

REPORT OF THE ACADEMIC POLICY COUNCIL ON THE
TEXTBOOK AFFORDABILITY LAW AND
UF TEXTBOOK ADOPTION POLICIES
October 22, 2008

The APC has considered the textbook affordability bill that was passed by the Florida Legislature in the spring of 2008 in the context of suggesting compliance procedures and in making recommendations for rules and policies to be adopted by the Board of Governors. This report is a summary of the Council's deliberations on numerous aspects of the textbook law.

1. The law requires that faculty post textbook orders on a University website at least 30 days in advance so students have adequate time to purchase used copies at local bookstores or on the web. There are two aspects of this requirement that the Council finds problematic.

a. Posting on a single website. It is generally assumed that, when the textbooks for a course are posted on a website, all local bookstores can access the information and provide competitive prices for the books, and students can search online or at home for low-cost used books. While it is true that early access to assigned textbooks allows students an opportunity to purchase books early online, some problems have arisen with the assumptions about local bookstores. There have been instances in which there are not enough copies in local bookstores because the stores don't know how many books each is ordering. In addition, the Council was informed that the off-campus bookstores do not have access to the textbook adoptions until roughly a week after the on-campus bookstores get access.

RECOMMENDATION: Two simple changes could improve the likelihood of having adequate numbers of books in stores in Gainesville. 1. All parties, students and bookstores, should be given real time access to this information when entered by the faculty. If there is a contractual bar to doing so, the APC felt that in future negotiations with Follett's that this provision should be changed. 2. Faculty should be encouraged to contact any bookstore directly to request that it order adequate numbers of books for their courses, and they should input this information on the website. There is a place for entering something like "the XYZ bookstore will have these books available." The APC will report to the Senate of the option for doing this; and will send a letter to the entire faculty informing them of their ability to continue working directly with bookstores and to inform students on the website that particular stores will have the books available.

b. Posting 30 days in advance. The law requires that professors post their textbook assignments at least 30 days in advance to allow students to shop around for books and obtain better prices. This too is problematic, especially for the fall semester, because the rule is both overinclusive and underinclusive at the same time. If the goal is to post books early enough so that bookstores know whether to buy them back from students at the end of the prior semester, 30 days is not enough. At the same time, requiring that books be selected early can hamper some faculty whose courses rely on up-to-date information. The Provost has required that textbook adoptions be made more than 30 days in advance, namely before the start of the registration period (for fall, registration occurs in March for August classes).

RECOMMENDATION: In order to facilitate compliance with this law, the APC has a number of recommendations. 1.) The website should have a simple way of permanently noting when a course does not have assigned textbooks, without having to enter that data every semester. 2.) The website should keep track of prior semesters' adoptions for each faculty member so that, in the process of adopting books, one can simply scroll through a drop-down menu with all the books one has adopted over the past 5 years and click on the book if it is a repeat adoption. This will simply the amount of effort some faculty must exert to retype all the relevant bibliographic information for books each semester. The website should also allow a faculty member to indicate book adoptions more than 1 semester in advance.

Thus, faculty who teach the same course each spring, using the same book, could adopt the book for the spring at the same time he/she is adopting books for the fall. 3.) To truly assist students in choosing books when they register, the website should list the list price of most books, but asking faculty to enter that information is unreasonable. Either we need to figure out how to link the price to the ISBN or someone in the bookstores could enter that data. 4.) Where multiple sections of courses are taught by graduate students, or where section assignments are not made until, in some instances, after add/drop closes, local unit-level websites should be the source for textbook adoptions and the university website could simply send students to the local sites for certain late-breaking courses.

The APC encourages the university administration, the faculty, and the students to work together, especially at the local unit level, to facilitate timely access to textbook information without imposing undue burdens on faculty who are already doing double-duty in a time of budget cuts. Many faculty do not have adequate administrative support and some class assignments are made late for a variety of reasons. The APC would like to see a system in which the bookstores are treated equally and fairly, the faculty have maximum flexibility in adopting textbooks and navigating the textbook adoption website, and the students are protected from anti-competitive or abusive textbook pricing practices. To that end, the APC would like UF to look to best practices at other institutions, work with all the constituencies, and develop much better online and cost-effective means to provide greater access for all students. We recommend that a committee of faculty, administrators, and students be formed to develop procedures for improving no-cost textbook alternatives.

2. The law also requires that the Board of Governors develop policies and procedures for dealing with a variety of issues:

- a) ensuring that bookstores have adequate lead-time to provide maximum availability of used books,
- b) unbundling materials that are required and will be used from those that are merely recommended or may not be utilized,
- c) determining that new editions of books are sufficiently “updated” to justify assigning new editions, and
- d) developing policies to address affordability and cost of textbooks.

In addressing each of these points, the Council wishes to point out some of the difficulties associated with these requirements and ultimately suggest that the local units (departments and colleges) are better suited to address these legitimate concerns.

a) ensuring availability of books in local bookstores – we have discussed this issue above. It is a critical one in many fields where textbooks are expensive, and bookstores understandably under-order to minimize their costs. The textbook market is unstable, with high costs for new books, wide variation in the availability of used books, and many local bookstores have shut down because they are unable to compete in the volatile market. For anyone interested in exploring the very complex nature of this problem, the following blog at the Chronicle of Higher Education is informative.

http://chronicle.com/news/index.php?id=5091&utm_source=pm&utm...

Because the textbook market is far bigger than the decisions of faculty trying to provide the best materials for their courses, the APC hopes that the Board of Governors and Board of Education will allow faculty and university administrators the flexibility to fashion policies and procedures that will benefit all as befits the needs of each academic field.

b) Unbundling of items – this is an issue that our Council discussed at length last year in considering a conflict of interest policy for faculty-authored course materials. We agreed that the bundling of required reading materials with exams, quizzes, syllabi, and other evaluative material should be prohibited, and we recommended that policies be adopted to do so. We certainly agree that this policy should apply to materials produced by others but used by University faculty, not just materials developed by our own faculty. No bundling of exams, syllabi, or other evaluative materials should be required. However, it is

not always the decision of faculty or University administrators to bundle certain materials together. Where these decisions are made by publishers, faculty hands are tied.

At the same time, many faculty assign books that are required, but also include “recommended” books that the students may choose to purchase or not. So long as this information is clear, we feel the faculty member is acting appropriately. Thus, again, this is a complicated issue, and we hope that the Board will realize that faculty do not always have complete control over the materials made available by publishers, but at the same time they must continue to control the subject matter that is covered in class.

c) The problem of new editions - In fields like law or medicine old editions of casebooks are simply unacceptable. Statute books come out every year and new medical advances are made daily. A professor would be seriously violating her teaching duties to teach laws that have been repealed or medical procedures that are outdated. Additionally, once most nationally recognized publishers announce a new edition of a textbook, the used market dries up instantly. Used book buyers won't buy old editions of books because they know they can't sell them. So even if a professor determined that a new edition was not sufficiently “new” to justify assigning it, it would be next to impossible to assign (and guarantee adequate availability of) out of date editions. Thus, while this requirement is something faculty should consider in light of the ease of updating electronic materials, it makes virtually no sense in the context of traditional paper books.

d) Affordability of textbooks – the APC is very sympathetic to the problem of escalating textbook costs. If one talks to publishers, however, the problem lies in part in the used market that has limited the number of new books publishers can sell in order to break even on the endeavor. They thus have to raise prices to make a modest profit. If one talks to bookstores, the problem is with the mega-chains and internet stores that have taken the service out of serving students. If one talks to students, the problem is faculty assigning big heavy expensive books and not covering all of the material in them. And if one talks to faculty, the problem lies in administrators and legislators trying to interfere in the academic decisions faculty are trusted to make. There is no easy answer to this dilemma. Education is costly. Books are costly. Information production and gathering is costly. In each field the problems differ, however, and the problem is too big for a single faculty/student committee to address. The Council agrees that faculty should take price and availability into consideration when assigning any course materials, and we have included that in policies adopted by the Faculty Senate, but faculty should not necessarily allow those concerns to drive academic decisions. Beyond that, we feel the decisions at this point are best left to faculty.

Regarding these “policy” issues, the APC urges the University of Florida administration and the Boards of Trustees, Governors, and Education to recognize the wide variability of the problems and diversity of possible solutions that span the large number of academic fields supplied by a top research university like ours. To the greatest extent possible, we believe the local units should bring faculty, students, and administrators together to dialogue on these issues. Where resources are available, faculty should be encouraged to develop web-based open source materials. Where information gathering or publication constraints make such developments too costly, however, there should be dialogues about making materials available for students who cannot afford them. The form this takes will differ by field, and the APC believes that faculty and students, together, can best work these out at the local level.

Respectfully submitted,

Academic Policy Council

