

By Senator Atwater

25-03850A-08

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1 A bill to be entitled

2 An act relating to textbook affordability; creating s.
3 1004.09, F.S.; prohibiting certain actions of community
4 college or state university employees that relate to
5 student purchase of required textbooks; authorizing
6 receipt of certain instructional materials, compensation,
7 and training; requiring student notification of required
8 textbooks; requiring adoption of specified policies and
9 practices to minimize the cost of textbooks; providing an
10 effective date.

11
12 WHEREAS, textbooks are an essential part of a comprehensive
13 and high-quality postsecondary education, and

14 WHEREAS, the availability and affordability of textbooks
15 directly impact the quality and affordability of postsecondary
16 education, and

17 WHEREAS, the United States Government Accountability Office
18 recently reported that in the last two decades college textbook
19 prices have increased at twice the rate of inflation, and

20 WHEREAS, the United States Government Accountability Office
21 reported that, while many factors affect textbook pricing, the
22 increasing costs associated with developing instructional
23 supplements to accompany textbooks best explain price increases
24 in recent years, and

25 WHEREAS, the United States Government Accountability Office
26 reported that college textbook prices in the United States may
27 exceed prices in other countries because prices reflect market
28 conditions found in each country, such as the willingness and
29 ability of students to purchase the textbook, and

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30 WHEREAS, the cost of textbooks is one component considered
31 in making federal and state-funded financial aid awards, and, as
32 such, escalating textbook prices can impact federal and state
33 spending, and

34 WHEREAS, state universities and community colleges should
35 consider the least costly practices in assigning textbooks when
36 such practices are educationally sound, NOW, THEREFORE,

37
38 Be It Enacted by the Legislature of the State of Florida:

39
40 Section 1. Section 1004.09, Florida Statutes, is created to
41 read:

42 1004.09 Textbook affordability.--

43 (1) No employee of a community college or state university
44 may demand or receive any payment, loan, subscription, advance,
45 deposit of money, service, or anything of value, present or
46 promised, in exchange for requiring students to purchase a
47 specific textbook for coursework or instruction.

48 (2) An employee may receive:

49 (a) Sample copies, instructor copies, or instructional
50 materials.

51 (b) Royalties or other compensation from sales of textbooks
52 that include the instructor's own writing or work.

53 (c) Honoraria for academic peer review of course materials.

54 (d) Fees associated with activities such as reviewing,
55 critiquing, or preparing support materials for textbooks pursuant
56 to guidelines adopted by the State Board of Education or the
57 Board of Governors.

58 (e) Training in the use of course materials and learning

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59 technologies.

60 (3) Community colleges and state universities shall post on
61 their websites, as early as is feasible, but not less than 30
62 days prior to the first day of class for each term, a list of
63 each textbook required for each course offered at the institution
64 during the upcoming term. The posted list shall include the
65 International Standard Book Number (ISBN) for each textbook along
66 with other relevant information necessary to identify the
67 specific textbook or textbooks required for each course. The
68 State Board of Education and the Board of Governors shall include
69 in the policies, procedures, and guidelines adopted under
70 subsection (4) certain limited exceptions to this notification
71 requirement for classes added after the notification deadline.

72 (4) By March 1, 2009, the State Board of Education and the
73 Board of Governors each shall adopt policies, procedures, and
74 guidelines for implementation by community colleges and state
75 universities, respectively, that further efforts to minimize the
76 cost of textbooks for students attending such institutions while
77 maintaining the quality of education and academic freedom. The
78 policies, procedures, and guidelines shall provide for the
79 following:

80 (a) That textbook adoptions are made with sufficient lead
81 time to bookstores so as to confirm availability of the requested
82 materials and, where possible, ensure maximum availability of
83 used books.

84 (b) That, in the textbook adoption process, the intent to
85 use all items ordered, particularly each individual item sold as
86 part of a bundled package, is confirmed by the course instructor
87 or the academic department offering the course before the

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88 adoption is finalized.

89 (c) That a course instructor or the academic department
90 offering the course determines, before a textbook is adopted, the
91 extent to which a new edition differs significantly and
92 substantively from earlier versions and the value of changing to
93 a new edition.

94 (d) That the establishment of policies shall address the
95 availability of required textbooks to students otherwise unable
96 to afford the cost.

97 Section 2. This act shall take effect July 1, 2008.