

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.

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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

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
 41 | to 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. These materials may not be sold for any type of
 51 | compensation if they are specifically marked as free samples not
 52 | for resale.

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

55 | (c) Honoraria for academic peer review of course

56 materials.

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

61 (e) Training in the use of course materials and learning
62 technologies.

63 (3) Community colleges and state universities shall post
64 on their websites, as early as is feasible, but not less than 30
65 days prior to the first day of class for each term, a list of
66 each textbook required for each course offered at the
67 institution during the upcoming term. The posted list must
68 include the International Standard Book Number (ISBN) for each
69 required textbook or other identifying information, which must
70 include, at a minimum, all of the following: the title, all
71 authors listed, publishers, edition number, copyright date,
72 published date, and other relevant information necessary to
73 identify the specific textbook or textbooks required for each
74 course. The State Board of Education and the Board of Governors
75 shall include in the policies, procedures, and guidelines
76 adopted under subsection (4) certain limited exceptions to this
77 notification requirement for classes added after the
78 notification deadline.

79 (4) By March 1, 2009, the State Board of Education and the
80 Board of Governors each shall adopt policies, procedures, and
81 guidelines for implementation by community colleges and state
82 universities, respectively, that further efforts to minimize the
83 cost of textbooks for students attending such institutions while

84 maintaining the quality of education and academic freedom. The
85 policies, procedures, and guidelines shall provide for the
86 following:

87 (a) That textbook adoptions are made with sufficient lead
88 time to bookstores so as to confirm availability of the
89 requested materials and, where possible, ensure maximum
90 availability of used books.

91 (b) That, in the textbook adoption process, the intent to
92 use all items ordered, particularly each individual item sold as
93 part of a bundled package, is confirmed by the course instructor
94 or the academic department offering the course before the
95 adoption is finalized.

96 (c) That a course instructor or the academic department
97 offering the course determines, before a textbook is adopted,
98 the extent to which a new edition differs significantly and
99 substantively from earlier versions and the value of changing to
100 a new edition.

101 (d) That the establishment of policies shall address the
102 availability of required textbooks to students otherwise unable
103 to afford the cost.

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