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HOUSE JOINT RESOLUTION NO. 702

Offered January 10, 2007

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Establishing a joint subcommittee to study the appropriateness and efficacy of open education content resources for public schools in Virginia. Report.

Patron—Peace

Referred to Committee on Rules

WHEREAS, technology and technology-related businesses are a significant part of the Commonwealth's infrastructure and economy to the extent that Virginia is called the "Digital Dominion"; and

WHEREAS, over the last 10 years public and private technology-related businesses have made huge investments to deliver integrated digital video, phone, and information services developed for the marketplace; and

WHEREAS, technology projects in Virginia have included the statewide Asynchronous Transfer Mode (ATM) data network, Next Generation Internet2 efforts and Lambda Rail, which may be employed to support alternative formats in education to assist public schools in remaining on the cutting edge of technological advances and providing the most current tools for all students in the Commonwealth; and

WHEREAS, the Commonwealth's data management systems already exist and can provide curriculum content in a sound educational framework for students; and

WHEREAS, today's marketplace is information-based and maximizing the use of technology is essential to our economic security and competitiveness in the world market; and

WHEREAS, although school board textbook adoption committees are encouraged to communicate clearly with publisher representatives about textbook pricing concerns and options and school boards exercise the authority to select textbooks and supplemental instructional materials with the goal of providing high quality education, and institutions of higher education select course textbooks in accordance with the principles of academic freedom, school boards and institutions of higher education should be encouraged to select alternatively formatted curriculum, textbooks, and course materials that minimize costs to school divisions and students; and

WHEREAS, Virginia educates over one million students each year and textbook costs average \$100 per student, and while digital course supplements may help to reduce the cost of textbooks to students, school divisions must consider delivery mechanisms that follow federal fair use and copyright guidelines and that are in the creative commons or held in the public domain; and

WHEREAS, the utilization of open education content resources, also known as "common license copyright" or "print-on-demand technology," could potentially result in savings in textbook costs during the first year of usage to cover the costs of developing a comprehensive and Virginia-approved online curriculum consistent with the Standards of Learning; and

WHEREAS, school boards align curriculum and select textbooks in accordance with the Standards of Learning and open education content resources can facilitate easy updates of curriculum and instructional materials, minimize the need to discard expensive textbooks, equip students with requisite skills to help them secure their future and become valuable and productive citizens, and expose students to and deliver dynamic learning experiences through revolutionary and innovative technology at a savings to the taxpayer; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the appropriateness and efficacy of open education content resources for public schools in Virginia. The joint subcommittee shall have a total membership of 13 members that shall consist of eight legislative members; four nonlegislative citizen members; and one ex officio member. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; one nonlegislative citizen member who shall represent the engineering, design and consulting sectors with expertise in graphical user interface design, human computer interaction, software engineering, systems integration, training development and courseware conversion to be appointed by the Speaker of the House of Delegates; one nonlegislative citizen member who shall represent private schools to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation of the Virginia Council for Private Education, if any; one nonlegislative citizen

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59 member who shall represent home educators to be appointed by the Senate Committee on Rules upon
60 consideration of the recommendation of the Home Educators Association of Virginia, if any; and the
61 Executive Director of the Virginia Open Education Foundation or his designee to be appointed by the
62 Senate Committee on Rules. The Superintendent of Public Instruction or his designee shall serve ex
63 officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens
64 of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint
65 subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for
66 travel originating and ending within the Commonwealth of Virginia for the purpose of attending
67 meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both
68 Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among
69 its membership, who shall be members of the General Assembly.

70 In conducting its study, the joint subcommittee shall (i) examine the costs of textbooks to public
71 schools and institutions of higher education; (ii) assess the overall affordability of education for Virginia
72 students; (iii) examine the rapid rise in textbook prices for institutions of higher education and
73 associated cost increases due to bundling textbooks with redundant supplemental materials; (iv) evaluate
74 the feasibility of using creative commons and public domain texts, and of developing digital
75 supplemental materials; (v) review textbook adoption timelines and procedures for public schools and
76 the procedures used at institutions of higher education; (vi) recommend ways of maintaining the
77 professional and curricular integrity of school divisions while containing the costs of education; and (vii)
78 consider such other related issues as the joint subcommittee deems appropriate.

79 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.
80 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be
81 provided by the Division of Legislative Services. Technical assistance shall be provided by the
82 Department of Education, the Department of General Services, and the staffs of the House Committee
83 on Appropriations and the Senate Committee on Finance. All agencies of the Commonwealth shall
84 provide assistance to the joint subcommittee for this study, upon request.

85 The joint subcommittee shall be limited to four meetings for the 2007 interim, and the direct costs of
86 this study shall not exceed \$9,600 without approval as set out in this resolution. Approval for
87 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
88 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
89 agreed to, written authorization of both Clerks shall be required.

90 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
91 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
92 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
93 joint subcommittee.

94 The joint subcommittee shall complete its meetings by November 30, 2007, and the chairman shall
95 submit to the Division of Legislative Automated Systems an executive summary of its findings and
96 recommendations no later than the first day of the 2008 Regular Session of the General Assembly. The
97 executive summary shall state whether the joint subcommittee intends to submit to the General
98 Assembly and the Governor a report of its findings and recommendations for publication as a House or
99 Senate document. The executive summary and the report shall be submitted as provided in the
100 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
101 and reports and shall be posted on the General Assembly's website.

102 Implementation of this resolution is subject to subsequent approval and certification by the Joint
103 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
104 delay the period for the conduct of the study, or authorize additional meetings during the 2007 interim.