTC pathway map students can plan around.
- **Student-centered operations.** Imagine materials that are available before they are required for a grade, with multiple formats supported, schedule notes that help students choose no-cost sections, and (where appropriate) earlier aid timing to reduce frictions that remain.

In reflecting on these directions, colleges may also weigh which solutions align most closely with the intent of title 5 [§ 54221 Burden-Free Access to Instructional Materials](#).

Automatic-billing approaches—sometimes called “inclusive” or “equitable” access programs—do place materials in students’ hands on day one, but they do not eliminate instructional materials costs. These models address only one dimension of the regulation: timing. By contrast, OER and ZTC pathways embody both the letter and the spirit of the regulation by ensuring access on the first day and by eliminating costs for students over the long term. Colleges and senates might imagine policies that set this more ambitious outcome as the north star, with each new OER adoption and each new ZTC pathway a step toward a future where instructional materials no longer represent a financial barrier.

Conclusion: A Systemwide OER Platform and Burden-Free Recommendations

As previewed in the July memo ([ESS 25-43](#)), the Chancellor’s Office is completing an RFP process to identify a systemwide OER platform to simplify searching, adoption, adaptation, attribution, and accessibility support. Additionally, the Burden-Free Instructional Materials Implementation Taskforce, charged with translating recommendations into actionable, sustainable strategies, will culminate its work into an action-oriented report with best practices, systemwide opportunities, and technical assistance.

The new title 5 [§ 54221 Burden-Free Access to Instructional Materials](#) invites us to do together what none of us can do alone: *make day-one, burden-free access the California Community Colleges standard*. When administrators and local Academic Senates collaborate to align policy and practice, when faculty are supported to choose and shape OER, when libraries and student services smooth the path, and when procurement aligns with our values, every student begins every class ready to learn. That is the spirit of Vision 2030—and the promise this regulation helps us realize.

For questions regarding this memorandum, please contact Chad Funk, Educational Services and Support Division at CFunk@CCCCO.edu.

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