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April 29, 2013

The Honorable Carol Liu
Chair, Senate Education Committee
State Capitol, Room 2083
Sacramento, CA 95814

RE: SB 520 (Steinberg), as amended April 25, 2013
Scheduled for Hearing in the Senate Education Committee on May 1, 2013
Position: OPPOSE

Dear Senator Liu,

On behalf of the University of California (UC), I am writing to regretfully express our continued opposition to SB 520, which, among other things, would create a platform upon which the UC, the California State University (CSU), and the California Community Colleges (CCC) would be expected to engage in partnerships with private party online course providers to deliver lower division courses in an online format for academic credit across all three segments. Although we appreciate recent amendments offered by Senator, we believe that the premise of the bill is still based on the false belief that private providers are in a position to add value to the ongoing and future efforts of the three public higher education segments to serve their students with quality online courses.

While our position is rooted in philosophical opposition to the notion that private providers bring something extra or different to the development of online courses, we believe that SB 520 raises practical concerns that would undermine our efforts to effectively and efficiently develop and deliver these courses for our matriculated students. For instance, the requirement that the University must respond to third-party proposals, even under the guise of faculty sponsorship, will divert precious resources away from current and future development of proposals that are developed solely by UC faculty who are intimately familiar with how online courses will fit into the specific curriculum of a major and department to the benefit of matriculating students. Second, the bill remains silent on any prohibition on additional fees or costs that might be assessed to students as part of online offerings, including for materials or tutorial services. The bill also appropriates to “the state” intellectual property (IP) created or developed as part of the bill’s provisions, a significant departure from current practice that allows the segments to manage IP from courses based on their own individual policies. SB 520 also narrowly focuses on impacted lower division courses and “transferable” courses, which removes responsibility from the faculty for determining the online curriculum offerings that would best serve matriculating students. Finally, the bill includes various definitions and timelines that require much greater discussion among state policymakers and shareholders before they become part of a statutory regime.

SB 520 would require UC to use online platforms that are open to courses offered by outside vendors, even though the University has already developed online courses independently on platforms best suited to specific offerings, has offered these courses to UC students for degree credit, and expects to increase the number of online courses substantially in the years ahead. Typically, courses are first approved by a University department for inclusion into program curricula, then approved by the campus's academic senate. SB 520 appears to eliminate these important steps.

The University believes the Legislature could expand the availability of online courses with legislation that provides incremental funding for infrastructure and technical support and explicitly recognizes the following:

- The Legislature should acknowledge that faculty at each of the three higher education segments (UC, CSU, and CCC) can best determine which courses meet their institution's academic standards and the needs of their matriculated students.
- The development of online courses should be led by the faculty of each segment, with the respective academic senate approving courses that can be made available across the campuses *within* that system. This would expand online course availability by allowing to enroll in online offerings at their segment's sister campuses throughout the state. These efforts will also need to address issues of the infrastructure necessary to allow such cross-campus articulation. Furthermore, no segment should be required to accept courses for credit that are developed and taught by another segment unless current articulation processes are followed completely.
- Efforts are already underway at UC to address a shared desire of the UC, the Governor and the Legislature to increase online offerings to matriculated students. Any legislation should recognize efforts to expand and build upon initiatives currently underway as eligible for support from funding made available through the State Budget.

The UC Online Education initiative and ongoing campus projects offer access to numerous online courses developed by our faculty. These will soon be available to students throughout the UC system. As stated, increasing access for our matriculated students remains a primary goal of our online efforts. For example, UC is in the early stages of streamlining the process for cross-campus enrollment, making it easier for students to take advantage of course offerings throughout our system (in both online and traditional course formats).

The Governor's January budget earmarks \$10 million from UC's core budget to increase online offerings. UC anticipates using these funds to develop and support additional undergraduate online courses for UC students, particularly in high enrollment courses that are in greatest demand at our campuses as prerequisites to further study. UC has just issued an RFP for new course proposals to our faculty and we hope to have courses up and running soon.

UC's ability to implement these initiatives in online education depends largely on the availability of continued funding to accomplish these goals. Online instruction may ultimately reduce the costs of obtaining a degree, but the development and dissemination of online courses cannot be done on the cheap, if UC is to maintain its commitment to quality, as well as access. Rather than advancing the role of online education at UC, the requirements of SB 520 would actually slow online course development at UC and put into greater question the quality of the education provided.

The Senate Education Committee has already approved SB 547 (Block), a bill that we believe represents a better vehicle than SB 520 for developing an online education model that will best serve our all California college students and the state as a whole. We are committed to working with Senator Block on amending his bill to build on UC's existing and planned efforts in online education and believe that the Committee's prior action obviates the need for multiple bills on the same topic. Should you have any questions regarding our position, please contact me at 916-445-9924.

Sincerely,


Steve Juarez
Associate Vice President & Director
State Governmental Relations

cc: Vice Chair and Members, Senate Education Committee
President pro Tempore Darrell Steinberg
President Mark G. Yudof
Provost and Executive Vice President Aimée Dorr
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