

OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION

Faculty Advisory Council

Cost of Textbooks & Alternative Learning Resources Discussion Paper

BACKGROUND

In December 2006, the Chancellor convened a symposium to investigate methods of reducing the burden of textbook costs to students in the Oklahoma State System of Higher Education. The symposium was exploratory and provided a forum for various stakeholders to present ideas and opinions regarding the selection, publication, pricing and distribution of educational materials and resources. The issues discussed included financial aid restrictions on purchasing, editions not always changing substantively, whether one text may apply to more than one course, departmental responsibility in the selection process, long-term professional value of the text, and how students use texts.

In March 2007, the Oklahoma Student Government Association (SGA) passed a resolution for the Council on Student Affairs (COSA) requiring institutions to provide information regarding textbooks 14 days prior to start of class. In May 2008, the Student Advisory Board (SAB) and Faculty Advisory Council (FAC) passed a joint resolution for the State Regents requiring the same information as the SGA and provide at least one copy of each textbook on reserve in the library. In October 2009, SGA passed additional resolutions including that all campuses libraries should have copies of all required texts and that textbooks be available in a digital format and housed on campus network servers. In March 2010, SGA recommended that Oklahoma sales tax be removed from all textbook (and other required reading material) purchases.

In May 2007, the Oklahoma Legislature passed H.B. 2103 (see relevant sections attached) to reduce textbook costs by having governing boards adopt policies for bookstores, faculty and staff; work with bookstores, publishers, students and faculty; and restrict what employees and bookstores may receive from publishers. The legislation went into effect as of November 2007.

In July 2008, Congress completed reauthorization of the Higher Education Act (HEA) by passing the Higher Education Opportunity Act (HEOA) Effective July 1, 2010, institutions will be required to disclose in their course schedules, "to the maximum extent practicable," the International Standard Book Number (ISBN) of every required and recommended textbook and supplemental materials and retail price information. Lacking accurate information about the ISBN number at the time the course schedules are set, the institution is permitted to indicate that this information is "to be determined." Publishers are required to provide faculty with information on price, copyright dates of the three previous editions, any substantial revisions between a new edition and prior iterations, whether the textbook is available in any other format and at what price and to supply textbooks in bundled and unbundled formats.

The Oklahoma State Regents for Higher Education have sustained memberships with Merlot and the Southern Regional Education Board's (SREB) Educational Technology Cooperative. Merlot membership provides information about teaching strategies, professional associations, journals and conferences. SREB assists states in the effective and efficient uses of learning technology by coordinating interstate information sharing and as a resource for educational technology policies.

Additional HEOA regulations include:

- Transparency in pricing including what the publishers charge the bookstores versus direct sales to the public for the same materials.
- Copyright dates for three previous editions of any textbooks and their supplemental material as well as a description of the major revisions between current and earlier editions.
- The cost of materials in paperback and unbound versions when available and the cost to bookstore buyers versus selling directly to the public.
- Except in the case of integrated textbooks¹, publishers must separate bundled packages so that student may buy portions separately.

In 2008, the Chancellor collected copies of the institution policies described in H.B. 2103. Also, the FAC conducted a survey of the institutions represented by the FAC members and began reviewing articles and added textbook costs to the annual work plan.

In February 2010, Representative David Wu (D-OR) introduced the Open College Textbook Act of 2010 which requires that all k-12 and postsecondary educational materials that are developed through federal grants be made free of charge to the public. Furthermore, this proposed legislation encourages professors to consider open college textbooks a practice of academic freedom. This bill is currently under review with the Subcommittee on Higher Education, Lifelong Learning, and Competitiveness.

In May 2010, the Student Advisory Board recommended increased funding to the Academic Scholars Program in part to address rising textbook costs.

According to the articles reviewed, the issues surrounding textbook costs and alternative learning materials include the following:

- Public Interest Research Groups (PIRGs) are supporting legislation for publisher transparency and accountability.
- In a 2010 PIRG study, 75% of students preferred printed text to reading in a digital format.
- Nationally, about one-half of all institutions own bookstores and profit from textbook sales; another 35% contract with firms to operate bookstores and receive a profit from the contract. Business risks, such as the stockpiling of obsolete and nearly worthless textbooks, are assumed by booksellers and by institutions in the business of textbook purchases, rental or sales. The mark-up at bookstores for new textbooks is, on average, 33% and almost 50% for used books according to the National Association of College Stores.
- Students should have the ability to shop around for the best price.
- The textbook market is "price inelastic:" even when the price of textbooks changes dramatically there are only minimal shifts in market demand.
- Faculty (including part-time) and students must determine the use and value of alternate formats and supplemental materials.

¹ Integrated textbooks are "combined with materials developed by a third party and that, by third-party contractual agreement, may not be offered by publishers separately from the college textbook ...or combined with materials that are so interrelated with the content of the college textbook that the separation...would render the college textbook unusable for its intended purpose." From: Textbook Guidance, June 8, 2010. IFAP Dear Colleague Letters from the Office of Federal Student Aid, DCL ID: GEN-10-09. At <http://ifap.ed.gov/dpcletters/GEN1009FinalTextbookGuidance.html>. Questions about HEOA's textbook regulations can be directed to Jessica Finkel at jessica.finkel@ed.gov.

- Libraries participating in textbook lending have concerns about damage, theft, late returns and copyright infringement.
- The roles that faculty, departments, student, bookstores, publishers, distributors play in decision making processes are shifting.
- Faculties have the academic freedom to select the texts for their courses.
- With an increasing involvement that publishers have in the development of instructional aids, they are assuming roles that have traditionally belonged to postsecondary institutions.
- The balance between textbooks' costs and effectiveness must be evaluated individually.
- As the e-book market expands, prices are likely to increase to compensate for the loss of hardcover sales
- Some instructors are intimidated or disinterested in mastering the technology behind electronic learning venues.
- Campuses are determining how copyright, tenure achievement and peer review standards will be altered with increasing usage of open source material.
- Students and instructors disagree over the long-term value textbooks hold – especially in general education courses (where students are most likely to attempt to sell back their books).

CAMPUS PROFILE: TULSA COMMUNITY COLLEGE

In May 2008, the Oklahoma State Regents for Higher Education awarded a one-time grant to Tulsa Community College (TCC) to address strategically the affordability of textbooks and course materials. The funding supported faculty colloquiums, a statewide conference, TCC's Text2Trade and collaboration grants for faculty teams to develop methods of reducing the cost of instructional materials for students.

Text2Trade² enables students to comparison shop, sell and trade textbooks with other TCC students and alumni. Users log in with their TCC email address to access free accounts and peruse the virtual bookstore. Once students have made their selection, they are put directly in touch with the seller – often another student. TCC is exploring how to make Text2Trade available to all public colleges and universities in Oklahoma.

TCC faculty teams focused on high enrollment courses and their textbook costs after determining that just 28 courses generated 54% of their total credit hour enrollment. The goal was to:
 move from a dependency on single or multiple textbooks to a multi-media rich,
 open source course materials that are readily available through the Internet.
 Through collaboration grants, TCC will provide financial incentives,
 technical support and time to teams of faculty teaching specific courses
 to develop and package common course materials and resources.³

In December 2009, TCC's Alternative Course Materials Task Force issued a lengthy report ("How Do You Hold a Moonbeam in Your Hand? Getting a Grip on Textbook Prices") exploring the decision process in textbook pricing and selection and the implications these had on numerous stakeholders. Additionally, this report examines student usage rates by institutional type, their willingness to read e-books and faculty attitudes toward open-source, editable textbooks. The perspective and concerns of campus administrations and book stores as well textbook authors and publishers are also discussed. The report concludes with the following recommendations:⁴

² This link provides an instructional video on [Text2Trade](http://streaming.tulsacc.edu/acmcontent/8bb9e428-f1a4-4646-8cd7-bee609eee772/www.text2trade.org_www.text2trade.org_2010-03-15_10-09-AM.htm): http://streaming.tulsacc.edu/acmcontent/8bb9e428-f1a4-4646-8cd7-bee609eee772/www.text2trade.org_www.text2trade.org_2010-03-15_10-09-AM.htm

³ "Developing Strategies to Provide College Students with Lower Cost Textbooks and Alternative Course Materials: A Special Project Proposal Submitted to the Oklahoma State Regents for Higher Education." Tulsa Community College, June 20, 2007.

⁴ Summarized recommendations.

- Enhancing the learning experience should be a priority for all course material cost cutting measures.
- Higher education institutions should inform their staff, instructors, students and other stakeholders on the multiple factors playing a role in textbook costs and alternative course material selection. All decisions in these areas should consider all stakeholders and determine short- and long-term impacts.
- Course material selection should be made by full-time faculty who consult with their colleagues (including adjuncts), campus librarians, students and instructors at other institutions teaching similar courses (which allows for collective leveraging with publishers).
- Consistently check prices across publishers and negotiate the best deals.
- Provide ISBN numbers on all syllabi and at least one week prior to classes starting. Clearly state the extent to which each book listed on the syllabus will be used in class.
- Publishers should be required by colleges to provide complimentary course materials to all instructors as well as at least 10% of the expected student enrollment for each class section. However, faculty should refuse gifts or any other form of gratuity from vendors while selecting course materials.
- Colleges need to prevent copyright infringement.
- Students should have appropriate computer and software access to utilize any technology-based course materials.
- Professional development opportunities and incentives should be provided by the campus to faculty evaluating alternative learning resources.

On March 5, 2010, Tulsa Community College and the Oklahoma State Regents for Higher Education hosted the conference “Textbook Evolution” where the nearly 300 conference participants included faculty, students, administrators, librarians, publishers and bookstore staff (see highlights on page five of this report).

As a function of the new Center for Creativity, TCC faculty will continue developing electronically-based materials and course redesign with the full integration of technology and online learning opportunities. Furthermore, TCC is leading a national effort to develop collaborative course material through the Center for Community College Development. Finally, the campus has committed to an advocacy role monitoring state and federal legislation that impacts the affordability of college textbooks.

Textbook Evolution Conference Highlights

MARCH 5, 2010

TITLE	NOTES
UNPLUGGING FROM THE COMMERCIAL SOFTWARE GRID Kent Brooks Western Oklahoma State University	Poster: Description of WOSC's move to open source software.
WHAT IS A TEXTBOOK IN AN ONLINE SCIENCE CLASS? Erik Terdal Northeastern State University	Comparing course success when implementing different text sources.
OPEN SOURCE & ONLINE BOOKS IN A WEB DESIGN & MARKETING COURSE Julie Luscomb Tulsa Community College	Poster: Implementing open source software and other learning materials in a marketing course.
HOW DO YOU HOLD A MOON BEAM IN YOUR HAND? Mark Dinneen Mary Cantrell Rosemary Carlson Lynn Greene Tulsa Community College Alternative Course Materials Task Force	Task force reports on their findings from the past two years and alternatives to traditional textbook usage.
STUDENT PERSPECTIVES/REACTIONS TO TASK FORCE PRESENTATION Daniel McClure Camal Pennington Travis Spurling Jasmine Karlebach	N/A
MODERATED FORUMS IN: INTERNET & DIGITAL OPTIONS FACULTY PERSPECTIVES PUBLISHER & AUTHOR PERSPECTIVES INSTITUTIONAL PERSPECTIVES COPYRIGHT & LEGISLATIVE PERSPECTIVES	N/A
SIGNIFICANT DIFFERENCES: USING CONTENT, CREATIVITY AND COURAGE IN THE FACE OF DISRUPTIVE CHANGE Dr. Myk Garn Southern Regional Education Board	How institutions and educators struggle to adapt to change
TEXT2TRADE DEMONSTRATION Sean Weins Tulsa Community College	Online market for students to buy, sell or trade textbooks
PREPARING FOR THE DIGITAL NATIVE Ric Baser Phil Moss Daniel McClure Mike Dineen Bruce Hildebrand	Cross-platform tools to develop successful online learning resources.
SOLUTIONS FORUM Eric Dawson Apple Higher Education Division	Collaborative discussion between faculty, students, publishers and college administrators.
SUMMARY, PLEDGE AND FAREWELL Chancellor Glen D. Johnson and Dr. Houston Davis Oklahoma State Regents for Higher Education	

Further information on speakers can be found at: <http://textbookevolution.com/Speakers.aspx>.
 Information on sessions can be found at: <http://textbookevolution.com/SessionDescriptions.aspx>

POTENTIAL STRATEGIES⁵

Campus Bookstore Strategies

- Unbundle book packages. H.B. 2103 requires options to purchasing separately study guides, computer discs and other supplemental materials.
- Provide the price of textbooks. H.B. 2103 requires publishers to notify faculty of costs.
- Implement a textbook rental program: The National Association of College Stores (NACS) has developed the Textbook Rental Compendium, 2nd Ed. Rental programs are often one of three types: full rental, partial or hybrid. Texts are cherry-picked for suitability for rental and the institution commits to a textbook for a given period of time with the bookstore assuming the cost of the initial buy.
- Adopt format alternatives that lower prices such as abbreviated, black and white or split editions as well as custom textbooks which allow for modified content.
- Negotiate group rates from publishers. Consider a “buying consortium” with other campuses.
- Strengthen the market for used textbooks by developing used textbook initiatives, year-round and guaranteed buy-back programs and book swaps.
- Determine what role bookstores play in selling digital book readers and associated learning materials.
- Two screen e-book readers are being introduced into the market where one panel reads like a traditional book and the other screen allows for graphics and animation.
- Restructure bookstore to operate as a non-profit entity.

Institutional Policy Development and Practice

- Support campus bookstores in recommending changes to operations.
- Incubate institutional or departmental textbook committees. Appoint campus librarians to committees to discuss resource sharing and open source materials.
- Adopt policy that publishers must show how editions vary from one another (see H.B. 2103).
- Increase financial aid to cover textbook expenses, including need-based grants. Improve related financial aid policies, including emergency vouchers and no-interest loans for textbook purchases.
- Increase library resources of required and suggested materials. This may include e-reserves, checkout and purchasing copies produced on demand. Encourage and fund libraries to maintain a repository of open source materials.

⁵ As suggested by Faculty Advisory Council and from numerous readings cited at the end of this report.

- Develop incentives for faculty to learn how to master and evaluate electronic learning formats as well as build syllabi using mostly free/open access course materials.
- Develop a comprehensive institutional definition of “open educational resources.” Develop an institutional policy on sharing intellectual property by contribution to open source resources.
- Determine how publishing in open access forums contributes to tenure portfolios.
- Explore software that allows textbooks to be adapted to electronic media readers (such as Kindles or iPads)
- Open source textbook websites can have costly institutional fees. Consider having students, as part of their fees, pay toward this subscription fee. For example, students pay \$60 per semester and are guaranteed all of their textbooks will be provided to them in a free digital format.
- Involve students in the development of course material selection policies.
- Initiate a campus librarian committee to suggest means by which libraries can assist students with accessing course reading materials

Academic Department Strategies

- Develop faculty textbook selection guidelines.
- Agree upon a collection of textbooks to use in the department and then have publishers bid to supply these.
- Develop system to expeditiously get textbooks on order and received by the bookstore.
- Develop campus, state or regional online communities to share open source curriculum and lesson plans such as MERLOT and SCORE.
- Use the same textbook for multiple courses.
- H.B. 2103 prohibits employees and department from demanding or receiving payment as an inducement for assigning a specific textbook for their course.
- Some solutions may be discipline specific and dependent on whether they are introductory courses or for the major.
- Provide key information to students before the term starts. This would include book titles, authors, editions, ISBN and which texts are required.
- Establish faculty standards for quality control for online reading materials.
- Survey students about course materials on course evaluations.
- Invite students to participate in textbook selection committees.

Faculty Practices

- Determine the cost of materials before finalizing your order and submit orders on time.
- Retain textbooks for a longer period.
- Require only those texts that are used extensively in the course.
- Add supplemental material online when using older textbook editions to compensate for any new needed information.
- Become familiar with open education resources such as Merlot, Connexions, MIT's OpenCourseWare, Curriki and Flat World Knowledge.
- Explore online publishers that allow faculty to rewrite or expand text, reorder chapter sequence and delete irrelevant portions (for example, McMillan's DyanmicBooks).
- Encourage students to use electronic textbook sources such as Café Scribe (Follett) where the software allows students to create and share notes.

Longer-term Strategies

- Develop transaction and rights clearinghouse.
- Shift textbook market away from recouping costs in one semester to continuous revenue stream for years.
- Research the need, desirability and effectiveness of supplemental materials.
- Exempt textbook purchases from state sales tax (Big 12 institutions).
- Identify formats that students already use or that can be standardized.
- Resolve copyright issues.
- Develop campus-based publishing houses and non-profit bookstores.
- Determine the impact on learning outcomes (if any) that reading in an electronic format has and establish means to address these for students.

RESOURCES

Websites

Association of American Publishers (AAP): <http://www.textbookfacts.org/about.htm#>

National Association of College Stores:

<http://www.nacs.org/public/industry.asp> and http://www.nacs.org/public/nacs/adoption_policy.pdf

CaféScribe: <http://www.cafescribe.com>

Curriki: <http://www.curriki.com>

Southern Regional Education Board (SREB): <http://www.sreb.org>

MERLOT (Multimedia Educational Resource for Learning and Online Teaching): <http://www.merlot.org>

Text2Trade: <http://www.text2trade.com>

SCORE: <http://www.score.k12.ca.us>

Flat World Knowledge: <http://www.flatworldknowledge.com>

MIT's OpenCourseWare: <http://ocw.mit.edu>

Center for Community College Development: <http://www.cfccd.org>

The Maricopa Learning Exchange: <http://www.mcli.dist.maricopa.edu/mlx/>

WISC Online (primarily developed by Wisconsin Technical College System) <http://www.wisc-online.com/>

North Carolina Learning Object Repository: <http://www.explorethelior.org/>

Open Educational Resources (OER) Commons: <http://www.oercommons.org/>

Community College Open Textbook Collaborative: <http://collegeopentextbooks.org/>

Connexions: <http://cnx.org/>

Ohio State Textbook HQ: <http://www.ohiotextbookhq.ning.com/>

Freeload Press (aka Textbook Press of Minnesota): <http://www.textbookmedia.com/freeloadpress>

Texas State Technical College Publishing: <http://publishing.tstc.edu/>

Textbook Evolution: <http://www.TextbookEvolution.com>

The following resources were used in the preparation of this discussion paper:

2005

College Textbooks: Enhanced Offerings Appear to Drive Recent Price Increase U.S. Government Accountability Office, July 2005.

2006

"An Economic Analysis of Textbook Pricing and Textbook Markets" Presented to the Advisory Committee on Student Financial Assistance, James V. Koch, September 19, 2006

Survey of College Instructors Regarding the Use of Supplemental Materials in the Classroom Zogby International, September 5, 2006

Textbook Symposium sponsored by the State Regents, December 13, 2006, Oklahoma City, OK

"Throwing Down the Book" Inside Higher Education (www.insidehighered.com), Rob Capriccioso August 29, 2006

2007

"Got Textbooks?" The University of Oklahoma Libraries, www.libraries.ou.edu, August 28, 2007

Oklahoma Student Government Association Resolution Bill #005, March 2007

"Musty Book Love—Poll Finds Smell is Key for Book-Lovers" (www.cagescribe.com) August 24, 2007

"Next Chapter on Textbooks" Inside Higher Education (www.insidehighered.com), June 1, 2007, Elia Powers

"Palomar College Professors Oppose Textbook Rental Program" North County Times (www.nctimes.com), David Garrick, January 3, 2007

"Students Find Cheaper Ways to go 'Buy' the Book" The Oklahoman, Susan Simpson, 2007

Survey of Issues that Impact Textbook Selection and Costs, Faculty Advisory Council, June 2007

"Textbook Battle's New Frontier" Inside Higher Education (www.insidehighered.com), April 13, 2007, Elia Powers

Turn the Page: Making College Textbooks More Affordable Advisory Committee on Student Financial Assistance, May 2007

"Why Students Read Textbooks (or Don't)" Inside Higher Education (www.insidehighered.com), Scott Jaschik, August 20, 2007

2008

"Assign Books, and Students Will Read Them" Chronicle of Higher Education, October 17, 2008, Nancy Bunge

"Despite Skeptics, Publishers Tout 'Fair Use' Agreements with Universities" Higher Education (www.insidehighered.com), January 17, 2008, Andrea L. Foster

"Different Tacks on Textbook Choice" Higher Education (www.insidehighered.com), February 19, 2008, Elia Powers

"E-Textbooks for All" Inside Higher Education (www.insidehighered.com), October 7, 2008, Andy Guess

"E-Textbooks—for Real This Time?" Inside Higher Education (www.insidehighered.com), January 23, 2008, Andy Guess

Joint Student Advisory Board and Faculty Advisory Council Resolution, 2008

"New Machines Reproduce Custom Books on Demand" Chronicle of Higher Education, December 5, 2008, Lisa Guernsey

"Next Steps for E-Texts" Inside Higher Education (www.insidehighered.com), August 26, 2008, Andy Guess

OCALD meeting, January 2008

"One Way to Rein in the Cost of Textbooks: Make Them Free" Chronicle of Higher Education, February 15, 2008, Paul F. Delespinasse

"Open Textbooks Meets Community Colleges" Inside Higher Education (www.insidehighered.com), Andy Guess, August 12, 2008

The following materials were used when this paper was updated in 2010

"The iPad Goes to College" CNN (<http://www.cnn.com/2010/TECH/mobile/07/26/ipad.university.ars/index.html?hpt=C2>), July 26, 2010

"Textbook Guidance, IFAP Dear Colleague Letters from the Office of Federal Student Aid" (<http://ifap.ed.gov/dpccletters/GEN1009FinalTextbookGuidance.html>), June 8, 2010

Tulsa Community College's Center for Creativity (<http://www.tulsacc.edu/13154>).

"Textbook Firms Ink E-Deals For iPad" Wall Street Journal, (http://online.wsj.com/article/SB10001424052748703338504575041630390346178.html?mod=WSJ_hpp_LEFTWhatsNewsCollection), February 2, 2010

"Relief Sought on Textbook Prices", Tulsa World, (http://www.tulsaworld.com/news/article.aspx?subjectid=11&articleid=20090314_11_A1_LaceyP256833&archive=yes), Sharon Muchmore, March 14, 2009

"TCC Developing Textbook Alternatives for Students" Campus e-Clips, OSRHE Communicator's Council, February 20, 2009

“Sticker Shock” Tulsa World (http://www.tulsaworld.com/opinion/article.aspx?subjectid=61&articleid=20090830_214_G1_Willdi465886), Julie Delcour, August 30, 2009

“Web Not Yet the Answer to College-text Costs, Philly.com (<http://www.philly.com/philly/education/83783907.html?cmpid=15585797>), Susan Snyder , February 8, 2010

“e-Books Get More Expensive”, CNN SciTech Blog, February 3, 2010

“Campuses Fight Soaring Textbook Prices with New Techniques, Technology” Minnesota State University Mankato, (<http://www.mnsu.edu/news/read/?id=1230563139&paper=frontpage>), January 9, 2009

“Professors Cry Foul Over Website” Chemical and Engineering News (<http://pubs.acs.org/cen/email/html/8808education.html>) , Bethany Halford, February 22, 2010

“Macmillan’s New Digital Textbooks Let Profs Reorder, Rewrite, and Stick It to Rival Academics” Fast Company (<http://www.fastcompany.com/1559117/macmillans-new-digital-textbooks-let-profs-reorder-rewrite-and-stick-it-to-rival-academics>), Dan Nosowitz, February 23, 2010

“Publishing: The Revolutionary Future” The New York Review of Books (<http://www.nybooks.com/articles/archives/2010/mar/11/publishing-the-revolutionary-future/?pagination=false>), Jason Epstein ,March 11, 2010

“Reaching the Last Technology Holdouts at the Front of the Classroom” The Chronicle of Higher Education (<http://chronicle.com/article/Reaching-the-Last-Technology/123659/>), Jeffrey R. Young, July 24, 2010

“Devices to Take Textbooks Beyond Text” New York Times (http://www.nytimes.com/2009/12/06/business/06novel.html?_r=1&ref=textbooks), Anne Eisenberg, December 5, 2009

“Taming the Textbook Market” Inside Higher Ed (<http://www.insidehighered.com/layout/set/print/views/2010/06/11/bell>), Steven J. Bell, June 11, 2010

“Open Educational Practices and Resources: OLCOS Roadmap 2010” (<http://www.olcos.org/english/roadmap/>), Guntram Geser, Salzburg Research and EduMedia Group, eds. 2007

“A Review of the Open Educational Resources (OER) Movement: Achievements, Challenges, and New Opportunities” The William and Flora Hewlett Foundation, Daniel Atkins, John Seely Brown and Allen L. Hammond, February 2007

American Council on Education (ACE) Analysis of Higher Education Act Reauthorization (http://www.acenet.edu/e-newsletters/p2p/ACE_HEA_analysis_818.pdf), August 14, 2008

“How Do You Hold A Moonbeam in Your Hand?: Getting a Grip on Textbook Prices” Alternative Course Materials Task Force, Tulsa Community College (textbookevolution.com/.../ACMTF_FinalReport_Textbooks_122109.pdf), December 2009

“The High Cost of Textbooks: A Convergence of Academic Libraries, Campus Bookstores, Publishers?” Electronic Journal of Academic and Special Librarianship (http://southernlibrarianship.icaap.org/content/v07n02/pollitz_j01.htm), John H. Pollitz and Anne Christie, vol. 7, no. 2, Summer 2006.

H.B. 2103

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3241.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The Legislature finds that:

1. The bundling of higher education textbooks, workbooks, CD-ROMs, and other course-related instructional materials can be unnecessary since many students do not use all of the materials included and may realize cost savings if materials are also offered separately; and
2. Many higher education faculty and staff select textbooks and instructional materials uninformed of the retail costs and differences between versions.

B. It is the intent of the Legislature to:

1. Give students enrolled in institutions in The Oklahoma State System of Higher Education more choices for purchasing textbooks and instructional materials;
2. Encourage higher education faculty and staff to work closely with bookstores and publishers to implement the least costly option without sacrificing educational content; and
3. Provide maximum cost savings to students.

C. As used in this section:

1. "Instructional material" means any textbooks, workbooks, CD-ROMs, and other course-related material required or recommended by the higher education faculty or staff for a given course; and
2. "Bundled" means a textbook and other supplemental instructional materials that may be packaged together to be sold as course materials for one price but shall not include instructional materials that are designed solely for sale as an integrated combination of two or more units or materials that cannot be sold separately due to third-party contractual agreements, custom editions, or special editions.

D. Each board of regents of an institution or group of institutions within The Oklahoma State System of Higher Education shall adopt an instructional material policy that requires:

1. Bookstores located on campus or bookstores which contract with the institution to provide bookstore services to students:
 - a. provide students with the option of purchasing instructional materials that are unbundled when possible, disclose to faculty and staff the costs to students of purchasing instructional materials, and disclose publicly how new editions vary from previous editions,
 - b. actively promote and publicize book buy-back programs, and
 - c. disclose retail costs for instructional materials on a per-course basis to faculty and staff and make this information publicly available; and
2. Higher education faculty and staff members to consider the least costly practices in assigning instructional materials for a course, such as adopting the least expensive edition available when educational content is comparable as determined by the faculty and working closely with publishers and bookstores to create bundles and packages if they deliver cost savings to students.

E. In developing an instructional material policy as required in subsection D of this section, each board of regents shall work with and seek input from bookstores, publishers, students and faculty representatives.

F. Each publisher of instructional material used by students enrolled at institutions in The Oklahoma State System of Higher Education shall make available to the faculty and staff of that institution the:

1. Price at which the publisher will make the instructional materials available to bookstores, either those located on campus of the institution or those which have a contract with the institution to provide bookstore services to students; and
2. A list of the revisions for the instructional materials since the last published edition, if any.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3241.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. No employee or department at an institution within The Oklahoma State System of Higher Education shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, as an

inducement for requiring students enrolled at the institution to purchase specific textbooks or instructional material required for coursework or instruction. An employee or department of an institution may receive:

1. Sample copies of textbooks or instructional material, instructor copies of textbooks or instructional material, or other instructional material, that are not to be sold by faculty, staff, or bookstores;
2. Royalties or other compensation from sales of textbooks or instructional materials that include the writing or work of the employee;
3. Honoraria for academic peer review of instructional materials; and
4. Training in the use of instructional materials and technologies.

B. No instructional material vendor or bookstores located on campus or bookstores which contract with the institution to provide bookstore services to students shall solicit higher education faculty and staff members for the purpose of selling free review instructional materials that have been provided by a publisher at no charge to the faculty or staff. Bookstores shall not permit book wholesalers conducting buybacks on campus to accept review instructional materials from faculty or staff. No bookstore shall engage in any trade of any instructional material marked as or identified as free review instructional materials.

SECTION 4. This act shall become effective November 1, 2007.