

An act to amend Section 78052 of the  
Education Code, relating to community  
colleges.

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

SECTION 1. Section 78052 of the Education Code is amended to read: 78052. (a) It is the intent of the Legislature that community college districts

develop and implement zero-textbook-cost degrees and develop open educational resources for courses to reduce the overall cost of education for students and decrease the time it takes students to complete degree programs.

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

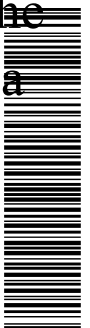
(1) "Chancellor" means the Chancellor of the California Community Colleges.

(2) "Chancellor's office" means the Office of the Chancellor of the California Community Colleges.

(3) "Degree" means a zero-textbook-cost degree.

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

(5) "Zero-textbook-cost degrees" means community college associate degrees or career technical education certificates earned entirely by



completing courses that eliminate conventional textbook costs by using alternative instructional materials and methodologies, including open educational resources. For purposes of this paragraph, “alternative instructional materials and methodologies” may include low-cost instructional materials for which costs cannot be fully eliminated because of royalties a publisher pays to an author for intellectual property rights. Discretionary student printing of instructional materials shall not be considered a cost as part of this program.

(c) (1) Of the funding appropriated in the annual Budget Act to develop and implement degrees, the chancellor shall distribute grants of up to two hundred thousand dollars (\$200,000) to a community college district for each degree developed and implemented within the district that contributes to the overall-~~elimination~~ elimination, or significant lowering, of textbook costs for students and aligns with the conditions for receipt of funds specified in subdivision (d). The chancellor’s office shall ensure that a grant does not result in the development or implementation of duplicate degrees for a subject matter to avoid duplication of effort and ensure the development and implementation of the greatest number of degrees for the benefit of the greatest number of students. The chancellor’s office may distribute the grants in phases, including a planning phase and an implementation phase.

(2) Notwithstanding any other law, in addition to the grants described in paragraph (1), the chancellor may also distribute grants to a community college district for the development and curation of open educational resources for coursework. The chancellor’s office shall

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determine the amount of a grant for this purpose, but the grant amount shall not exceed fifteen thousand dollars (\$15,000).

(d) As a condition of receiving funding appropriated in the annual Budget Act to develop and implement ~~degrees~~, degrees pursuant to paragraph (1) of subdivision (c), a community college district shall comply with all of the following:

~~(1) Develop and implement a degree from an existing associate degree or develop and implement a new or existing career technical education certificate program, that has high value in the regional market, as a zero-textbook-cost certificate program.~~

(1) Develop and implement one or more of the following program pathways as a zero-textbook-cost degree or certificate program:

(A) An existing associate degree or career technical education certificate program. (B) A new associate degree or career technical education certificate program

that meets one of the following conditions:

(i) Has a high value in the regional market.

(ii) Meets an emerging regional business industry need. (iii) Has high textbook costs.

(2) In complying with paragraph (1), prioritize the development and implementation of a degree from an existing associate degree for transfer and, to the extent possible, prioritize the ~~adaption~~ adaptation of existing open educational resources through existing open educational resources initiatives, or elsewhere, before creating new content.

(3) Develop degrees with consideration for sustainability after grant funding is exhausted, including how content is updated and presented.

(4) Ensure compliance with the federal Americans with Disabilities Act (Public Law 104-197) and the federal Copyright Act of 1976 (Public Law 94-553).

(5) Develop and implement a minimum of one degree for each grant received.

(6) Develop and implement a degree that other community college districts can use or adapt, and post



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each degree, and the contents of the degree, on the online clearinghouse of information established pursuant to Item 6870-101-0001 of the Budget Act of 2016, or a successor ~~Internet Web site~~, internet website. All open educational resources used as learning materials for a degree developed pursuant to this section **shall be added to the California Digital Open Source Library** established in Section 66408. Testing and assessment materials posted online pursuant to this paragraph shall be safeguarded to maintain the integrity of those materials. This paragraph shall not be construed to prohibit faculty from providing sample test and assessment materials to students.

(7) Ensure faculty shall have flexibility to update and customize degree content as necessary within the parameters of this program.

(8) Ensure that the degree developed and implemented is clearly identified in college catalogs and in class schedules.

(9) Provide the chancellor with all—planning legislatively required report data, any planning, progress, and outcome information associated with the grant, and any additional information that the chancellor determines necessary.

(10) Consult with the local academic senate of a college that would implement a degree.

(11)(A) Use a multimember team approach, to develop and implement a degree pursuant to this section, that includes faculty, college administrators, and other content-focused staff, including, but not limited to, librarians, instructional designers, and technology experts, from the campus that would implement the degree, other colleges of the community

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college system, and interested campuses of the  
California State University and the University of  
California. ~~Grant~~

(B) Grant recipients may use funds to obtain professional development and technical assistance to assist in the development of degrees.

(12) ~~Strive to implement degrees by the first term of the 2018–19 academic year, within three academic years of receiving funding, or sooner, as determined by the chancellor’s office.~~

(e) (1) The chancellor shall, by June 30, 2019, 2027, report to the Legislature, the Legislative Analyst’s Office, and the Department of Finance on the development and implementation of ~~degrees,~~ degrees pursuant to paragraph (1) of subdivision (c), including, but not limited to:

(A) The number of degrees developed and implemented within each ~~district~~ district, disaggregated by college.

(B) ~~The estimated annual savings to students.~~ students and colleges.

(C) ~~The number of students who completed a zero-textbook cost degree program.~~

(D) ~~Recommendations to increase, expand, or improve the offering of degrees.~~

(2) A report pursuant to paragraph (1) shall be submitted to the Legislature in compliance with Section 9795 of the Government Code.

(f) (1) Of the funds appropriated in the annual Budget Act for this program, up to 10 percent of the appropriation may be allocated by the chancellor’s office to contract with a community college district to administer this program.

(2) The contract between the chancellor’s office and the community college district shall reflect all of the following:

(A) The programmatic and administrative



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responsibilities that will be delegated to the district, including the programmatic requirements identified in subdivisions (c), (d), and (e).

(B) A requirement that the contracting district provide prebid conferences, either in person or via webinar, for interested grant applicants.

(C) Technical assistance to grant applicants and grantees.

(3) The contracting community college district may apply for, and receive, a grant to develop and implement a degree and have employees and administrators of the district participate as part of a multimember team approach pursuant to paragraph (11) of subdivision (d). To be eligible to receive a grant, the district shall maintain appropriate and transparent internal controls and processes to ensure that the district's contracted duties and responsibilities are clearly delineated, identified, and distinguished from the duties and responsibilities conferred upon the district as a grant applicant and recipient.

(4) Upon request of the chancellor's office, the contracted community college district shall provide the chancellor's office with an update on the status of the development and implementation of each degree within the district.

(5) Notwithstanding any other law, a contract between the chancellor's office and a community college district for purposes of this subdivision is not subject to any competitive bidding requirements of Section 10340 of the Public Contract Code for the limited purpose of administering the program pursuant to this subdivision.

(g) Of the funds appropriated in the annual Budget Act for this program, funds not awarded in ~~the 2016–17~~ a fiscal year for which funds are appropriated may be awarded in ~~the 2017–18~~ following fiscal year.

(h) The chancellor's office shall award an initial round of grants no later than January ~~1, 2017~~. 1 of a fiscal year for which the funds are appropriated.

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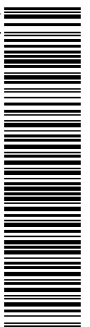
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## LEGISLATIVE COUNSEL'S DIGEST

Bill No.  
as introduced,  
General Subject: Community colleges: Zero-Textbook-Cost  
Degree Grant Program.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. The board appoints a chief executive officer known as the Chancellor of the California Community Colleges. The Zero-Textbook-Cost Degree Grant Program requires the chancellor to distribute grants to community college districts that meet specified criteria for developing and implementing associate degrees and career technical education certificate programs earned entirely by completing courses that eliminate conventional textbook costs by using alternative instructional materials and methodologies.

Existing law requires a community college district, as a condition of receiving funding appropriated in the annual Budget Act, to develop and implement zero-textbook-cost degrees, among other things, to strive to implement zero-textbook-cost degrees by the first term of the 2018–19 academic year, or sooner, as determined by the Office of the Chancellor of the California Community Colleges. Existing law requires the



chancellor to report, by June 30, 2019, to the Legislature, the Legislative Analyst's Office, and the Department of Finance specified information on the development and implementation of zero-textbook-cost degrees pursuant to the program, including the estimated annual savings to students. Existing law authorizes funds not awarded in the 2016–17 fiscal year in the annual Budget Act for the program to be awarded in the 2017–18 fiscal year. Existing law requires the chancellor's office to award an initial round of grants no later than January 1, 2017.

This bill, among other things, would require a community college district, as a condition of receiving funding, to strive to implement zero-textbook-cost degrees within 3 academic years after funding is appropriated in the annual Budget Act. The bill would require the chancellor to report, by June 30, 2027, to the Legislature, the Legislative Analyst's Office, and the Department of Finance specified information on the development and implementation of zero-textbook-cost degrees pursuant to the program, including the estimated annual savings to colleges. The bill would authorize funds not awarded in a fiscal year for which funds are appropriated to be awarded in the following fiscal year, and would require the chancellor to award an initial round of grants no later than January 1 of a fiscal year for which funds are appropriated.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.