



Florida Colleges and Universities Are Addressing Textbook Affordability

at a glance

The U.S. Congress has passed the Higher Education Opportunity Act, which contained language aimed at reducing textbook costs. In addition, the Florida Legislature addressed textbook affordability by passing legislation in 2008 and 2009. As a result, the State Board of Education and the Board of Governors now require Florida colleges and public universities to take various actions to help make textbooks more affordable for students. Florida also has begun a statewide open access textbook initiative that currently offers approximately 170 open access textbooks on a variety of subjects that can be accessed for free online or printed for a nominal cost.

Scope

In accordance with state law, this progress report informs the Legislature of actions taken in response to a 2008 OPPAGA report.^{1,2}

Background

Rising college textbook costs have garnered both national and state attention. For example, in 2005, the Government Accountability Office reported that over an 18-year period, the costs of college textbooks increased at double the rate of inflation.³ To address these rapidly increasing costs in Florida, OPPAGA's 2008 report provided the Legislature with several policy options that could help limit the cost of textbooks and described steps that postsecondary institutions could take to limit costs for their students. Since that time, both the U.S. Congress and the Florida Legislature have passed legislation in an attempt to control textbook costs.

Current Status

The U.S. Congress and the Florida Legislature recently passed laws to address textbook affordability. The U.S. Congress passed the Higher Education Opportunity Act in 2008 that required higher education institutions and publishers to provide more information on textbook prices and revisions. The Act also

¹ Section [11.51\(6\)](#), *F.S.*

² *Options Exist to Address the Rising Cost of Textbooks for Florida's College Students*, [OPPAGA Report No. 08-29](#), April 2008.

³ The Government Accountability Office reported that college textbooks increased at an average rate of 6% per year over an 18-year period while the general inflation rate over the same period was 3%. See *College Textbooks: Enhanced Offerings Appear to Drive Recent Price Increases*, [GAO-05-806](#), July 29, 2005.

required higher education institutions to disclose the retail price and International Standard Book Number of every required and recommended textbook and supplemental material. In addition, the Act required publishers to indicate whether textbooks are available in any other format and at what price and to supply textbooks in bundled and unbundled formats.⁴ This additional information may help students and instructors make more cost effective textbook choices.

In Florida, the 2008 Legislature passed Ch. 2008-78, *Laws of Florida*, which addressed postsecondary textbook affordability.⁵ The law prohibited Florida college and university employees from receiving remuneration for requiring students to purchase a specific textbook, but allowed them to accept materials from publishers, royalties from published work, and honoraria for peer review services. In addition, the law required colleges and universities to post a list of required textbooks for all courses on their website no less than 30 days before the first day of classes. This gives students time to compare textbook prices.

The law also directed the State Board of Education and the Board of Governors to adopt policies and procedures that further minimize textbook costs while maintaining educational quality and academic freedom. The law required that these policies and procedures address several issues.

- Textbooks must be adopted with sufficient time to allow bookstores to confirm the availability of the requested materials and to maximize the availability of used books.
- Course instructors or the academic department offering the course must confirm that all required materials will be used.

- The instructor or academic department offering the course must confirm the extent to which a new edition differs from earlier versions and the value of changing to a new edition.
- Policies must address textbook availability for students otherwise unable to afford the cost.

The Legislature also addressed textbook affordability in 2009 by directing the Florida Distance Learning Consortium to work with the Florida College System and the State University System to develop a plan to promote and increase the use of open access textbooks as a method for reducing textbook costs. Open access textbooks are digital textbooks that can be accessed online at no cost and printed at a nominal cost.

The State Board of Education adopted rules to address legislative requirements relating to textbook affordability. The State Board of Education adopted a rule in 2009 that addressed the statutory requirements relating to textbook affordability.⁶ For example, the rule required all institutions in the Florida College System to adopt textbooks no later than 45 days prior to the first day of class to allow bookstores sufficient time to confirm the availability of requested materials.

The Department of Education intends to monitor whether Florida colleges are complying with the textbook affordability rule by conducting surveys and reviewing colleges' websites to determine if they are posting required information on textbooks. The department conducted its first survey of Florida colleges in March 2010 and found that colleges are using a variety of mechanisms including custom textbooks, textbook buyback and rental programs, and publisher negotiations to address textbook affordability. However, the department has not developed a plan to regularly survey the colleges in the future. Division of Florida Colleges officials report that the division is considering having

⁴ The act also required publishers to provide faculty with information on price, copyright dates of the three previous editions, and any substantial revisions between a new edition and the previous edition.

⁵ Chapter [2008-78](#), *Laws of Florida*.

⁶ Rule 6A-14.092, *F.A.C.*

the rule amended to specifically allow it to review college textbook policies.

In addition to promulgating minimum textbook guidelines and requirements in rule, the department established a Textbook Affordability Workgroup composed of representatives from Florida colleges. The workgroup made six recommendations to make textbooks more affordable for students.

- Further explore open access textbooks.
- Initiate a statewide rental program awareness campaign.
- Secure e-textbook licenses to provide student access to textbooks at no cost.
- Develop and monitor policies and guidelines for textbook adoption.
- Promote student awareness of ways to minimize textbook costs.
- Exempt textbooks from sales tax.

The Board of Governors established a task force on textbook affordability and adopted regulations. The Board of Governors also created a task force on textbook affordability that made cost reduction suggestions specific to state universities in five main areas: cost awareness in choosing textbooks; course scheduling and textbook adoption; alternative textbook formats; evolving technologies for textbooks; and monitoring changes in textbook access.

The board adopted a regulation requiring each university to adopt a regulation that establishes textbook adoption procedures for each of these five areas. In addition, the regulation requires universities to develop a procedure to make required textbooks for each course available to students who otherwise cannot afford them and a mechanism for students to obtain required textbooks prior to receipt of financial aid distributions. The regulation also restricts university employees from receiving remuneration in exchange for requiring specific textbooks while repeating the statutory language specifying activities and services the employees can perform for payment.

As of June 2010, all 11 public universities had adopted textbook regulations addressing these and other related requirements. However, the Board of Governors reports that it has not developed plans for monitoring the implementation of the universities' textbook regulations. The board reports that each university's board of trustees is responsible for ensuring the institution complies with its textbook regulation.

Florida has begun an open access textbook initiative. Open access textbooks are one solution to the high cost of college textbooks. Unlike e-textbooks that have licensing fees and restricted access, open access textbooks are complete digital textbooks that can be accessed online at no cost and printed for a nominal cost.

In 2009, the Legislature directed the Florida Distance Learning Consortium to develop a plan to promote and increase the use of open access textbooks. As a result, the Florida Distance Learning Consortium partnered with the Orange Grove Digital Repository and the University Press of Florida to begin the Orange Grove Texts Plus initiative in September 2009. The initiative's website currently offers approximately 170 open access textbooks on a variety of subjects that students can access for free. The consortium continues to look for opportunities to partner with institutions and/or faculty and apply for additional funding to expand the state's open access textbook initiative.

In addition to undertaking the statewide open access textbook initiative, the consortium established an Open Access Textbook Task Force to fulfill the legislative directive to promote and increase the use of open access textbooks. The task force reported that it did not find any statewide postsecondary initiatives other than Florida's Orange Grove Texts Plus that offered open access textbooks.

In February 2010, the Open Access Task Force released a report that recommended various

strategies for increasing the use of open access textbooks including

- periodically updating the open access textbook inventory and annually updating the prioritized list of general education courses;
- developing professional development materials, a media kit, and an awareness campaign about the use of open access textbooks and instructional materials; and
- creating a statewide committee to examine the issue, make recommendations, and conduct related evaluations.

OPPAGA supports the Florida Legislature by providing evaluative research and objective analyses to promote government accountability and the efficient and effective use of public resources. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021), by FAX (850/487-9213), in person, or by mail (OPPAGA Report Production, Claude Pepper Building, Room 312, 111 W. Madison St., Tallahassee, FL 32399-1475). Cover photo by Mark Foley.

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