CNI Executive Roundtable Report
New Strategies for Acquiring Learning Materials
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New Strategies for Acquiring Learning Materials

Report of a CNI Executive Roundtable Series
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Background and Framing

In January 2020, the Coalition for Networked Information (CNI) issued a call to its higher education members to participate in the Executive Roundtable **New Strategies for Acquiring Learning Materials**. Discussions during a recent series of CNI-initiated invitational meetings designed to examine areas for collaboration among library and IT leadership, *Refreshing the Collaboration*, suggested that the existing approach to acquiring instructional materials at most institutions has not been serving students or institutions well. Through the roundtable, CNI was seeking to advance its understanding of the learning materials landscape and to identify institutions and institutional strategies that had made significant progress in overcoming these challenges.

In the weeks following the initial call for participation, the CNI spring 2020 in-person membership meeting scheduled for the end of March in San Diego, CA, was canceled due to the COVID-19 pandemic, and CNI shifted quickly to plan and launch an online version of the event, which would include the originally-scheduled learning materials roundtable sessions. As we arranged to take the Roundtable online, we were keenly aware of the urgent new demands on institutions to shift to remote instruction and extended the agenda to accommodate these issues. The sessions were held at the end of March 2020, as most schools had already closed physically and shifted to remote instruction with a very uncertain future on the horizon. Roundtable participants represented some two-dozen North American public and private colleges and universities, and they included senior library administrators, representatives from campus offices of teaching and learning, IT leadership, and instructional and digital technology strategists, among others. The conversations took place in two convenings, reflecting the plans for the original in-person meetings, and were supplemented by some additional conversations with interested institutions unable to join in the roundtables for scheduling reasons.

In his framing remarks, CNI Executive Director Clifford Lynch started with the original focus of the sessions, noting that the need for a fundamental redesign of the current practices for acquiring learning materials seems evident, especially as print textbooks (where selection has devolved to individual faculty or sometimes departments, and acquisition left to individual students) begin to transform into what could be described more aptly as constellations of digital learning materials. Open educational resources (OER) are a part of the solution, but there will be a continuing need for commercial materials as well. Licensing terms and pricing models need careful examination, with full consideration of issues such as student privacy, institutional needs for analytic data, long-

term access to content, and supporting student success by ensuring that affordable, accessible content is available to all students when needed. While there are numerous technical, legal, business and policy challenges, first and foremost this is a challenge for institutional organizational structures and collaborations.

In the original call for participation, we asked participants to consider the following strategic questions:

- Has your institution formulated new systematic approaches for acquiring and/or managing learning materials? What are these, and how are they organized? How are they delivered?
- Are you working with institutional partners to implement programs for acquiring and adopting digital learning materials on your campus? Which ones? Who is leading these efforts?
- What does your institution view as the right mix of OER and negotiated commercial agreements? What are the priorities for each?
- Has your institution negotiated institution-level contracts with learning materials providers?

We still hoped to gain greater clarity on these questions, among others, but now, with the backdrop of a global pandemic and its implications for higher education in general, and teaching and learning in particular, we also added two other key questions to the agenda:

- How has the sudden shift to the need to support remote instruction (often mid-semester or mid-quarter) altered the institutional strategy and tactics?
- What are the implications of these choices going forward? How has this changed institutional and faculty assumptions? How will strategies for acquiring or selecting instructional resources change in the coming years?

Synthesis and Institutional Perspectives

A few notable general themes emerged from our discussions. One involved a fundamental driver in this arena: affordability and the economic impact of different strategies on student savings. The connections to student success were also emphasized here; many of the most challenged students are also under financial pressure that can cause them to try to avoid textbook expenses, creating further problems. Cost savings to students are readily quantifiable and a big win for all involved when they can be accomplished.

It's clear that libraries in particular are very comfortable with OER advocacy; it's a very good fit with their values and their expertise. We heard more about OER work than any other strategy from the libraries. In general, approaches involving renegotiation of commercial agreements are being led from places other than the library (libraries have a lot of expertise to bring to these negotiations, but getting the right seat at the table is not always easy). However, the discussion also made clear that without very strategic targeting of OER efforts on large introductory classes with expensive textbooks (and hence courses with maximum economic impact) the effects of OER advocacy will be around the margins and take decades to have much effect. (But see below: the sudden pivot to remote instruction may alter this calculus). As a few institutions put it, OER is great, but the high financial impact in the near term comes from "inclusive access" agreements, where institutions sign up entire classes of students to automatically receive digital course

materials at a discounted rate rather than having students purchase them individually, perhaps supplemented by some very strategically focused OER efforts.

As participants shared their own institutional plans and projects, we heard about various other challenges and strategies. Here are some highlights from the participants' perspectives:

- Some participants referred to OER as both free (or mostly free), publicly available materials (the traditional definition), *as well as resources that are already licensed by the library*. This is critically important because it begins to redefine the relationship between the library's acquisions budget and instructional materials that directly support the educational mission of the institution. Building from this, we heard a great deal of discussion about how libraries are making decisions about acquiring e-reserves and other materials as specified by faculty, recognizing that this pushes the boundaries of their traditional collecting policies but permits them to more effectively support students in their access to teaching and learning materials. In effect, the library's collections budget is being used to help underwrite affordable and low-cost student access to instructional materials. This is a new development. (See also, later in this report: the pivot to remote instruction may have completely demolished the wall between acquiring instructional material and building library collections at some institutions, with unclear implications for the future.)

- In situations where students were left to directly license e-textbooks, there were interesting discussions about the role of third parties: efforts by campus bookstores to set up textbook rental libraries to compete with Amazon or publishers, for example. The nature of the bookstore (co-op or licensed to a national operator) seemed to make a substantial difference; in general the large commercial operators were perceived as having inherent conflicts of interest and to be impediments to progress. Overall, we expected a more extensive discussion of the roles of campus bookstores in restricting adoption of new models for the acquisition of instructional materials than actually occurred in our Roundtables; perhaps this was a coincidence of the institutions that were able to participate.

- "Inclusive access" contracts are the dominant model at some institutions, and scale, through consortia or other collective arrangements, allows for considerably more leverage when negotiating these contracts than individual institutions typically can accomplish on their own. The landscape here is complicated and we don't have a good taxonomy for the different arrangements. While inclusive access arrangements started with individual textbook deals for specific courses, some of the major textbook publishers now offer deals where students can license access to their entire *collection* of textbooks by the semester, with big savings to the student if two or more courses use texts from that publisher.[1] One institution reported working toward an inclusive access strategy that incorporates an opt-out option

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[1] It is very interesting to note that all the focus here has been on cost savings; there are potential major pedagogical advantages for faculty who could use this access to present several alternative presentations of topics, or gains for students who were having trouble understanding one presentation and wanted to see alternative versions in other textbooks, with or without faculty approval and guidance. We hope that in the coming years some studies will be done exploring these issues. Unfortunately, the key data is held by the vendors, and probably considered as proprietary.

combined with pricing information for alternative options; conceivably, a student might chose to opt-out of the institutionally-licensed product in order to acquire their own hard copy of the textbook, for example, perhaps to add it to a permanent personal library or simply because of a preference to study a print text. While incorporating an opt-out option is important (and, at some institutions, legally required), it can be delicate to achieve agreement from publishers on this point because a major incentive is that the publisher will be paid at a rate that is defined by all students using the licensed material (at the negotiated and discounted rate). (It is worth noting that while typically a student fee akin to a course-specific "lab fee" covers the licensing costs, this is not always the case; a few institutions are experimenting with a fixed fee for all courses, or building this into the basic tuition rates.)

- While there are proven successes from the inclusive access model, there is also considerable concern that the same patterns witnessed from journal publishing negotiations and agreements, the so-called "big deal" problem, are taking root in the learning materials space; specific scenarios for how this might play out aren't well defined or studied yet.

- Any kind of change to course material adoption tends to be challenging, so motivating faculty and gaining buy-in is key. Typically, this work is uncompensated and unrecognized, and hence unattractive to busy faculty. An effective strategy has been to share data that demonstrate the impact of these strategies, or that illustrate the high cost of textbooks (particularly at institutions emphasizing affordability). It's important to distinguish creation of OER from adoption/adaptation of OER to replace textbooks in courses; while institutions early on tended to emphasize the former, the latter case is increasingly being recognized as the much more common one, and the one that should get most emphasis. Relatively small grants can help faculty find time to select OER (often with help from the library) and make modest adaptations to courses to accommodate these new teaching resources; sometimes the changes are larger, particularly when faculty move away from textbooks to sets of readings, for example, that may be drawn from material that the library already licenses. State laws (requiring that courses with open materials be identified as such, for example) or institutional policies have also served to drive faculty adoption. One institution has had good luck with small courses that have many sections, finding that if one section instructor is successful with OER, other sections may rapidly adopt the same materials.

- Actually motivating faculty to *create* OER textbook replacements is a much bigger undertaking, and demands a much larger time commitment (that will need to be motivated and probably subsidized), and, truth be told, only a few faculty will do this – and only a few need to, just as only a few write textbooks for commercial publishers! It's a vast waste of time to have hundreds of faculty all writing very similar introductory course textbooks, and institutions seem to be recognizing this. Grants and awards can provide incentives and help to serve as catalysts for OER creation. One participant suggested that creating instructional materials affords faculty an opportunity to build out subject matter research in which they are already involved, perhaps even leading to interdisciplinary connections as they

4

engage in the pedagogy. How and where to give credit for creating OER is a hurdle; one institution reported that a department's decision to count OER textbook creation towards tenure and promotion has provided the program a needed boost.

- It's also important to distinguish between creating an OER for a widely-taught introductory course where the competition is a highly polished commercial textbook (plus all the extras: learning management system [LMS] material, problem sets, teachers' guides, etc.), from very widespread OER activities in many fields at the level of specialized upper division undergraduate or graduate courses where faculty may often prepare lecture notes (less polished than a textbook) and share them online. This is an important *scholarly* contribution to the organization and dissemination of knowledge, and highly valued (and can be very significant to a scholar's reputation) but has little impact on issues of affordability.

- Many campuses have seen significant focus on the costs of learning materials efforts by students or student-run organizations. Some groups have provided funding for OER adoption efforts or for buying required texts for library reserves; students sometimes serve on related state and/or institutional task forces; some student groups actively lobby for more inclusive access. Public institutions are particularly sensitive to student pressures, as students have often reached out to legislators. One institution described its planning, in conjunction with a student club, to host a hack-a-thon or design-thinking type event to explore potential OER models. State institutions are often being directed to be very transparent about course textbook costs as part of the course listings, or to move towards the adoption of OERs. It was also interesting to note that several institutions indicated that they had had success fundraising to support OER initiatives.

- Opinions varied regarding platform strategies for OER and commercially licensed content. Some institutions have argued that a common platform at their school provides a more consistent student experience and helps with telemetry, and that institutions should adopt such a platform and then import content from various publishers as needed. Some worried about a common platform as a form of local lock-in with possible functional limitations and preferred that the emphasis be on portability and accessibility of content, presumably with a heavy emphasis on the adoption and promotion of open standards for interoperability and interchange. An additional counterpoint was that textbook publishers were incorporating innovative and unique features into their proprietary platforms, and that common platform strategies sacrificed these affordances. Privacy issues and questions regarding the protection of/access to data came into play here, with many participants referencing a desire by all players to gain access to information about student behavior, and wondering who would own or enjoy access to what data under various platform scenarios. It bears noting that one institution that has enjoyed successful strategies for acquiring learning materials highlighted the benefits of a common, institutionally controlled platform, both from a user experience point of view, but also with respect to embedded authentication, reader privacy, and analytics, emphasizing that the streamlined process has greatly aided adoption. Additionally, they said, having a single platform helps with integration into LMS platforms, such as Canvas.

- Accessibility was widely expressed as an area of concern. One institution requires that any package (textbook) be reviewed for accessibility prior to purchase, followed by conversations with vendors about improvements, which has led to great progress. There is a need for community-wide strategies on this issue, probably involving both standards and best practices, and also open certification and evaluation processes, so that individual institutions can avoid doing the same review over and over.

- Commercial textbook publishers have been investing heavily in proprietary adaptive learning platforms and content in the last few years (it's very hard to disentangle the learning "content" from the platform, and there don't seem to be any standards that help with portability at present), that offer individually personalized, interactive instructional experiences. It was interesting to learn that none of the institutions represented at the roundtables indicated that they had strategies in place to address this development, which not only raises student privacy and data access issues, but also implicates questions about lock-in, common platforms for instructional materials, and several other issues. Indeed, even awareness of these developments seemed limited, and there was a lack of clarity about the extent to which faculty were interested in or adopting these developments.

COVID-19: The Challenge, the Response, and the Implications

At some point during March 2020 almost every institution represented at the roundtable convenings moved to remote online teaching. It is important to understand exactly how this played out in order to fully appreciate the implications for the acquisition of instructional resources (including reserves) during the crisis. Some institutions were on a semester system, and had to move online literally in mid-course. Other schools were on a quarter system and, at worst, had to deal with the last week or two of suddenly virtual, in-progress classes, and then were given a small amount of time to plan for entirely remote courses in the spring quarter. In some cases this allowed some limited discussion with faculty about reserves, textbooks, and related issues. In some cases it also allowed time to digitize materials needed for e-reserves or virtual classroom use that weren't available electronically.

Institutions that were already offering significant online education offerings had a great advantage in terms of technology base (including things like LMS-e-reserve integration, not just Zoom licenses), institutional experience, and workflows (such as populating e-reserves) when compared to schools like liberal arts institutions that had, until March 2020, eschewed any form of online instruction, and hence faced extremely challenging learning curves and the need to establish entirely new workflows.

Many organizations reported using the HathiTrust Digital Library Emergency Temporary Access Service and the Internet Archive's National Emergency Library for e-books. This was important for supporting research as well as for use in e-reserves.

We heard that libraries are also considering if they should be scanning books or other materials for which no digital version is available, looking to resources such as the "Public

Statement of Library Copyright Specialists: Fair Use & Emergency Remote Teaching & Research" (tinyurl.com/tvnty3a) for guidance. Some of these same themes were echoed in the other Roundtable series held during CNI's virtual spring meeting, "What Happens to the Continuity and Future of the Research Enterprise?" (the report of this series is at www.cni.org/go/what-happens-to-continuity-and-future-of-research). In general, it seems that libraries were fairly aggressive in digitizing for e-reserves under the pressure of the coronavirus emergency. Interestingly, demand for digitizing materials has run much lower than expected at most institutions. Also, many libraries found that they were able to acquire a very substantial portion of reserve material in electronic form without the need to digitize it.

Another key theme we heard had to do with library policies regarding textbook purchases. Historically, libraries have avoided systematically adding textbooks to their general collections, with most policies significantly restricting the purchase or licensing of materials considered to be course textbooks. Conversely, libraries have routinely made required or recommended class readings available in their reserves collections. Many participants noted that, even before the crisis, distinguishing between textbooks and other course materials had been growing increasingly difficult. When instruction suddenly went remote due to COVID-19, the line blurred further, and many libraries began to sidestep traditional textbook procurement policies, driven by the mandate to make available needed materials in digital form immediately, and given the library's expertise in licensing and digital acquisitions. There is a sense now that many college and university libraries are irrevocably embedded in the process of procuring and delivering teaching and learning materials in a way that they had not necessarily been in the past, and that these materials have an increased claim on the acquisitions budget.

It was interesting to hear that many institutions chose to cut corners on student privacy to expedite the rapid move to online instruction; this is readily understandable, but one wonders if and when they will go back and re-assess these tradeoffs and decisions.

It's both challenging and still speculative to understand the implications of the sudden shift to remote instruction for faculty adoption of OER materials. Certainly, faculty who were already using OER found that this helped to simplify the move to remote instruction. The transition to remote instruction was too quick for most faculty to give serious consideration to converting to OER materials for the upcoming quarter; we will want to watch what happens in the fall. Perhaps the greatest shift will be in material that cannot be acquired electronically, that libraries cannot digitize because they are physically closed, which can be replaced by OER resources. Institutions with campuses abroad also noted that use of OER was hugely beneficial; negotiating international arrangements with branch campuses for proprietary content is quite cumbersome, and slow, in many cases.

The discussion about e-reserves and instructional resources was very print focused. It was noted that classes that made significant use of A/V resources faced a number of special and extremely challenging problems in a rapid pivot to remote instruction, including the need for very high-granularity access management (limiting materials to specific courses, for example). Delivery platforms and licensing arrangements for this material were completely upended. This area merits specific and focused investigation, documentation and assessment; such work will also illuminate key problems in current intellectual property regimes.

Overall, there seemed to be a few conclusions to be drawn from the collective experience. The first is that libraries stepped up to the challenge of supporting instructional continuity and the transition to remote instruction doing what was necessary, including committing funds where needed and moving to the edges of their comfort zone about fair use and digitization. Faculty were finally *forced* to move away from print resources by necessity; in the past they had been able to continue to use them, even when doing so was more costly or less convenient for students. A major area of speculation was about whether this had recalibrated faculty willingness to move to digital content given that the current guidance at most institutions seems to be that even if the campus physically reopens for students in fall, faculty should adopt instructional strategies that allow very rapid transition back to remote online instruction at any time.

Concluding Thoughts

Adaptive learning platforms didn't seem to be on anyone's agenda in a serious way, despite huge investments by the instructional materials vendors. We asked specifically about this. We think that institutions would be well advised to try to track adoption levels for adaptive learning and develop strategies before they find themselves inadvertently locked into specific vendor offerings.

There were some interesting but altogether too brief conversations in the Roundtables about continuity of access to learning materials beyond the boundaries of a class and a semester, about the development of personal libraries, and the relationship to opting-out from "inclusive access" into genuine (physical or digital) ownership models (or at least "permanent" licensing) for students. We think this is an area that needs much more serious exploration and is easily crowded out in a rush to inclusive access programs. OER minimize this problem but don't eliminate it if OER is taken to include licensed materials in library collections, where access may terminate upon graduation.

There are strategies with obvious advantages that could be used more widely for achieving favorable results in addressing some of the most pressing issues related to cost and terms related to access and use. Fundamentally, these rely on scale. Negotiating from within large systems or consortia, leveraging a unified communal voice, has been very fruitful for organizations with successful programs, and this strategy could be deployed more widely, though market pressures undoubtedly will present a countervailing challenge. It's essential that libraries find a place in these discussions, in part as advocates for student privacy, and this has been challenging; as library acquisitions budgets begin to underwrite some of these investments, they may be more welcome.

We heard repeatedly about the resource pressures on faculty, time not being the least of these, and for instructors who depend upon a full set of pre-packaged offerings to help support teaching, the implications of forgoing supplementary materials when adopting OER resources are overwhelming. Particularly where sections are taught by adjunct faculty or graduate students, who have even fewer resources and less time than tenure-track faculty, it is important to think realistically in terms of scale and efficiency if an institution is going to pursue an OER strategy. Right now commercial offerings have a massive advantage in terms of faculty adoption, and we need to recognize this.

For large-scale success, we heard that libraries would be well served by considering how OER align with institutional priorities, namely accessibility and affordability, and that this approach could be effective in terms of getting buy-in from administration. One participant made the astute observation that OER are accessible and equitable on many different levels and in ways that publisher content often is not, and that this is among the most attractive features of OER. Having perpetual access is another compelling selling point that further aligns with the strategic mission of lifelong learning, and figuring into a landscape whereby students become affiliates over the course of their lives. In an ideal world OER would be universal, but this is unrealistic, at least in the near term, and given current economic models. Institutions will need to chart paths that carefully and strategically combine OER and commercial instructional materials.

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CNI Executive Roundtables, held at CNI's semi-annual membership meetings, bring together a group of campus partners, usually senior library and information technology leaders, to discuss a key digital information issues and their strategic implications. The roundtables build on the theme of collaboration that is at the foundation of the Coalition; they serve as a forum for frank, unattributed intra and inter-institutional dialogue on digital information issues and their organizational and strategic implications. In addition, CNI uses roundtable discussions to inform our ongoing program planning process.

The Coalition for Networked Information (CNI) is a joint program of the Association of Research Libraries (ARL) and EDUCAUSE that promotes the use of information technology to advance scholarship and education. Some 250 institutions representing higher education, publishing, information technology, scholarly and professional organizations, foundations, and libraries and library organizations, make up CNI's members. Learn more at cni.org.

CNI Executive Roundtable
Call for Expressions of Interest

New Strategies for Acquiring Learning Materials
Westin Gaslamp Quarter, San Diego, CA
Monday, March 30, 2020
8:30 – 11:00 AM

At the spring CNI meeting in San Diego, CA, we will continue our series of Executive Roundtables. This spring's Roundtable will be **New Strategies for Acquiring Learning Materials**.

Discussions during a recent series of CNI-initiated invitational roundtables designed to examine areas for collaboration among library and IT leadership, *Refreshing the Collaboration*, suggested that the current approach to acquiring instructional materials at most institutions is not serving students or institutions well. A fundamental redesign is needed as print textbooks morph into constellations of digital learning materials. Open educational resources (OER) are a part of the solution, but there will be a continuing need for commercial materials as well; license terms and pricing models need careful examination, with full consideration of issues such as student privacy, institutional needs for analytic data, long-term access to content, and supporting student success by ensuring that affordable, accessible content is available to all students when needed. While there are numerous technical, legal, business and policy challenges, first and foremost this is a challenge for institutional organizational structures and collaborations. As part of our work during this program year, CNI is seeking to advance understanding of the current landscape, and identify institutions and institutional strategies that have made significant progress in overcoming these challenges.

We will discuss the issues surrounding learning materials in higher education at the CNI Executive Roundtable on Monday, March 30, the morning of the first day of the spring membership meeting. While our intention is to hold the roundtable exclusively on Monday, if we receive an overwhelming response from members, we will consider offering a second, separate session on Sunday afternoon March 29.

Any CNI institutional representative may apply to participate in this Roundtable, and either one individual or a pair of individuals who have different roles, e.g. a library director, a CIO, a head of research computing, an instructional technology champion, or a VP for research, can represent the institution. To propose a team of more than two people, please contact Diane Goldenberg-Hart. In order to have in-depth discussion, participation in the Roundtable will be limited to approximately 20 representatives.

Cliff Lynch will moderate this session and provide some framing remarks, and then participants will have an opportunity to discuss issues with peers from other institutions. The Roundtables build on the theme of collaboration that is at CNI's foundation. We want to

promote institutional dialogue and inter- and intra-institutional information exchange on digital information issues while informing CNI's planning process. We will disseminate a summary of the issues that emerge from the Roundtable, but in order to encourage frank discussion, there will be no individual or institutional attribution of statements without prior permission from the relevant party. Reports from previous Executive Roundtables are available: https://www.cni.org/resources/publications/other-publications-by-cni-staff.

Among the topics we might explore:

- What would be a reasonable balance between commercial and open educational resource (OER) content, and how might it be achieved?

- What are some of the barriers to acceptance of OERs, and under what circumstances, or in what scenarios, might they be considered unsuitable?

- Platform strategies for OER and for commercially licensed content; use or avoidance of publisher platforms.

- Licensing terms for commercial material, including student privacy, learning data, and adaptive teaching/learning platforms.

- The emergence of adaptive learning platforms and their implications for student privacy, control of analytics data, accessibility, and consistency of student experience.

- Accessibility challenges and strategies surrounding commercial learning materials; roles of vendors and institutions in making material accessible.

- How do bookstores figure into a reconceptualization of this landscape? What is their role?

- Strategies for building faculty support of these efforts, while maintaining faculty control over textbook selection? How can the ability of faculty to opt in or out of educational resource models be managed or accounted for, if at all?

- Although it is often assumed that students usually sell their textbooks once a class is over, in reality, many students build up small libraries throughout their educational years, perhaps for reference in subsequent coursework, or even for consultation post graduation and into their working years. What happens with digital learning materials after the course has ended, and/or post graduation? Will students retain access to these resources once they finish a class and/or leave an institution?

- Institutional issues: What is the locus of leadership on these projects? How are the library and IT involved in the development, dissemination, support, and other activities related to the acquisition and creation of instructional materials? How does funding flow to and from these resources?

To express interest in participating, please complete the form at:

https://cni.formstack.com/forms/learn_materials **by end of day Friday, February 7, 2020** (if more than one person per institution wishes to participate, please coordinate and complete only one form). We will choose approximately 20 individuals for the session, using the criteria of position, experience, and balance of institutions (type, geographic area, etc.) to determine who will attend. **We will notify you by Friday, February 14 as to whether you have been accepted or whether you will be on a waiting list for participation.** If you have any questions about the Roundtable, please contact Diane Goldenberg-Hart at diane@cni.org.