

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Higher Education Committee

BILL: CS/SB 2492

INTRODUCER: Committee on Higher Education and Senator Haridopolos

SUBJECT: Textbook Affordability

DATE: April 19, 2007

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Matthews</u>	<u>HE</u>	<u>Fav/CS</u>
2.	_____	_____	<u>FT</u>	_____
3.	_____	_____	<u>HI</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill prohibits community college and state university employees from demanding or receiving anything of value in exchange for requiring students to buy a specific textbook. Exceptions to this provision include sample copies, instructor copies, or instructional materials, not to be sold, or royalties or other compensation from textbook sales that include the instructor's own writing or work.

This bill requires community colleges and state universities to give advance notice of required textbooks, through a website posting, at least 30 days before the first day of class.

By March 1, 2008, the State Board of Education and the Board of Governors are required to adopt policies, procedures, and guidelines for implementation by community colleges and state universities, to include certain requirements, and limited exceptions.

The Office of Program Policy Analysis and Government Accountability is required to submit a report and recommendation to the Senate President and the House Speaker by December 1, 2007, that details a study of the rising cost of college textbooks, and textbook-purchasing practices of public institutions.

This bill creates section 1004.09 of the Florida Statutes.

II. Present Situation:

Textbook Affordability

According to the U.S. Government Accountability Office, in the past 20 years, college textbook prices have increased at twice the inflation rate.¹ Increasing on average about six percent each year, textbook prices have almost tripled between 1986 and 2004.² The cost of textbooks and supplies as a percentage of tuition and fees for first-time, full-time, degree-seeking students is as follows:

- Two-year public institutions: 72 percent;
- Four-year public institutions: 26 percent; and
- Four-year private institutions: 8 percent.

Researchers identified the proliferation of supplementary materials to textbooks as a primary source of the increase in costs, particularly where these items are packaged together, or bundled, with the textbooks. Also cited as a cause for cost increase is the practice of frequently revising textbooks, so that students are required to purchase the latest edition. Sampled publishers conceded that the current revision cycle for textbooks is three to four years, compared to the average of four or five years ten to 20 years ago.³

Federal Legislation

On March 20, 2007, sponsors of Senate Bill 945 introduced the College Textbook Affordability Act in Congress. This bill would provide the following:

- Require publishers to include the price of textbooks and supplemental material to faculty, as well as the history revisions, and whether a lower-priced option is available;
- Require publishers who bundle course material to offer the items separately;
- Require colleges receiving federal assistance to include the International Standard Book Number (ISBN) and retail price of textbooks and supplemental materials in the course schedule; and
- Require schools to provide bookstores, upon request, access to the course schedule, ISBN numbers, and maximum and current course enrollment numbers.

University Enrollment and Costs of Textbooks

According to the Board of Governors, recent fiscal year enrollment is as follows:

- State University System: 294,016;
- Community Colleges: 360,675;
- Independent Colleges and Universities of Florida: 116,976; and
- Institutions Licensed by the Commission for Independent Education: 195,579.

¹ U.S. Government Accountability Office, *College Textbooks: Enhanced Offerings Appear to Drive Recent Price Increases*, GAO-05-806(July 2005).

² *Id.* at 2.

³ *Id.* at 3.

Projected books and supplies costs for materials used at state universities range from \$900 to \$1,000 for a two semester full-time student.

III. Effect of Proposed Changes:

Postsecondary Textbook Requirements

This bill prohibits community college and state university employees from demanding or receiving any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to buy a specific textbook. Exceptions to this provision include receipt of:

- Sample copies, instructor copies, or instructional materials, not to be sold; or
- Royalties or other compensation from textbook sales that include the instructor's own writing or work.

This bill requires a community college or state university to publish on their website required textbooks, including the International Standard Book Number, and other relevant information, no later than 30 days before the first day of classes.

By March 1, 2008, the State Board of Education and the Board of Governors are required to adopt policies, procedures, and guidelines for implementation by community colleges and state universities, to include the following requirements:

- That textbook adoptions are made with sufficient advance notice to bookstores, to confirm availability of the requested materials, and ensure maximum availability of used books;
- That the instructor or the academic department confirm the need for all items sold as a bundled package;
- That an instructor or the academic department confirms, before a textbook is adopted, that the selection of a new edition textbook is based on a determination by the academic department offering the course that the new edition differs significantly and substantively from earlier versions; and
- That required textbooks be made available to students who are unable to afford the cost.

This bill also requires the State Board of Education and the Board of Governors to include limited exceptions to the advance notification through website posting in their policies, procedures, and guidelines.

This bill requires the Office of Program Policy Analysis and Government Accountability to conduct a study of the rising cost of college textbooks, and textbook purchasing practices of public institutions, to include a sample survey, review and analysis of textbook-purchasing policies, and a review of policies and practices considered or implemented in this state and other states to reduce the burden of textbook costs on students, including the use of other options. The final report must be submitted to the Senate President and the House Speaker by December 1, 2007.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The State Board of Education and the Board of Governors may incur a minimal cost associated with the adoption of policies, procedures, and guidelines, as required in this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
