

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mindy Domb and Priscila S. Sousa

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act reducing the cost of attending college.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/10/2025</i>
<i>Priscila S. Sousa</i>	<i>6th Middlesex</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3761 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act reducing the cost of attending college.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 10 of chapter 15A of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after the definition of “HEFA” the following
3 definition:-

4 “Open educational resources” or “OER”, teaching, learning and research materials in any
5 medium, digital or otherwise, that reside in the public domain or have been released under an
6 open license that permits no-cost access, use, adaptation and redistribution by others with no or
7 limited restrictions.

8 SECTION 2. Chapter 29 of the General Laws is hereby amended by inserting after
9 section 2A the following section:-

10 Section 2B. (a) For the purposes of this section the following terms shall, unless the
11 context clearly requires otherwise, have the following meanings:

12 “Commissioner”, the commissioner of higher education.

13 “Department”, the department of higher education.

14 “Fund”, the Open Educational Resource Trust Fund, established in subsection (b).

15 “Open educational resource” or “OER”, as defined in section 10 of chapter 15A.

16 “Public institution of higher education”, an institution listed in section 5 of chapter 15A.

17 “Statewide OER Advisory Council”, the advisory council, consisting of representatives
18 from the public institutions of higher education listed in section 5 of chapter 15A and overseen
19 by a representative of the department of higher education, that provides advice and counsel for
20 the implementation of OER throughout the commonwealth.

21 (b) (1) To achieve, promote and support college affordability and promote student
22 academic success and completion across the commonwealth, there shall be established and set up
23 on the books of the commonwealth a separate fund to be known as the Open Educational
24 Resource Trust Fund. The fund shall be used to support the development and distribution of open
25 educational resources, as defined in section 10 of chapter 15A, for university and early college
26 course textbooks and ancillaries, to reduce the cost of college education and decrease financial
27 hardships, including food and housing insecurity induced and exacerbated by rising education
28 costs.

29 (2) The commissioner shall administer the fund to assist in promoting the development,
30 distribution and use of OER. There shall be credited to the fund:

31 (i) revenue from appropriations and other money authorized by the general court and
32 specifically designated to be credited to the fund or provided for the commissioner's discretion;

33 (ii) funds from public and private sources such as gifts, grants and donations to further
34 the availability of open educational resources; and

35 (iii) interest earned on money in the fund.

36 (3) Amounts credited to the fund shall not be subject to further appropriation and any
37 money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

38 (4) Amounts received from private sources shall be approved by the commissioner of the
39 department of higher education and subject to review before being deposited in the fund to
40 ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the
41 implementation of OER materials that may be detrimental to the fund's equitable and cost-saving
42 mission. The department shall make this review publicly available on its website.

43 (c) Amounts credited to the fund may be expended, without further appropriation, by the
44 commissioner for purposes related to the development, distribution, availability and use of open
45 educational resources, including:

46 (i) the development, adaptation, purchase, distribution, availability, publication and
47 implementation of curricular materials that are free for students to use;

48 (ii) professional development and training, including the provision of trainings, seminars,
49 conferences, materials and mentorship for educators in the development and understanding of
50 how to use and distribute OER in the higher education classroom;

51 (iii) technical assistance, including editors, instructional specialists and technologists,
52 graphic designers, accessibility specialists, diversity, equity and inclusion specialists, repository
53 coordinators and other staff contracted to provide required wraparound services for faculty; and

54 (iv) department staff to support existing and additional OER activities generated by this
55 legislation.

56 (d)(1) There shall be a competitive grant program to promote and support the
57 development of open educational resources for students in public higher education institutions
58 and early college programs. Department staff, including the Statewide OER Coordinator, shall
59 review and make recommendations to the commissioner on grant applications. The
60 commissioner shall make final OER grant award decisions. The department may expend funds
61 from the fund for the development and implementation of this grant program.

62 (2) The commissioner may convene the Statewide OER Advisory Council to make
63 recommendations on eligibility for grant prioritization to maximize the benefits of the grant
64 program, including maximizing savings, achieving equity and supporting student success.

65 (3) Public Institutions of higher education shall inform students of OER courses that use
66 curricula or resources funded by the fund.

67 (4) Recipients of OER funding shall complete OER Key Performance Indicator reporting,
68 as developed by the department, to document the impact of the program.

69 SECTION 3. Section 1I of chapter 69 of the General Laws, as amended by sections 2 and
70 3 of chapter 98 of the acts of 2021, is hereby further amended by inserting after the sixteenth
71 paragraph the following paragraph:-

72 Annually, not later than November 1, the commissioner of higher education shall file a
73 report with the clerks of the house of representatives and the senate, the joint committee on
74 higher education and the house and senate committees on ways and means on the Open
75 Educational Resource Trust Fund’s activities. The department shall make the report publicly
76 available on its website, along with the names of materials developed or used as a result of the
77 grant awards and the recipient organizations. The report shall include, but not be limited to:

78 (i) the source and amount of funds received;

79 (ii) the expenditures made from the fund and the purposes of such expenditures;

80 (iii) the names of institutions who have received the funds, the numbers of students
81 projected to have benefitted from the expenditures based on number of students enrolled in
82 specific classes, and an estimated amount of money saved as a result of the development and
83 distribution of open educational resources;

84 (iv) any anticipated remaining revenue from awards;

85 (v) the number of schools and school districts that have used the fund to implement a new
86 OER class or enhance or maintain current programming; and

87 (vi) the number of schools and school districts that applied for, but were not granted,
88 funding.

89 SECTION 4. Section 1 shall take effect upon its enactment.