

Proposed Revisions to Title 5, California Code of Regulations relating to Burden-Free Access to Instructional Materials

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ADDING NEW SECTION 54221 TO SUBCHAPTER 4 OF CHAPTER 5 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS.

§ 54221. Burden-Free Access to Instructional Materials.

(a) Governing boards shall adopt policies that ensure student burden-free access to instructional materials prior to the first day of a course, to the maximum extent feasible using available resources. District policies should maintain an instructor’s responsibility to choose instructional materials, support student-centered practices that encourage the use of zero-cost instructional materials, and leverage available resources, including, but not limited to, the following:

(1) developing and implementing sustainable zero-textbook-cost degrees, consistent with Education Code Section 78052;

(2) adopting open educational resources or utilizing existing open educational resources;

(3) establishing lending programs and maintaining college library resources to support immediate access to course materials;

(4) developing policies that enables financial aid early disbursements consistent with 34 CFR 668.164(i);

(5) encouraging and supporting students to complete their financial aid files early to receive timely disbursement; and

(6) deploying other forms of direct aid and support program resources to strengthen student financial stability.

(b) For the purposes of this section the following definitions apply:

(1) “Instructional materials” means all of the required materials for a course including textbooks, educational software, and supplemental materials and supplies. Instructional materials do not include materials used or designed primarily for administrative purposes, class management, course management or supervision.

(2) “Burden-free access” means obtaining instructional materials imposes no avoidable financial, administrative, or psychological burdens upon students related to acquisition of the instructional materials prior to the first day of a course.

Authority cited: Sections 70901 and 66406, Education Code. Reference: Sections 70901, 70902 and 66406, Education Code.