

Report of the CSU Textbook Affordability Taskforce
Improving Access and Reducing Costs of Textbook Content

August 2007

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Table of Contents

Table of Contents.....	2
Executive Summary.....	3
Section 1: Introduction.....	4
Section 2: Current Cost Reduction Strategies	5
Section 3: Potential to Reduce Costs.....	8
Section 4: Summary of State Legislature Activity	11
Section 5: Summary Recommendations.....	12
Appendices	
A.1 Current Cost Reduction Strategies	14
A.2 New Models.....	20
A.3 Summary of Legislative Activity	25
Legislation by State for 2005	27
Legislation by State for 2006	33
Legislation by State for 2007	40

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Executive Summary

Executive Vice Chancellors Reichard and West charged a taskforce of students, faculty, bookstore managers, and administrators to provide advice leading to the implementation of effective measures to reduce the cost of textbook content for CSU students.

The price of textbooks has risen to the level of national outcry, galvanizing the attention and action of public interest groups, state and federal legislatures, faculty, students, bookstores, publishers, and university leadership. According to the National Association of College Stores, textbook costs have increased by 25-30% in the past five years. According to the General Accounting Office's 2005 national study, "The average estimated cost of books and supplies per first-time, full time student for academic year 2003-2004 was \$898." This significant rise in cost inhibits equal access of CSU students to the course materials they need to be successful. What has emerged is a flawed system, within which various stakeholders, while sensitive to the cost issue and attempting to address it, necessarily do so from the vantage point of their own interests, resulting in a polarized system that has students bearing an undue burden. What is needed for long-term solutions to be realized is greater understanding and appreciation of the structural deficiencies in the textbook market, and the application of that understanding to solutions that begin to address current problems in both supply and demand (Koch, 2006). Ideally our collective goal should center on students having access to course materials that are up to date, reflective of their intellectual and academic needs, and also **affordable**. This report is an attempt to address this challenge

The taskforce identified a number of existing cost reduction strategies and some new cost reduction strategies that need to be studied more comprehensively. The existing strategies identified include: textbook rentals, used books, digital offerings, custom publishing, library resources, and custom course packs. The new strategies identified include: licensing fees, revenue sharing rental programs, quantity discounts, and systemwide purchases.

The taskforce recommends that a comprehensive study and evaluation of these different strategies be conducted with the possible outcomes of recommending changes in policies and practices as well as additional tools and services to enable both faculty and students to choose and use the best and most affordable content to achieve the intellectual and academic goals of a CSU education. Specifically, the 4 recommended actions are:

1. Implement Systemwide, Campus Based Showcases of Cost Reduction Strategies
2. Evaluate new models of textbook adoption and delivery

3. Monitor Chancellor's Office projects that are working on improving accessibility (section 508 compliance) and affordability
4. Evaluate proposed legislation related to textbook affordability

Section 1: Introduction

As documented by several PIRG (public interest research group) reports and recent US Congressional Report (<http://www.ed.gov/about/bdscomm/list/acsfa/edlite-index.html>), the cost of textbooks has risen at a far greater rate than normal inflation. The California legislature, the CSU Board of Trustees, the Academic Senate of the CSU (ASCSU), and California State Student Association have all taken steps to elevate the importance of textbook affordability. For example, in 2004 the California legislature passed AB2477 (see <http://www.assembly.ca.gov/acs/acsframeset2text.htm>) and is currently considering two textbook related bills. The ASCSU in May 2006 passed AS -2747 Faculty Role in Mitigating the Cost of Textbooks (see <http://www.calstate.edu/AcadSen/Records/Resolutions/2005-2006/2747.shtml>).

CSU Taskforce Charge and Process: While there have been some innovations in publishers' business and content delivery models, unfortunately they have not resulted in substantial reductions in the cost of print textbooks. The CSU Taskforce on Textbook Affordability, made up of students, faculty, campus bookstore managers, and administrators was charged to provide advice to EVCs Reichard and West leading to the implementation of effective measures to reduce the cost of textbook content for CSU students.

To address the issues relating to textbook costs, the work of the Taskforce revolved around the following three key areas:

- 1) Identify currently available lower-cost alternatives, from all major textbook publishers
- 2) Consider new models with the potential to reduce textbook costs.
- 3) Review State legislation and other Higher Ed system approaches to reducing textbook cost.

The Taskforce met for two face-to-face meetings, February 27th and April 23rd, 2007. The initial meeting provided an opportunity for Taskforce members to share their diverse perspectives on this complex issue, structure the Taskforce working groups and assign tasks. The April 23rd meeting focused on refining each workgroup's draft, sharing new information, and determining structure for the final report. In addition to these two face-to-face meetings, each work group communicated by holding face-to-face meetings, by phone and/or via email to produce reports, summarizing their findings relative to the three tasks outlined above. The workgroup reports informed the final recommendations contained in this report. When possible, cost reduction strategies are associated with the approximate percentage reduction that they could achieve.

Environmental Context: In studying the issue of textbook pricing it is important to understand the environmental factors underlying the current situation. These include:

- Not all students purchase textbooks due to the cost of the books or because the instructor makes little use of the book in class.
- Instructors are generally unaware of the textbook cost and unaware of the alternative formats for textbook content that can result in lower costs
- Campus bookstores lose business to rivals, some of whom are selling overseas editions of books.
- Of the students who buy books, many purchase used textbooks which may have pages or materials missing and already be marked up by the previous owner.
- E-books have not yet proved popular to most students.
- Students are encouraged to sell their books back to the bookstore at the end of the term and thereby may not have reference books needed for future classes.
- Publishers cannot engage in differential pricing due to the Robinson-Patman Act.
- Some books are not section 508 compliant.
- The cost of textbooks is generally not tax deductible

It should also be noted that a “one size fits all” strategy in reducing textbook prices probably is not optimal. For example, for courses where a student may not need to refer to the material taught in the course in future courses, a form of rental model may make sense. This would not, however, be the case for a textbook covering material that will be used in future courses.

Another important issue that the Taskforce was cognizant of is the frequency with which publishers revise textbooks. While in some disciplines frequent revision of books is necessary to provide students with up to date materials, in other disciplines the revision of books seems to be done primarily for economic reasons. Specifically, while the used book market does lower the cost of such books (through both book buy-back as well as giving students the option of purchasing the book used), it also results in publishers having to revise their product with greater frequency in order to capture future sales.

Section 2: Current Cost Reduction Strategies

In this section some of the currently used strategies for reducing textbook costs to students are detailed. For each of the major strategies in use today we provide an estimate of the cost savings as well as other features of such an approach. These strategies will require further study and evaluation to provide a comprehensive, valid, and reliable analysis that can guide a CSU action plan for improving access and reducing cost of textbook content. A more detailed summary of publisher, bookstore, faculty, student, library and used book wholesaler cost reduction strategies is provided in Appendix 1.

Textbook Rental

Textbook rental programs provide significant cost savings for students. Historically, this model requires institutions to initially purchase a representative volume of textbooks for the student population. These are then rented to students at a substantially lower-than-retail cost. Rentals are typically best suited for high-enrollment and/or multi-section courses that make consistent use of the textbook over several years and where currency of content is not essential to student success.

- **Features**

- Savings to students can be substantial. Potential cost reductions of 40 to 65% are possible under such a program.
- Faculty must usually commit to a multi-year adoption of the textbook.
- Students will have to return their book at the end of the rental period.
- Bookstores must tie up a fair amount of capital in acquiring the books in the first place.
- There is a fair amount of labor involved in both the initial renting of the book as well as checking in the returned text.

Used Books:

Bookstores in collaboration with students and used book wholesalers provide consistent access to used books as well as substantial marketing support that promotes buyback programs and communicates to faculty the importance of on-time requisitions. According to the CSU independent stores, used book wholesalers save CSU students an average \$15 million annually. This savings is in addition to student savings achieved through a campus' own retail book buyback program. Optimal cost savings are realized from used books when the book is adopted for multiple years and there is consistent volume per semester.

- **Features**

- Savings to students can be substantial. Potential cost reductions of 25 to 50% are possible under such a program.
- This model is widely accepted by students.
- Used books may be marked up by the previous owner, thus impacting learning.
- Students selling back their texts would not have use of the book in future classes.
- Students who are in a class during the first semester the book is used will typically not have this option available and students who are in the class the last semester the book is used may get a far lower amount for selling the book back to the bookstore
- The effects of the used book market on the cost of new textbooks need further investigation.

- For students to be able to get a reasonable buy back price faculty must turn in textbook requisitions for the upcoming term in a timely fashion.

Adoption of Digital Offerings

All major textbook publishers now offer digital versions of their popular textbooks to students. The student can either purchase access to such textbooks through a bookstore or directly from the publisher via e-commerce. Most digital versions include a range of ancillary features in addition to the text itself. These include online homework management, assessment/testing, adaptive learning services, and tutoring, which can usually be customized to faculty specifications. Publishers will frequently bundle such additional features with the book itself as well as allow for the purchase of such materials on a standalone basis. Typically a student purchasing a text in digital form would gain access to such material for a limited period of time (e.g. one semester). A complete summary of direct digital offerings from commercial publishers can be found in Appendix 1.

- **Features**

- Savings to students can be substantial. Potential cost reductions of 30 to 50% are possible under such a program.
- Digital ancillary offerings have the potential of reinforcing concepts and improving learning.
- Having a text in digital form allows a student to easily search the text on keyword terms.
- Access to the material is usually for a limited period of time.
- Such offerings require the student to either read the text off a computer monitor or print the pages s/he wishes to read. In the latter case, the savings from such offerings may be quickly eliminated due to the relatively high cost of printing.
- It may be difficult for students to bring a digital book to class. This could impact instructors who give open book, open note exams.

Custom Publishing

All major publishers, representing 90% of the textbook market, offer custom publishing services. These services enable faculty to select modules of publisher content and create a custom textbook. The custom textbook only includes content that will be assigned in the course. Custom textbooks are consistently lower in cost for large enrollment courses. They appear to be the primary way of publishers offering quantity discounts without violating the Robinson-Patman Act as well as limiting the potential for the material to be sold as used book. Some publishers also provide the option of buying content one chapter at a time, thus enabling students to better amortize their purchase over the course of the semester.

- **Features**

- Savings to students can range from 15 to 30% for a custom edition.
- Students need only to focus their readings on material covered in the course.
- This option is typically only available to high enrollment courses.
- The resale value in the used book market may be limited.
- Purchasing content by one chapter at a time may cost more than an aggregate one-time purchase.

Library Resources:

Upper division and graduate courses often include content from the Electronic Core Collection (a systemwide collection of electronic library resources the CSU libraries collectively select and purchase at significant discounts), which is integrated with faculty authored content or other copyright-cleared resources at **no cost to the student**.

Custom Course Packs

Custom course packs created by faculty typically consist of materials from one or more textbook publishers, journal articles, material taken from the Internet, or self developed content. These packs have not only the potential of cost savings, but also providing the student a more focused set of readings.

Section 3: Potential New Models to Reduce Costs

The Taskforce considered a number of new approaches which have the potential for reducing the cost of text materials to students. In examining these approaches the Taskforce attempted to address the interests of all stakeholders. Meetings were held with representatives from six college text publishers to gain insights into the publishing business as well as to gauge possible acceptance to some of the strategies we considered. The principal pricing models the Taskforce is recommending are as follows. Additional details regarding the models introduced here can be found in Appendix 3.

Model 1 – Licensing Fee

In this approach the University would collect a licensing fee for the intellectual property contained in each textbook. This fee is remitted to the publisher and buys students the right to an electronic version of the course material. For those students who wish also to have a hard copy of the text, publishers would agree to sell a customized (often abbreviated) book to campus bookstores at close to cost.

- **Features**
 - Cost savings to students can be substantial. Potential savings of 40 to 60% may be possible.
 - Students would be able to gain a print version of the book that they could keep throughout their academic career.
 - Because publishers would be earning money from the licensing fee rather than the print version of the text, the economic benefit of text revision would be eliminated.
 - As some of the test content would be only available on-line and the print version of the book would be fairly inexpensive, the used book market for such editions should be negligible.
 - Because the licensing fee would be paid by students as part of their college costs, this would be tax deductible and may be eligible for financial aid.
 - All students would have to pay for the course materials, not simply those who chose to purchase the book.

Model 2 – Revenue Sharing

Revenue sharing entails the publisher selling rental textbooks to the bookstore at a greatly reduced price (or possibly retaining ownership of the book and not charging the bookstore anything). Under this model the bookstore would in turn share the revenue received from renting the text with the publisher. Revenue sharing is a popular practice in certain industries such as video rentals. From the student's perspective it would operate like a normal rental program, but has the advantage of not requiring the bookstore to tie up as much capital in getting the books to rent and could therefore result in a bookstore offering more titles to students under such a program.

- **Features**
 - As with current rental programs, cost reductions of 40 to 60% may be possible.
 - The bookstores would not have to tie up as much capital in procuring the books for a self financed rental program.
 - The student would lose access to the book at the end of the rental period.

Model 3 – Quantity Discounts

Many publishers offer quantity discounts to “for profit” universities where the university purchases the text directly from the publisher and the cost of the books is included in the students' fees. While this model does not entail the CSU purchasing the books to be used in classes, it may be possible for the CSU to use its leverage as the largest system of higher education in the US to negotiate quantity discounts for titles that are used widely in the system. This discount could be scaled, so that a higher volume of adoptions yields a greater discount. Faculty could be made aware that when choosing a textbook certain of

the texts are from “preferred providers” who have agreed to offer a discount to the system. Such savings could then be passed on to students. In order for such a system to be legal, it may require there to be central buying by the system or that the book be a custom “CSU edition”.

- **Features**

- This approach could result in some reduction of the cost of the text material. It is difficult to ascertain at the present time the amount of such savings as costs would have to be negotiated with publishers.
- It is not clear how many publishers would agree to such a system.
- Faculty across the system may not cooperate to a great enough extent on book selection to make this attractive enough for publishers to offer a discount.
- In developing such a system the CSU and publishers would have to be careful to not violate laws such as the Robinson-Patman Act.

Model 4 – System-wide Purchase

Under this approach the campus/system contracts with a publisher to make available all educational material at a single price. Students are then charged a fee to cover all instructional materials costs. Two current CSU initiatives could lend support to this model; the Electronic Core Collection (ECC) and the Digital Marketplace. For example, currently the CSU libraries cooperatively select and centrally support an Electronic Core Collection (ECC) for all 23 campuses. This collection is comprised of a wide range of electronic databases and journals. This centralized procurement of electronic resources was a direct response to the rising costs of journal content as well as the need to more efficiently distribute academic resources via the web to enable wider access. There may be an opportunity to emulate this model and collaboratively define an electronic core collection for textbook content. The CSU could leverage its internal staff expertise to extend current publisher contracts to include licensing arrangements for textbook content. In addition, bookstores, and if developed, the Digital Marketplace can be the supportive technical infrastructure for the delivery of digital and print textbook content. The Digital Marketplace initiative has been recognized by the US Congressional Advisory Committee for Student Financial Affairs as a strategic initiative to address the long-term issues around textbook affordability. Information on the congressional committee’s report can be found at <http://www.ed.gov/about/bdscomm/list/acsfa/edlite-index.html> while information on the Digital Marketplace initiative can be found at www.calstate.edu/ats.

- **Features**

- Such a system can result in substantial cost savings to students however it is difficult to ascertain at the present time the amount of such savings
- As with Model 3 it is unclear if faculty across the system would cooperate to a great enough extent on book selection to make this attractive to publishers.

- Library Strategy: The cost of such materials would be borne by all students, not just the ones who wish to use the content. Digital Marketplace strategy: The cost of such materials would be borne by those who wish to use the content.

Section 4: Summary of State Legislature Activity

The majority of bills introduced focus on faculty practices and timely adoptions, restrictions on financial incentives and personal royalties, and the selection of less expensive materials. The topics most frequently included in the legislation stress the importance of publishers providing information on pricing to faculty (who should include this information in the course syllabus) and un-bundling of course materials, as well as a focus on tax-exemption status for course materials.

State Legislative attention to textbook affordability has increased in recent years: in 2005, 39 bills were submitted within 18 states; in 2006, 43 bills were submitted within 19 states; in 2007, 65 bills were submitted within 21 states. In California two bills related to textbooks, SB 832 and AB 1548 are currently being considered. For a complete summary of legislative activity, please see Appendix 4. For a summary of tax exemption initiatives, see below:

States exempting university textbooks from sales taxes:

Arizona—Only applies to texts required by state universities or community colleges.

Connecticut

Kentucky—Only applies to texts required for courses at nonprofit institutions.

Massachusetts—Only applies to required texts.

Minnesota—Only applies to required texts.

Mississippi—Only applies to sales of texts at institutional stores.

Missouri

Nevada—Only applies to texts sold in the university and community college system.

New Jersey—Only applies to required texts.

New Mexico—Only applies to required texts at institutionally owned/operated stores.

New York

North Dakota

Pennsylvania

Rhode Island—Only applies to new texts sold by institutions and used sold by anyone.

South Carolina

Tennessee

Virginia—Only applies to texts for courses at nonprofit institutions.

West Virginia—Only applies to required texts.

States that do not levy any sales taxes:

Alaska

Delaware

Montana
New Hampshire
Oregon

States where tax exemption bills (not including sales tax "holidays") have been introduced in recent years but not passed into law:

Alabama—2000, 2007
Arkansas—2007 (used textbooks)
California—2000, 2001, 2002
Connecticut—(to expand exempted materials) 2005
Florida—2001, 2002, 2005, 2006, 2007
Georgia—2000, 2001, 2002, 2006, 2007
Illinois—2000, 2001, 2003, 2004, 2005, 2006, 2007
Indiana—1999, 2000, 2001, 2007
Iowa—1999, 2000
Louisiana—2007
Maine—1999, 2000, 2001, 2007
Maryland—1999, 2005, 2006
Michigan—1999, 2000, 2001, 2004, 2006
Nebraska—2007
New Jersey—2001, 2002, 2004 (to exempt recommended texts)
New York— (to expand definition) 2005, 2006, 2007
North Carolina—2007
Oklahoma—1999, 2000
Texas—1999, 2001, 2003, 2005, 2007
Utah—2000, 2005, 2006
Washington—2001, 2004, 2006, 2007
Wisconsin—2001, 2002
Vermont—2005
Virginia—(to expand exempted materials) 2005

Section 5. Summary Recommendations

The Taskforce has the following recommendations regarding textbooks

- 1) **System-wide, Campus-based Showcases:** To disseminate the most effective short term solutions within this report, which center on early requisitions, rental programs, used textbooks, digital delivery, and custom publishing, we recommend a series of showcases to inform students, faculty, staff and campus leadership about currently available options from bookstores and commercial publishers. At such showcases we would also present some of the new models being recommended for consideration to gauge their attractiveness to students, faculty, and administrators.

- 2) Further evaluation of new models/ approaches to textbook adoption and new models for delivery of academic course content in alternative formats from print textbooks. While the publishers' representatives we met with expressed an interest in exploring the new models discussed in this report, the consistent comment we heard from them was "the devil is in the details". We also feel it is necessary to get input from students as to their view of these new models. We would suggest negotiating with one or more publishers to have a trial run of some of the strategic models proposed. Where possible such efforts should be coordinated with the ongoing Digital Marketplace initiative.
- 3) Monitor the work currently being done by the campuses and Chancellor's Office projects regarding the adoption and use of electronic resources for course materials. Specific attention should be placed on designing technology services that support faculty in choosing the best content for their courses. Particular attention should be paid to developing a process for evaluating whether CSU practices and projects are actually increasing affordability, and ensuring such course materials provide accessibility (508 compliance).
- 4) Further evaluation of proposed legislation. In particular we should investigate whether California should consider legislation enacted in other states that would make textbooks exempt from sales tax.

Appendix 1:

Current Cost Reduction Strategies Report

The following summary of current best practices describes the ways to help reduce the cost burden of textbooks for students. Practices are listed based on six (6) perspectives:

- Publisher
- Used Book Wholesaler
- Bookstore
- Faculty
- Student
- Library

Publishers:

All major publishers are offering e-content, available for sale through bookstores or directly from their own websites at cost savings of up 50%. Additionally, publishers are offering print textbooks (at savings of up to 30%) or electronic chapters via their own websites. Publishers also offer customization of textbook content, abbreviated editions, black and white editions, and loose-leaf editions to students, all at significant savings.

Generally the most consistent cost savings are realized through custom publishing and digital delivery. Customization of textbook content can not only reduce costs for large enrollment courses but can also improve the perceived value of the content providing a stronger correlation between what is purchased and what is assigned in the course. Customization can include faculty-authored content, third-party content integrated with the textbook (in print or digital form) to reflect precisely what faculty might assign in a course. Digital texts provide cost savings for students of up to 50% of the cost of an equivalent new print textbook and up to 30% of the cost of an equivalent used print textbook while providing additional pedagogical features not found in a standard textbook. It is important to note that digital textbooks offer up-front cost savings and that the purchase of a new or used print textbook and resale of that book, whether at buyback or otherwise, does, when students wish to sell their materials after use, represent the potential of savings above and beyond the up-front savings of digital material.

Used Book Wholesalers:

- Bring together stores across the nation to produce a used book wholesale market, providing stores with opportunity to double the number of used books that would be available to students compared to a campus using just its own buyback as a resource
 - *CSU student savings of \$15M annually*
 - *Ecological benefit of recycling millions of books*
 - *Programs to allow stores to search other stores for hard-to-find stock*

- *Market for old editions and out-of-prints*
- *Discounts off regular cost of select titles of new books*
- Aggregate digital content from publishers and provide ebooks to stores
 - *Student savings on average between 40 to 55%.*
- Provide marketing material to stores to promote buyback to students
 - *Posters*
 - *Direct mail pieces*
 - *Email alerts*
- Provide marketing material to stores to promote benefit of early requisitions to faculty and to promote usage of adopted textbooks
 - *Student perceived value changes if textbook is used*
 - *Promotes early requisitions*
 - *Explains value of bundles if used; deters bundle usage if components not used*
- Provide manpower for campus multi-location buybacks
 - *Increases visibility and strength of buybacks*

Bookstores:

The independent bookstores in the CSU system have identified the following as current best practices:

- Educate and work with faculty/students/campus administrators on need for early requisitions (includes Bookstore Advisory Committees)
 - *Earlier requisitions have a direct impact on the number of used books a store can procure from its own buyback*
 - *Earlier requisitions have a direct impact on the number of used books a store can procure from used book wholesalers, which essentially allows store to access all buybacks across the country*
 - *Increasing used books available to 5 out of every 10 books from the current 4 out of every 10 books for CSU can save students over \$8M on purchases annually*
 - *Buying back one more book per student per year for reuse on CSU campuses can increase buyback payout by \$5M to \$8.5M annually*
 - *Complies with CSU Accessible Technology Initiative and allows campus disability service departments time to provide course materials in alternative formats*
 - *Encourage course wide adoptions for courses with many sections, especially those with late hires*
- Explore Text Rental
 - *Student savings of 40%-65%*
- Investigate Price Matching/Lowest Price Guarantee with non-auction or student to student websites
 - *More students would keep funds on campus, eliminates student wait for deliveries from online retailers, and promotes students shopping in an*

environment that meets other needs (one-stop shopping experience for all required and optional materials, quick transactions and easy refunds, good customer service with knowledgeable employees, and convenience)

- Offer ebooks
 - *Student savings of up to 40% or more*
- Aggressively search for used books at wholesalers
 - *Make use of all used book wholesalers and aggressively search for used copies of texts on a daily basis*
- 50% buyback guarantee
 - *Promotes buyback and increases buyback payout while reducing purchasing costs*

Faculty:

- Get requisitions in to bookstore by deadline or prior to buyback
 - *Earlier requisitions have a direct impact on the number of used books a store can procure from its own buyback*
 - *Earlier requisitions have a direct impact on the number of used books a store can procure from used book wholesalers, which essentially allows store to access all buybacks across the country*
 - *Complies with CSU Accessible Technology Initiative and allows campus disability service departments to provide course materials in alternative formats*
 - *Consider course wide adoptions for courses with many sections, especially those with late hires*
- Use the course materials that are required
 - *Helps with student value perception*
 - *If entire book isn't going to be used, consider a custom book*
 - *Consider not using a book at all if it is not needed*
- Use course readers or course packs
 - *Student savings of 25% to 75%*
- Consider multi-semester adoptions
 - *Allows bookstore to guarantee buyback and search for used books at buyback and used book wholesalers earlier*
- Use old editions when revised edition is released
 - *Student savings of 25% or more*
 - *Old edition might be available to store for up to a year after revised edition is released*

Students:

In order to provide useful information for this report, a survey was conducted to explore current student practices and perceptions at the 12th Annual California Higher Education Student Summit. Eighty-nine students from 15 campuses were surveyed and asked to rank common “textbook affordability” practices. This survey asked students to rank

eight (8) practices according to how often they use them to reduce the financial burden of textbooks. Results indicate that the 5 most common practices are:

- Borrow or share the book
- Buy books online from other stores
- Buy the book at a later time in the semester
- Buy used books
- Use an earlier edition

All 5 responses were placed among the top 5 practices by more than 60% of the eighty-nine students who participated in the survey. Not making the list of common practices were:

- Buying e-books
- Buying international editions
- Not buying the book and taking the course without it.

Ninety-three percent of students mentioned buying used books as a common practice with 66% of students ranking this as their preferred option.

Libraries:

Certain libraries throughout our system appear to have used a mixture of solo and collaborative (mostly the latter) tactics to mitigate or offset the phenomenon of higher and higher textbook prices. However, such practices have not addressed more than the periphery of the problem. In addition, no particular tactic has shown substantial and/or demonstrable success in solving the problem of textbook costs for students. The majority of library-driven tactics are for upper division and post-graduate courses. Tactics include:

- 1) Some libraries have gathered textbook donations from faculty or bookstores and placed these generally limited copies on Reserve in the library. CSU Los Angeles is in this category.
- 2) In the distant past, a few CSU libraries such as Dominguez Hills actually attempted to purchase a significant number of textbooks and place them on traditional Reserve status; however, this effort ceased 15 or 20 years ago when libraries recognized the costs might eventually reach 50% or more of the total book or materials budget. As an example, in a medium-sized CSU library, \$40-50k spent per year on a generous number of textbooks in the 1970's could represent a big expenditure but only 25% of the monograph budget; but in today's library and market environment we might require \$200-250k to acquire half the number of texts while literally consuming 100-150% of the book budget.
- 3) Many libraries have worked with certain faculty to place copies of licensed e-journal articles and perhaps occasional e-book chapters within the library's Online Reserves and sometimes linked to the faculty's LMS courseware pages. The CSU Fullerton library is in the midst of formalizing the connection with their overall campus courseware system and somewhat de-emphasizing the former pre-eminence of Library Reserves.

4) In a partial mirror image, faculty have sometimes taken the lead in eliciting library help to add URL links on LMS course pages to various library research databases and/or individual citations and full text articles.

5) Many libraries such as CSU San Bernardino have scanned print articles -- faculty copy or library owned -- into the Online Reserves system for full text, remote downloading by students. Similar to other practices noted, this service does not apparently replace complete textbooks in many/most cases, but rather provides a convenient electronic continuation of the accustomed learning and research support role of library collections.

6) Campus bookstores have combined with libraries to compile lower-priced online course packs from already-licensed databases while remaining within fair-use guidelines for any extra institutional payments.

Publisher Direct Offerings

Ebookstores for digital content: Digital books offered directly from publishers offer students a 50% cost savings compared to print textbooks that are new and a 30% cost savings compared to print textbooks that are used. Offerings in this category have grown significantly over the past two years, yet represent a minority of student purchases. Ebooks are available from the following publishers:

- Pearson (includes Prentice-Hall, Addison Wesley, Longman, Benjamin Cummings, Allyn/Bacon): www.safarix.com
- McGraw-Hill: <http://ebooks.primisonline.com>
- Bedford, Freeman and Worth: www.ebooks.bfwpub.com
- Thomson (includes Wadsworth, Brooks-Cole, Southwestern, Delmar): www.ichapters.com
- Wiley: <http://he-cda.wiley.com/WileyCDA/Section/id-290142.html>
- Houghton Mifflin: <http://college.hmco.com/CollegeCatalog/CollegeStoreController?cmd=LP&nextPage=Main.jsp>

Ebookstores for print content: Direct offerings from publishers that save students 10%-30% compared to print textbooks that are new. Used books at a campus bookstore will generally be less expensive or the same price as this option:

- Thomson: www.ichapters.com

Ebookstores for print content: Direct offerings from publishers for new textbooks are priced similar to campus stores and can be more expensive than used books.

- Pearson: www.mypearsonstore.com
- McGraw-Hill: <http://www.mhprofessional.com/category/?cat=108>
- Wiley: <http://he-cda.wiley.com/WileyCDA/>

- Houghton Mifflin:
<http://college.hmco.com/CollegeCatalog/CollegeStoreController?cmd=LP&nextPage=Main.jsp>

Chapters: Offerings for chapters direct from publisher:

- Thomson: www.ichapters.com (as low as \$1.99, averaging \$4)
- Bedford, Freeman and Worth: www.ebooks.bfwpub.com (\$1 to \$2)

Custom Books: These offerings provide 15% to 30% cost savings for students:

- McGraw-Hill: www.primisonline.com
- Pearson: www.pearsoncustom.com
- Thomson: www.thomsoncustom.com; www.atomicdogpublishing.com
- Wiley: www.xanedu.com/jwiley
- Houghton Mifflin: <http://college.hmco.com/customerchoices/index.html>
- Bedford, Freeman and Worth: www.ebooks.bfwpub.com

Online Teaching and Learning:

- McGraw-Hill: www.onlinelearning.com
- Thomson Now: www.west.ilrn.com/ilrn/

Non-fee Content Resources:

- Freeload Press: <http://www.freeloadpress.com/index.aspx>
- Merlot: www.merlot.org
- MIT OpenCourseWare: http://ocw.mit.edu/OcwWeb/Global/all_courses.htm
- Curriki: <http://www.curriki.org/xwiki/bin/view/Main/WebHome>

Appendix 2

New Models

In looking at different possible models that could be employed to cut the cost of textbooks and other course materials, it seems apparent that a “one size fits all” approach probably would not be best. In a student’s academic career, he/she will take courses to meet general education requirements, major requirements, and electives. For a course that is used for general education or an elective it may not be necessary for the student to retain the textbook at the end of the semester. For a course in the major, the information contained in the course text may be built upon in other courses and retaining the course text may be desirable.

In another dimension, the written materials used in a course may be fairly inexpensive and little opportunity might exist to lower costs. For example, a course on Shakespeare may require the student to have a book containing his plays. Such a book may be readily available in the trade market at a fairly low price and hence little could be done to reduce the amount students spend for this material. Another issue that must also be considered is that while electronic texts are generally cheaper than printed ones, if the student does want to print out pages to study from, due to high printing costs, such a solution may actually result in a student spending more for the material than simply purchasing a textbook.

The Subcommittee investigated several possible pricing models for reducing the costs of course materials to students. The principal concepts investigated are as follows:

Model 1 -Universities collect a licensing fee for the intellectual property contained in each textbook. This fee is remitted to the publisher and buys students the right to an electronic version of the course material. For those students who wish also to have a hard copy of the text, publishers would agree to sell a customized (often abbreviated) book to campus bookstores at close to cost.

Model 2 - A revenue sharing approach in which the bookstore buys the books from a publisher at a greatly reduced cost (or possibly the publisher retains ownership of the books). Each time the bookstore rents the text to a student the rental income is shared with the publisher.

Model 3 - For large enrollment courses, encourage faculty to agree on a book adoption and work with the publisher to develop a custom edition of the text which would be sold at a significant discount.

Model 4 - Have the campus/system contract with a publisher to make available all educational material at a single price. Charge students the fee required to cover this cost.

Let us consider in more depth each of these models.

Model 1 would work by the campus agreeing to collect a fee from every student enrolled in the course (not simply the ones who wished to purchase the textbook). There would be a relatively low additional cost incurred by those students who wished to get a hard copy of the textbook. This model may possibly reduce the cost of course materials by 50% to 60% while not impacting publisher profits.

The reason this model has the potential for such dramatic savings is that the publisher is collecting a licensing fee from each student in the course, not simply the 20% to 40% of students who might purchase a new text.

To illustrate how this model might work, consider the following:

Suppose the incremental production cost of a textbook is \$9 per copy, shipping/billing cost is \$2 per book, and the book is sold to the bookstore for \$100. Let us further suppose the book is sold to students for \$135 (a 26% profit margin) and over six semester terms there are a total of 1,200 students enrolled in the course. If 40% of students purchase a new copy of the text, the publisher would earn (not accounting for development costs) $(\$100 - \$9 - \$2) * 1200 * .40 = \$42,720$.

Now let us assume the publisher collects a licensing fee of \$36 for each student enrolled in the course and the publisher agrees to sell a special abbreviated version of the book (no problems or cases) to the bookstore for \$11. The publisher would receive a total of \$43,200 ($1200 * 36$) in licensing fees. If the bookstore sells the book for \$20 the total cost to a student who wishes to get a hard copy of the text would be \$56 (a discount of 58% over the normal new cost of the text). Assuming 80% of students wish to purchase a hard copy of the text, the bookstore would earn a gross profit of $(\$20 - \$11) * 1200 * .80 = \$8,640$.

A subsidiary advantage to such a program is that if a student pays the university fees for course materials this cost is tax deductible from one's federal tax return. Additionally, the cost may be eligible for financial aid. Another advantage of this program is that the cost of a new book would be so low that it probably would not make sense for a used book market to develop for such a book. Even more importantly, a publisher would not care if a used book market developed since there is really no profit earned on the printed books.

One important issue would be to ensure that books sold to students in this program not make it into the national used book market and cut into new book sales in other states. It is believed that by selling a book without problems or cases, the market for such a used book would be extremely limited. Also, books that are sold under this model could be published in single color or in loose leaf format, further limiting their attractiveness in the

used book market. Model 1 may be a good approach for those classes in the major where the student would be best served by keeping his/her textbooks.

The subcommittee met with six major college textbook publishers (Houghton Mifflin; Thomson; Bedford, Freeman, and Worth; John Wiley; Pearson; and McGraw-Hill). In the conversations with each of the publishers there seemed a willingness to work with the CSU on a pricing model like Model 1, but the key issue would be the specific values that would be used in this model.

Most publishers indicated the availability of not only electronic texts but also pedagogically rich electronic content platforms for major texts. These platforms include online homework management as well as assessment with real time feedback allowing students to gauge their knowledge of the material. One publisher, McGraw-Hill, is providing scorm-compliant materials (see <http://www.cyberlink.com/english/products/streamauthor/articles/scorm.pdf>)

Model 2 would allow bookstores to ramp up rental programs. While some bookstores have offered rental programs to students, the capital requirements of purchasing the textbooks needed to rent out has limited the number of titles that are available in such a program. Under a revenue sharing agreement, the publisher would sell the book to the bookstore at a substantial discount and would share in the rental income. This model is used in the DVD/videotape rental industry, where rental stores such as Blockbuster purchase DVDs or videotapes at a substantial discount but remit to movie studios a share of the rental income they receive.

Continuing on with the above textbook example, suppose a book that normally costs the bookstore \$100, is sold to the bookstore for \$20 as part of a rental program? Let us further suppose that the bookstore agrees to rent the book to students for \$50, agreeing to remit to the publisher half the rental income. Hence, assuming 1200 students over six semesters (200 per semester) if 80% of students rent the book, the publisher would sell 160 textbooks at an initial profit of $160 * (\$20 - \$11) = \$1440$. Additionally, over the six semesters a total of 960 ($=.80 * 1200$) books would be rented, resulting in the publisher earning \$24,000 ($= 960 * 25$). Hence, we see that the publisher's profit under a revenue sharing model may be less than selling the book through a traditional approach or under Model 1.

A number of other difficulties also exist with Model 2. First, there is additional work incurred by the bookstore to check in returned textbooks. Second, there most likely would have to be an agreement on the part of a department that the same textbook would be used over multiple semesters. This agreement may be difficult to obtain. Finally, with the exception of the first student who obtains the book, subsequent students will be getting a used book which may have writings in it from previous use. Again, as with Model 1, the willingness of publishers to participate in such a program would be based on the specific values used in the program.

Model 3 is currently used in many large enrollment classes. This is principally due to the fact that publishers do not normally offer quantity discounts to bookstores and the legal limitations of the Robinson-Patman Act¹. Specifically, this act states that a publisher cannot engage in discriminatory pricing to its customers. By developing a custom edition, a publisher is able to legally offer a discount on textbooks and many publishers are willing to do this for large adoption courses. As with Model 1, the custom edition may be single colored or loose-leaf bound to further reduce costs.

Given that this model is already in existence on many campuses, it is well understood by publishers and should be easy to get publisher participation. Custom editions may be a result of pages removed from or added to the main text. The principal deterrent to its successful adoption is that it probably is only attractive to publishers for courses for which enrollment exceeds a certain threshold. Hence, its use will be somewhat limited and may require faculty to agree to a common book adoption across multiple course sections.

Model 4 would follow the arrangements currently used in providing library journal subscriptions with some publishers. While this model may have the lowest overall student cost, it is probably the model for which there would be probably be the greatest faculty resistance. Specifically, faculty tend to select textbooks which they deem to provide the best pedagogy for their class and many, if not most, would be opposed to having to select a book simply because it is published by a particular publisher.

Other Issues

Publishers the committee met with indicated that they can offer a range of options for course materials including: full text, custom editions (both bound and unbound, digital and print), non-color versions, and, in some cases, abbreviated editions.

Publishers unilaterally agreed that one of the factors that add to the cost of books is the used book market. Of particular concern is the fact that faculty sell desk copies into the used book market which then reduces the demand for new books. One publishing executive indicated that he believed that this results in approximately a 25% increase in the cost of textbooks. While not all publishers thought the amount would be so high, all thought the amount was not insignificant. It was suggested that including a return envelope with the desk copy might help address this problem. Pearson indicated that it has tried this approach with little success. The NACS (National Association of

¹ While publishers do not generally offer campus bookstores quantity discounts they do offer quantity discounts to for-profit institutions (e.g. University of Phoenix) when the institution contractually commits to large volumes of new units over multiple years. These institutions purchase the books and the cost is included in student fees. None of the publishers would indicate the level of these discounts.

Collegiate Stores) has a policy that “urges its membership to support the Association of American Publishers in its opposition to the sale of clearly marked complimentary copies.”

Another major issue resulting in higher prices for new books is the re-importation of international editions (which generally sell at a substantial discount from US prices). In addition, publishers are increasingly concerned with piracy originating overseas and then entering the U.S. market.

One publisher provided free Internet resources without the requirement that its books be used. That however, was the exception, with most publishers making Internet resources available only to students who pay a fee for such access.

Finally, it is worth mentioning that at least one state (Minnesota) has made the cost of texts and other educational materials exempt from sales tax. While the potential savings from exemption of sales tax would result in a savings of less than 8%, even this small amount can be substantial for our students. We would suggest that California also consider such a sales tax exemption.

Appendix 3 Summary of Legislative Activity

In 2005, 39 bills were submitted within 18 states. New York lead the states with the most bills at seven (7), and Texas placed second, with six (6). The State of California only had one (1). Only seven bills saw resolution with four passing and three dying.

Bills that passed by Governor

1. House Bill 70 (Maryland)
2. House Bill 220 (Utah)
3. House Bill 1726 (Virginia)
4. Senate Bill 674 (Virginia)

Bills that died

1. House Bill 891 (Florida)
2. Senate Bill 1720 (Florida)
3. House Bill 1539/Senate Bill 758 (North Carolina)

The majority of bills introduced dealt with tax-exemption status for course materials. The second most widely introduced bill topic dealt with faculty, primarily the consideration of price when selecting a textbook, and prohibiting financial incentives to adopt a textbook.

1. Tax-exemption for course materials (12 bills) – 3 bills died, 1 passed
2. Faculty to select less expensive option and financial incentives when selecting a textbook (5 bills) – 1 bill passed
3. Publishers encouraged to un-bundle materials (4 bills)
4. Universities making book-lists available to students and/or competition (4 bills) – 1 bill passed
5. Focus on buyback and/or rental programs (2 bills)
6. Creation of review boards to investigate cost of textbooks (2 bills) – 1 bill passed

In 2006, 43 bills were introduced within 19 states. New York continued to lead the states with the most bills at eleven (11), with Illinois in second, with six (6). The State of California had two (2). Only eight bills saw resolution with six passing and two dying.

Bills that passed to Governor

1. House Bill 1024 (Colorado)
2. House Bill 5527 (Connecticut)
3. House Bill 1080/Senate 692 (Illinois)
4. House Bill 3087/Senate Bill 6699 (Washington)

Bills that died

1. Assembly Bill 8355 (New York)
2. House Bill 273 (Utah)

The majority of bills introduced continued to deal with tax-exemption status for course materials. The second most widely topic dealt with publishers providing information on pricing to faculty and un-bundling of course materials.

1. Tax-exemption for course materials (13 bills) – 1 bill died
2. Publishers encouraged to un-bundle materials (7 bills) – 1 bill passed, 1 died.
3. Creation of review boards to investigate cost of textbooks (6 bills) – 1 bill passed
4. Faculty to select less expensive option and financial incentives when selecting a textbook (5 bills)
5. Focus on buyback and/or rental programs (4 bills)
6. Universities making book-lists available to students and/or competition (4 bills) – 1 bill passed
7. Online Book library (1 bill) – 1 bill passed

In 2007, 65 bills have been introduced within 21 states. Arkansas takes the lead with the most bills at eleven (11), with Texas in second, with seven (7). The State of California has three (3). Only four bills have seen resolution with three passing and one dying.

Bills that passed to Governor

1. Senate Bill 24 (Arkansas)
2. Senate Bill 27 (Arkansas)
3. Senate Bill 30 (Arkansas)

Bills that died

1. House Bill 953 (Hawaii)

The majority of bills introduced are focusing on faculty and timely adoptions, restrictions on financial incentives and personal royalties, and selection of less expensive materials. Other bills focused on publishers providing information on pricing to faculty and un-bundling of course materials, and on tax-exemption status for course materials:

1. Faculty to select less expensive option and financial incentives when selecting a textbook (17 bills) – 1 passed
2. Publishers encouraged to un-bundle materials (16 bills) – 1 bill died.
3. Tax-exemption for course materials (13 bills)
4. Focus on buyback and/or rental programs (8 bills)
5. Universities making book-lists available to students and/or competition (8 bills) – 1 passed
6. Creation of review boards to investigate cost of textbooks (5 bills)

Currently five states do not levy any state taxes and 18 additional states have some form of tax exemption for course materials. California and 22 other states have introduced tax exemption bills in recent years but have not been able to pass these bills.

Legislation by State (compiled from information available at www.nacs.org)

State Bills for 2005

- California www.legislature.ca.gov
 - **Assembly Bill 1315** Amended bill: Adds language that only full-time students would be eligible. Original bill: Creates pilot program for grants up to \$1,000 for purchase of textbooks by community college students. Chancellor to appoint oversight committee to set criteria and select cities for the pilot (funded by the participating cities). **Status**: Filed 2/22. Referred to Assembly Committee on Higher Education.

- Connecticut www.cga.ct.gov
 - **House Bill 5368** Extends current sales tax exemption on college textbooks at higher education institutions to textbooks required for courses at private occupational schools. **Status**: Filed 1/19. Referred to Joint Committee on Higher Education and Employment Advancement. Public hearing 2/1. Referred to Joint Committee on Finance, Revenue, and Bonding, 2/22.
 - **House Bill 6860** Proposed amendment: Replaces the entire bill with new language requiring book adoptions to be posted online with ISBNs; requires publishers to identify changes in new editions; mandates policies for use of required textbooks; and calls for a textbook summit to examine ways to reduce textbook costs. Substitute bill: Revised language clarifies that bundles may be sold at public schools, but textbooks also must be available for individual sale. Amended bill: Adds requirement that publishers must supply textbooks for separate sale. Original bill: Requires sellers of books to students at public higher ed institutions to sell textbooks separately from other products recommended by publishers. **Status**: Filed 3/3. Referred to Joint Committee on Higher Education and Employment Advancement. Public hearing 3/8. Committee voted to recommend passage, 3/15. On House calendar for third reading, 4/14. Proposed amendment not voted on as of regular session adjournment.

- Florida www.leg.state.us
 - **House Bill 891** Substitute bill: Clarifies language that only textbooks are exempt, not other materials. *Original bill*: Exempts educational materials required or recommended for higher education courses from sales taxes. House staff determined state and local governments would lose \$26.9 million in revenue in 2005-06. Bill is identical to SB 1720. **Status**: Filed 2/17. Referred to House Finance and Tax Committee, House Education Appropriations Committee, and Fiscal Council. Hearing held 4/15. Finance and Tax recommended passage, 4/19. **Died in committee, 5/6.**
 - **Senate Bill 1720** Substitute bill: Clarifies language that only textbooks are exempt, not other materials. Original bill: Exempts educational materials required or recommended for higher education courses from sales taxes. Bill is identical to HB 891. **Status**: Filed 2/23. Referred to Senate

Education Committee, Senate Government Efficiency Appropriations Committee, and Senate Ways and Means Committee, 3/14. Education Committee hearing, 4/12. Education Committee recommended passage. **Died in committee, 5/6.**

- Illinois www.ilga.gov
 - **House Bill 3725** Waives state sales tax on required textbooks (leaves 1/25% municipal sales tax in place). **Status:** Filed 2/24. Referred to House Revenue Committee. Motion to recommend passage to House fails. Referred back to House Rules Committee, 3/10.
 - **House Bill 3745** Creates statewide textbook rental program for public higher ed institutions. Students would still be given option to buy textbooks from rental inventory at 20% to 40% discount off retail prices. **Status:** Filed 2/24. Referred to the House Higher Education Committee. Committee failed to meet reporting deadline. Referred back to Rules Committee, 3/10.

- Kentucky www.lrc.ky.gov/home.htm
 - **BR 343** Requests a study of course materials pricing, to include publisher pricing policies; production costs; market competition and profit margins for publishers, distributors, and booksellers; effects of digital materials on book prices; relationship between distribution structures for new and used books; role of shorter revision cycles; adoption practices and the effect of marketing incentives. Concurrent resolution from both House and Senate. **Status:** Prefiled for 2006 session, 11/14.

- Maryland mlis.state.md.us
 - **House Bill 70** Amended bill: Deletes exemption. Establishes the University Textbook Consortium within the University System of Maryland to enable institutions to get volume discounts on the purchase of textbooks. Participation in the consortium is voluntary. Original bill: Exempts textbooks required for college courses from sales taxes. Department of Legislative Services determined general fund would lose \$12 million in revenue in FY 2006. **Status:** Filed 1/12. Referred to House Ways and Means Committee. Hearing held 1/20. Committee recommended passage of amended version, 3/7. Passed House 135-0, 3/10. Referred to Senate Committee on Education, Health, and Environmental Affairs. Public hearing held 3/30. Passed Senate 46-0, 4/4. **Approved by governor, 5/10. Effective 7/1/05.**

- Massachusetts www.mass.gov/legis/legis.htm
 - **House Bill 1262** Encourages colleges and faculty to reduce the cost of textbooks to students by picking less expensive materials, increasing access to used books, starting rentals. Requires textbook publishers to provide pricing information to faculty and sell bundled components

separately. **Status:** Referred to the Joint Committee on Higher Education, 1/26.

- Michigan www.legislature.mi.gov
 - **Senate Resolution 24** Urges state school faculty to coordinate textbook selection to pressure publishers to make books more affordable; urges state institutions to explore group textbook purchasing. **Status:** Referred to Senate Committee on Education, 4/20.

- Nebraska nebraskalegislature.gov
 - **Legislative Bill 556** Prohibits the University of Nebraska from providing credit or financial aid for the purchase of required textbooks and supplies at any on-campus university business without providing for the same credit or financial aid at off-campus non-university businesses. **Status:** Filed 1/18. Referred to Legislative Committee on Education. Hearing, 3/14. Bill will be carried over to the next session.

- New Jersey www.njleg.state.nj.us
 - **Assembly Bill 4036** Authorizes public institutions to establish textbook rental programs if requested by the student government and if any existing contracts will permit. The rental program must be self-sustaining; average annual rental costs should not exceed 50% of the average annual retail purchase cost. The program can be disbanded with the student government's approval and cannot limit faculty in selecting course texts. **Status:** Introduced 5/5. Referred to Assembly Education Committee.
 - **Assembly Resolution 271** Urges publishers to package textbooks separately from additional instructional materials, disclose price differential between bundled and unbundled texts, and present new information in a separate supplement rather than issuing a new edition. **Status:** Introduced 5/5. Referred to Assembly Education Committee.

- New York assembly.state.ny.us
 - **Assembly Bill 1214** Under the current sales tax exemption on college textbooks, expands the definition of "textbooks" to include supplementary books, manipulatives, art reproductions, maps, sheet music, manuals, almanacs, atlases, general dictionaries and encyclopedia, magazines, and newspapers. **Status:** Filed 1/19. Referred to Assembly Committee on Education.
 - **Assembly Bill 1951/Senate Bill 2381** Identical bills: Allows students or their parents to deduct textbook expenses on their state income tax form. **Status:** A1951 filed 1/24. Referred to Assembly Committee on Ways and Means. S2381 filed 2/14. Referred to Senate Committee on Investigations and Government Operations.

- **Assembly Bill 1965** Extends current sales tax exemption on textbooks to include any book recommended or required for college courses. **Status:** Filed 1/24. Referred to Assembly Committee on Ways and Means.
- **Assembly Bill 2270** Requires institutions to make booklists available to anyone on request 60 days before the term starts. Allows off-campus booksellers to obtain student mailing lists; advertise in campus media; and use campus charge accounts. **Status:** Filed 1/25. Referred to the Assembly Committee on Higher Education.
- **Assembly Bill 3877** Requires state and city universities to provide all booksellers, upon request, with lists of textbooks to be used for courses. **Status:** Introduced 2/7. Referred to the Assembly Committee on Higher Education.
- **Assembly Bill 4766** Requires state university of New York to form an academic review board to develop cost controls for sale of textbooks in campus bookstores, including: requiring publishers to justify new editions; sample copies provided only on request; price caps on reprinted editions. **Status:** Introduced 2/14. Referred to the Assembly Committee on Higher Education.
- **Assembly Bill 8355** Directs Department of Education to conduct a study of bundling practices and report back, with recommendations, to the legislature and governor by July 1, 2006. **Status:** Filed, 5/18. Referred to the Assembly Committee on Higher Education. Referred to the Assembly Committee on Ways and Means, 6/21.
- North Carolina www.ncga.state.nc.us
 - **House Bill 1539/Senate Bill 758** Amends the Umstead Act to allow the University of North Carolina system (including its bookstores) to engage in business activities, provided they do not compete unfairly with private business. Also establishes a panel to deal with complaints of unfair competition. **Status:** Filed, 4/20. Referred to House Committee on Commerce. Committee recommended passage. Passed House 113-6, 6/1. Referred to Senate Committee on Commerce, 6/6. Committee recommended passage. Passed Senate 49-1-0, 8/12. House concurred with minor amendments, 8/23. **Approved by the governor, 9/14. Effective immediately.**
- Pennsylvania www.legis.state.pa.us
 - **House Bill 1842** Prohibits publishers and retailers from selling bundles unless texts are available individually as an option. Requires publishers to disclose to retailers or faculty that bundled editions are available individually; price differences between bundled and unbundled texts; how new editions differ from previous editions; and how long an edition will stay in print. Custom course materials are exempt from these requirements. **Status:** Filed 7/1. Referred to House Committee on Consumer Affairs.

- Texas www.capitol.state.tx.us
 - **House Bill 257** Exempts textbooks required for college courses from sales taxes. **Status:** Prefiled 12/21. Referred to House Ways and Means Committee, 2/1.
 - **House Bill 1184** Substitute bill: Requires faculty to seek permission from governing board if they want to adopt a new book in less than three years. Original bill: Encourages use of the same textbooks across core curriculum courses. Requires core courses to use same editions for three years. **Status:** Filed 2/16. Referred to House Higher Education Committee, 2/17. Hearing held 4/25. Amendments were considered but not passed. Bill left pending in committee, 4/25. Second public hearing, 5/9. Committee recommended passage of substitute bill, 5/9.
 - **House Bill 54/Senate Bill 72** Both bills are identical to SB 222 (temporary sales tax exemption for textbooks). **Status:** HB 54 introduced 6/27 (during first called session); referred to House Ways and Means Committee. SB 72 introduced 7/6; referred to Senate Committee on Finance.
 - **Senate Bill 222** Exempts college textbooks from sales taxes when purchased between the second Friday and the second following Sunday of August and January. **Status:** Filed 1/21. Public hearings, 3/31 and 5/12. Senate Finance Committee recommended passage, 5/16.
 - **Senate Bill 1716** Amendment: Clarifies that bill does not affect the terms of a contract in place as of bill's effective date. Substitute bill: New language tones down original requirements. Web posting requirement eliminated, but schools must still share adoption lists on request. Off-campus sellers must be allowed to participate in informational programs, but only if there's space. Institutions could set up alternates to student credit accounts for off-campus use. Original bill: Requires higher education institutions to post booklists on web at least 45 days before each term. Also requires schools to permit off-campus booksellers the same access to student orientation, buyback programs, student credit accounts, etc., as on-campus sellers. **Status:** Filed 3/11. Referred to Senate Committee on Education (Subcommittee on Higher Education), 3/30. Subcommittee recommended passage, 4/12. Hearing held 4/21. Committee recommended passage of substitute bill, 4/25. Passed 31-0 in Senate, 5/2. Referred to House Committee on Higher Education, 5/5. Public hearing, 5/19 (no action taken).

- Utah www.le.state.ut.us
 - **House Bill 220** Exempts textbooks required for college courses from sales taxes. Office of the Legislative Fiscal Analyst estimates a loss of state and local tax revenue of about \$3.4 million in 2006, if passed. **Status:** Filed 1/21. Referred to the House Revenue and Taxation Committee. Committee voted 8-6 to recommend passage, 2/1. House passed 39-36. Referred to

Senate Committee on Revenue and Taxation. Committee returned bill without review, 2/23. Enacting clause struck, 3/2. **Bill is considered dead.**

- Vermont www.leg.state.vt.us
 - **Senate Bill 100** Exempts textbooks sold at college bookstores from sales taxes. **Status:** Filed 2/16. Referred to the Senate Finance Committee.

- Virginia legis.state.va.us
 - **House Joint Resolution 668** Substitute bill: Omits a number of specific requirements for the study, including a review of campus bookstores. Original bill: Directs SCHEV to conduct a broad study of college textbook costs and purchasing practices and devise recommendations for improvements and disseminating best practices, with a goal of reducing costs to students. **Status:** Prefiled 1/11. Referred to House Committee on Rules. Referred to House Committee on Education, Higher Education Subcommittee. Subcommittee recommended passage of substitute bill, 2/4. House passed 96-0, 2/5. Referred to Senate Committee on Education and Health. Committee recommended passage (with statistics corrected in the introduction), 2/18. Senate passed on voice vote, 2/24.
 - **House Bill 1726 (Textbook Market Fairness Act)** Substitute bill: Bans faculty at public institutions from accepting compensation for adopting textbooks. Directs schools to post booklists online, including ISBNs. Original bill: Instructs State Council of Higher Education (SCHEV) to create guidelines to prohibit textbook publishers from providing financial incentives to faculty to adopt their textbooks. Directs SCHEV to set guidelines to ensure institutions post booklists on the web. **Status:** Prefiled 12/30. Referred to House Committee on Education, Higher Education Subcommittee. Subcommittee voted 22-0 to recommend passage of substitute bill, 2/2. House passed 96-0, 2/5. Referred to Senate Committee on Education and Health. Senate passed 40-0, 2/22. **Approved by governor, 3/22. Effective 7/1/05.**
 - **House Bill 2466** Extends current sales tax exemption on college textbooks to books purchased for classes at for-profit institutions. Department of Taxation estimates loss of \$341,000 in state and local revenue (2006 figures), if passed. **Status:** Prefiled 1/12. Referred to House Committee on Finance. Committee voted 14-6 to recommend passage, 1/31. House passed 84-10, 2/4. Referred to Senate Committee on Finance. Left in committee, 2/17.

- West Virginia www.legis.state.wv.us
 - **House Bill 2606** Prohibits state institutions from requiring students to purchase textbook bundles and mandates all course materials must be available for individual purchase. **Status:** Filed 2/23. Referred to the House Committee on Education and House Committee on Judiciary.

- **House Bill 3163** Substitute bill: Adds provision banning faculty-written book from adoption if book contains worksheets intended for removal. Original bill: Combines provisions of HB 2606 and SB 674. Adds requirement that booklists must be posted in campus bookstores. **Status**: Filed 3/23. Referred to House Committee on Education. Committee recommended passage of substitute bill, 3/25. Tabled by House on third reading, 4/1.
- **Senate Bill 674** Amended bill: Clarifies that a book should be posted online when adoption process is done and store intends to order it. Original bill: Bans employees at public institutions from accepting compensation for adopting textbooks. Directs schools to post booklists online, including ISBNs. **Status**: Filed 3/21. Referred to Senate Committee on Education. Passed by Senate, 3/28. Referred to House Committee on Education, 3/29. Passed by House, 4/8. **Approved by governor, 5/2. Effective 7/8/05.**

State Bills for 2006

- California www.legislature.ca.gov
 - **Assembly Bill 1315** Amendment (2006): Removes most of the pilot program provisions but amends existing student financial aid programs assisting with "access costs" (books, supplies, transportation, living expenses). Original bill: Creates pilot program for grants up to \$1,000 for purchase of textbooks by community college students. **Status**: Filed 2/22/05. Referred to Assembly Committee on Higher Education. Amended and re-referred to Assembly Committee on Higher Education, 1/4/06. Committee recommended passage, 1/12/06. Re-referred to Assembly Committee on Appropriations. Committee recommended passage, 1/19/06. Passed Assembly, 73-2, 1/26/06. Referred to the Senate Committee on Education, 2/2/06. Hearing, 6/29/06. Committee recommended passage; re-referred to Senate Committee on Appropriations, 6/29/06. Hearing, 8/17/06; recommended for Suspense File.
 - **Senate Bill 1819** New amendment: This bill's focus has changed again and now deals only with aid for GED test takers. Previous amendment: The focus on textbooks has been dropped completely. The bill now deals solely with provisions for the Cal Grant C Plus Program to provide financial aid to occupational/technical students. Original bill: As submitted, the bill simply expressed "the intent of the legislature to enact additional legislation related to college textbooks." There were no specifics. **Status**: Introduced 2/24/06. Referred to Senate Committee on Education. Amended by author, 4/17/06. Hearing, 4/26/06. Committee recommended passage, 5/2/06. Referred to Senate Committee on Appropriations, 5/3/06. Passed Senate 21-14, 5/30/06. Amended by author

again, 6/21/06. Committee recommended passage. Re-referred to Senate Committee on Education, 6/27/06.

- Colorado www.leg.state.co.us
 - **House Bill 1024** Requires governing boards of state institutions to report on current and proposed programs to aid retention and success of underserved college students. Mandates the boards to consider creation of an "online textbook library" to enable students to buy only those materials needed for course work. **Status:** HB 1024 signed into law by governor, 6/1/06. **History:** Filed 1/11/06. Referred to House Committees on Education and Appropriations. Passed House, 4/13/06. Referred to Senate Committees on Education and Appropriations. Passed Senate, 5/2/06. Sent to governor.
- Connecticut www.cga.ct.gov
 - **House Bill 5527** Requires publishers to provide to potential purchasers a complete list of all products, their wholesale prices, and estimated length of time the products will remain on the market. The same information must be placed on the publisher's web site. Also requires the boards of the public college and university systems to develop policies allowing financial aid students to buy textbooks at campus stores until their aid arrives. **Status:** HB 5527 signed into law by governor, 6/2/06. **History:** Filed 2/23/06. Referred to Joint Committee on Higher Education and Employment Advancement. Hearing, 3/2/06. Committee recommended passage, 3/15/06. Passed House 141-3, 4/24/06. Passed Senate 36-0, 5/1/06. Sent to governor.
- Florida www.leg.state.us
 - **House Bill 15/Senate Bill 1554 SB 1554 substitute:** Specifies that the tax exemption is only for textbooks purchased at "participating bookstores," defined as retailers deriving at least 10% of gross sales revenue from textbooks. Includes exemptions for textbook rentals and licenses. **HB 15 substitute:** Adds two stipulations: Only "degree-seeking" students qualify for the exemption, and at purchase they must show documentation the books are required/recommended for class. **Original bills:** Both exempt textbooks required or recommended for higher education courses from sales taxes. Students must show ID. The same bills were introduced in 2005 as HB 891 and SB 1720. **Status:** HB 15 and SB 1554 both died in committee. **History:** HB 15 filed 1/4/06; referred to House Education Council, House Education Appropriations Committee, House Finance and Tax Committee, and House Colleges and Universities Committee. HB 15 hearing with House Colleges and Universities Committee, 3/21/06; committee recommended passage. SB 1554 filed 1/25/06; referred to Senate Committee on Ways and Means, Senate Committee on Education, Senate Committee on Government Efficiency Appropriations. Senate

Education recommended passage, 3/6/06. Government Efficiency
Appropriations recommended passage of substitute, 4/4/06.

- Georgia www.legis.state.ga.us
 - **House Bill 1397** Waives sales taxes for textbooks sold to or used by a student. **Status:** Introduced 2/16/06. Referred to House Ways and Means Committee.

- Illinois www.ilga.gov
 - **House Bill 4867 (Textbook Pricing and Access Act)** Requires publishers to disclose prices for textbooks, supplementals, and bundle components during sales pitches to faculty; requires faculty at all higher education institutions to submit written orders for required course materials, including the earliest editions students may buy; requires bookstores to sell equal numbers of bundles and unbundled textbooks unless after the first shipment it is determined a disproportionate number is needed; and requires bookstores to post booklists with ISBNs on the web or in a public place. **Status:** Filed, 1/19/06. Referred to House Rules Committee.
 - **Senate Bill 2989** Requires the Board of Higher Education to create a rental program for college textbooks. Each public university must have a rental program in place by the beginning of the 2008-2009 academic year. **Status:** Filed, 1/20/06. Referred to the Senate Rules Committee.
 - **House Bill 3725** Waives state sales tax on required textbooks (leaves 1/25% municipal sales tax in place). **Status:** Filed 2/24/05. Referred to House Revenue Committee. Motion to recommend passage to House fails. Referred back to House Rules Committee, 3/10/05. Carried over to 2006.
 - **House Bill 3745** Creates statewide textbook rental program for public higher ed institutions. Students would still be given option to buy textbooks from rental inventory at 20% to 40% discount off retail prices. **Status:** Filed 2/24/05. Referred to the House Higher Education Committee. Committee failed to meet reporting deadline. Referred back to House Rules Committee, 3/10/05. Carried over to 2006.
 - **House Resolution 1080/Senate Resolution 692**
SR 692 amendments: Requires the board to include views from bookstore operators, textbook authors, and publishers. Mandates that the board assess the economic impact of the study's findings. Original bills: Identical bills: Directs Board of Higher Education, Community College Board, and public higher education institutions to conduct a study of textbook rental programs, including funding sources for startup costs. The study also must explore other means of reducing textbook expenses and the potential of technology to decrease costs. **Status:** HR 1080 filed 3/24/06; referred to House Rules Committee. SR 692 filed 3/28/06; referred to Senate Committee on State Government. Committee recommends passage of amended SR 692. SR 692 passed Senate 52-0, 4/7/06.

- Kentucky www.lrc.ky.gov/home.htm
 - **HCR 9 Amendments:** Includes elementary and secondary textbooks in the study. **Original bill:** Requests a study of course materials pricing, to include publisher pricing policies; production costs; market competition and profit margins for publishers, distributors, and booksellers; effects of digital materials on book prices; relationship between distribution structures for new and used books; role of shorter revision cycles; adoption practices and the effect of marketing incentives. Concurrent resolution from both House and Senate. **Status:** Prefiled for 2006 session, 11/14/05. Introduced and referred to House Committee on Education, 1/3/06. Committee recommended passage, 1/11/06. Passed House 87-1 with amendments, 1/13/06. Referred to Senate Committee on Education, 1/19/06.

- Maryland mlis.state.md.us
 - **House Bill 25** Exempts textbooks from sales and use tax if purchased by a full- or part-time student as a requirement for a course at a higher education institution. A valid ID must be shown at purchase. The same bill was introduced in 2005 as HB 70 (later amended). **Status:** Prefiled 9/21/05. Referred to House Ways and Means Committee, 1/11/06. Hearing, 3/3/06. Committee report unfavorable, 3/23/06.
 - **Senate Bill 214** Requires governing boards of public institutions to post lists of textbooks, with ISBNs, required for each course on the web. Bans employees from receiving inducements to adopt textbooks; comp copies and royalties are acceptable. **Status:** Filed 1/23/06. Referred to Senate Committee on Education, Health, and Environmental Affairs, 1/25/06. Hearing, 2/8/06.

- Massachusetts www.mass.gov/legis/legis.htm
 - **House Bill 1262** Encourages colleges and faculty to reduce the cost of textbooks to students by picking less expensive materials, increasing access to used books, starting rentals. Requires textbook publishers to provide pricing information to faculty and sell bundled components separately. **Status:** Referred to the Joint Committee on Higher Education, 1/26/05. Carried over to the 2006 session. Hearing, 1/18/06.

- Michigan www.legislature.mi.gov
 - **House Bill 5568** Exempts textbooks required for courses at postsecondary institutions from sales taxes. **Status:** Introduced, 1/19/06. Referred to the House Committee on Tax Policy.
 - **House Bill 6356** Provides an income tax credit for the full cost of college textbooks. The credit is available only after the taxpayer or taxpayer's dependents pass the courses for which the books were bought. **Status:** Introduced, 8/16/06. Referred to House Committee on Tax Policy.

- Minnesota www.leg.state.mn.us
 - **Senate File 3608/House File 4032** Identical bills: Directs the Office of Higher Education to convene an advisory task force to study the cost of college textbooks, examining pricing trends, rental practices, buyback, selection policies, and institutional purchasing practices. **Status:** SF 3608 filed 3/27/06; referred to Senate Education Committee. HF 4032 filed 3/29/06; referred to House Higher Education Finance Committee.

- Nebraska www.unicam.state.ne.us
 - **Legislative Bill 556** Prohibits the University of Nebraska from providing credit or financial aid for the purchase of required textbooks and supplies at any on-campus university business without providing for the same credit or financial aid at off-campus non-university businesses. **Status:** Filed 1/18/05. Referred to Legislative Committee on Education. Hearing, 3/14/05. Carried over to 2006 session, 1/4/06. Indefinitely postponed by committee, 2/8/06.

- New Jersey www.njleg.state.nj.us
 - **Assembly Bill 454** Allows an income tax credit for textbook purchases by full-time undergraduates at New Jersey colleges and universities. Credit amounts to 10% of cost up to \$1,000 in total annual purchases. **Status:** Introduced 1/10/06. Referred to Assembly Budget Committee.
 - **Assembly Bill 994** Authorizes public institutions to establish textbook rental programs if requested by the student government and if any existing contracts will permit. The rental program must be self-sustaining; average annual rental costs should not exceed 50% of the average annual retail purchase cost. The program can be disbanded with the student government's approval and cannot limit faculty in selecting course texts. The same bill was introduced in 2005 as AB 4036. **Status:** Introduced 1/10/06. Referred to Assembly Higher Education Committee.

- New York assembly.state.ny.us
 - **Assembly Bill 1214** Under the current sales tax exemption on college textbooks, expands the definition of "textbooks" to include supplementary books, manipulatives, art reproductions, maps, sheet music, manuals, almanacs, atlases, general dictionaries and encyclopedia, magazines, and newspapers. **Status:** Filed 1/19/05. Referred to Assembly Committee on Education. Carried over to 2006 session, 1/4/06.
 - **Assembly Bill 11494/Senate Bill 2381** Identical bills: Allow students or their parents to deduct textbook expenses on their state income tax form. AB 11494 was originally introduced in 2005 as AB 1951. **Status:** AB 11494 filed 5/23/06 and referred to Assembly Committee on Ways and Means. SB 2381 filed 2/14/05 and referred to Senate Committee on

Investigations and Government Operations (re-referred 1/4/06).
Committed to Finance, 5/23/06.

- **Assembly Bill 1965** Extends current sales tax exemption on textbooks to include any book recommended or required for college courses. **Status:** Filed 1/24/05. Referred to Assembly Committee on Ways and Means. Carried over to 2006 session, 1/4/06.
- **Assembly Bill 2270** Requires institutions to make booklists available to anyone on request 60 days before the term starts. Allows off-campus booksellers to obtain student mailing lists; advertise in campus media; and use campus charge accounts. **Status:** Filed 1/25/05. Referred to the Assembly Committee on Higher Education. Carried over to 2006 session, 1/4/06.
- **Assembly Bill 3877** Requires state and city universities to provide all booksellers, upon request, with lists of textbooks to be used for courses. **Status:** Introduced 2/7/05. Referred to the Assembly Committee on Higher Education. Carried over to 2006 session, 1/4/06.
- **Assembly Bill 4766** Requires state university of New York to form an academic review board to develop cost controls for sale of textbooks in campus bookstores, including: requiring publishers to justify new editions; sample copies provided only on request; price caps on reprinted editions. **Status:** Introduced 2/14/05. Referred to the Assembly Committee on Higher Education. Carried over to 2006 session, 1/4/06.
- **Assembly Bill 8355** Directs Department of Education to conduct a study of bundling practices and report back, with recommendations, to the legislature and governor by July 1, 2006. **Status:** Filed 5/18/05. Referred to the Assembly Committee on Higher Education. Referred to the Assembly Committee on Ways and Means, 6/21/05. Carried over to 2006 session, 1/4/06. Re-referred to Assembly Committee on Higher Education, 3/2/06. Bill no longer active, 5/22/06.
- **Senate Bill 6804/Assembly Bill 11759 (Textbook Access Act)**
New amendment: The bill has been substantially revised. Provisions now call for making the cost of course materials "readily available" from publishers; requiring textbooks to be sold "in the same manner as ordered" by faculty; requiring institutions to encourage early adoptions and to set policies prohibiting employees from accepting inducements for adoptions.
Amendment: Drops requirements for written book orders and posting of booklist online, but mandates that a record of orders be maintained and made available to the public upon request. Original bill: Requires publishers to disclose the price of textbooks, bundles, and supplementals during sales pitches to faculty; requires faculty to submit written book orders, including the earliest acceptable edition; prohibits the sale of bundles unless specifically ordered by faculty; requires booklists with ISBNs to be posted online; bans employees from accepting inducements for adoptions. **Status:** SB 6804 filed 2/22/06 and referred to the Senate Committee on Higher Education. SB 6804 amended, 5/22/06. SB 6804

- amended on third reading, 6/6/06. Passed Senate, 6/15/06. AB 11759 filed 6/8/06 (identical to amended SB 6804) and referred to the Assembly Committee on Higher Education.
- **Senate Bill 7477** Bans public employees from accepting inducements to adopt textbooks; requires public institutions to post booklists with ISBNs on the web; directs institutions' governing boards to develop policies to encourage efforts to minimize the cost of textbooks. **Status:** Filed 4/25/06. Referred to the Senate Committee on Higher Education.
 - Oklahoma www.lsb.state.ok.us
 - **House Bill 2380** Mandates that the Oklahoma State Regents for Higher Education establish a textbook rental system for Oklahoma state institutions beginning with the 2007-2008 academic year. The bill also calls for making textbooks available for sale online and requiring institutions to purchase textbooks for resale "in order to take advantage of pricing discounts through volume buying." **Status:** Prefiled, 1/18/06. Referred to House Committee on Appropriations and Budget, 2/7/06.
 - Texas www.capitol.state.tx.us
 - **Senate Bill 49** Exempts college textbooks from sales taxes when purchased between the second Friday of the month and the second following Sunday in August and January. Originally introduced in 2005 as SB 222. **Status:** Prefiled 11/13/06.
 - **Senate Bill 114** Requires institutions to provide adoption information to other booksellers on request; allow booksellers to participate in programs related to course materials provisions, such as orientation. If there's space, allow other retailers access to campus credit programs. Originally introduced in 2005 as SB 1716. **Status:** Prefiled 11/14/06.
 - Utah www.le.state.ut.us
 - **House Bill 273** Exempts textbooks required for college courses from sales taxes. Office of the Legislative Fiscal Analyst estimates a loss of state and local tax revenue of about \$3.5 million in 2007, if passed. The same bill was considered in 2005 as HB 220. **Status:** Introduced, 1/18/06. Referred to House Revenue and Taxation Committee, 1/23/06. Hearing, 2/9/06. Committee recommended passage, 2/22/06. Failed to pass House, 3/1/06.
 - Virginia legis.state.va.us
 - **House Bill 1478** Amended bill: Requires board to only "encourage" efforts to minimize costs. Requires stores to sell unbundled items only when cost-effective and available from publishers. Drops mandate for use of store revenues. Original bill: Requires the governing boards of public higher education institutions to set policies for minimizing the cost of textbooks to students, including: Requiring faculty to submit adoptions in a timely manner to ensure availability of books when courses begin;

requiring on-campus stores to sell bundle items separately; requiring faculty to acknowledge textbook prices before adoptions; encouraging faculty to limit use of new editions; making sample copies available through the academic department or library; and mandating that schools use revenue from textbook sales only for on-campus student activities, financial aid, or improvements to existing bookstore infrastructure and services. **Status:** HB 1478 signed into law by governor, 4/4/06. **History:** Filed 1/19/06. Referred to House Committee on Education. Committee voted 17-0 to recommend passage, 1/25/06. House voted 99-0 to approve, 1/30/06. Referred to Senate Committee on Education and Health, 1/31/06. Hearing, 2/16/06. Passed Senate 38-2 with amendments, 3/6/06. House concurred with amendments, 3/8/06.

- Washington www1.leg.wa.gov/legislature
 - **House Bill 3034** Exempts college textbooks from sales taxes, including texts sold by Internet retailers based in Washington. Sellers must obtain and maintain documentation from faculty that the textbooks are required for courses. The same bill was considered in 2004 as HB 2944. **Status:** Introduced, 1/18/06. Referred to House Committee on Finance.
 - **House Bill 3087/Senate Bill 6699** Substitute bills: Adds mandate that the boards develop the rules in collaboration with affiliated bookstores and student and faculty representatives. Original bills: Requires boards of state schools to adopt rules for bookstores at public institutions to: provide students with the option of unbundled course materials, promote buyback programs, and disclose retail costs for course materials on a per-course basis. Requires faculty at public institutions to consider the least costly course materials when educational content is comparable. **Status:** HB 3087 signed into law by governor, 3/15/06. **History:** Both introduced, 1/19/06. HB 3087 referred to House Committee on Higher Education and Workforce Education. SB 6699 referred to Senate Committee on Early Learning, K-12, and Higher Education. Substitute bills adopted and passed by both committees, 2/2/06. HB 3087 passed House 98-0, 2/9/06, while SB 6699 passed Senate 45-1, 2/13/06. HB 3087 referred to Senate Committee on Early Learning, K-12, and Higher Education; SB 6699 referred to House Committee on Higher Education and Workforce Education with hearing on 2/17/06. HB 3087 passed Senate 48-0, 3/1/06.

State Bills for 2007

- Arkansas www.arkleg.state.ar.us
 - **Senate Bill 22** Requires state institutions to establish policies, procedures, and guidelines for the selection of course materials to encourage faculty to keep costs in mind. Policies must cover timeliness of adoptions, intended use of materials, and bundles. **Status:** Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Passed Senate committee,

- 2/13/07. Passed Senate, 2/14/07. Referred to the House Committee on Insurance and Commerce.
- **Senate Bill 23** *Amendment*: Workbooks and manuals are only allowed if at least 25% of the pages must be consumed to complete assignments. The \$40 cost limit is omitted. *Original bill*: Bans "single-use" textbooks incapable of use by a subsequent user. Workbooks and lab manuals are still allowed, if less than \$40. **Status**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Amended, 1/25/07. Passed Senate committee, 2/13/07. Passed Senate, 2/14/07. Referred to the House Committee on Insurance and Commerce.
 - **Senate Bill 24** Requires booklists to be posted at the bookstore and on the school's web site by Nov. 1 for spring term and April 1 for fall and summer. Late adoptions would need special permission. **Final status**: Signed into law as Act 175, 3/1/07. **History**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Passed Senate committee, 2/13/07. Passed Senate, 2/14/07. Referred to the House Committee on Insurance and Commerce. Passed House committee, 2/21/07. Passed House, 2/26/07.
 - **Senate Bill 25** Prohibits customized textbooks that aren't substantially different from standard texts. Custom materials containing portions of textbooks are allowed, if the price doesn't exceed 50% of the full book. **Status**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Passed Senate committee, 2/13/07. Passed Senate, 2/14/07. Referred to the House Committee on Insurance and Commerce.
 - **Senate Bill 26** Allows students to spend state aid and scholarships at any local business, not just institutional stores. **Status**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce.
 - **Senate Bill 27** Prevents state employees from receiving inducements to adopt textbooks for classes. Faculty may receive sample copies and instructor's copies, and may earn royalties on materials not adopted for their own classes. **Final status**: Signed into law as Act 105, 2/15/07. **History**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Senate committee recommended passage, 2/5/07. Passed Senate, 2/5/07. Referred to House Committee on Education. House committee recommended passage, 2/8/07. Passed House, 2/13/07.
 - **Senate Bill 28** Requires state institutions to make class supplements available for purchase by private booksellers, at the school's cost of production. **Status**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce.
 - **Senate Bill 29** Allows off-campus bookstores access to any on-campus promotional channel used by the institutional store, such as e-mail lists, informational packets, orientation, school web site, or posters. **Status**: Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce.

- [Senate Bill 30](#) Regulates royalties earned by faculty on materials adopted for classes at their institution. Such royalties would be considered property of the school and placed in a scholarship fund. **Final status:** Signed into law as Act 106, 2/15/07. **History:** Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Passed Senate, 1/31/07. Referred to the House Committee on Education, 2/1/07. House committee recommended passage, 2/6/07. Passed House, 2/13/07.
- [Senate Bill 31](#) *Amendment:* Adds wording that faculty are not prevented from referring students to any sources for textbooks. *Original bill:* Prohibits the web sites of state schools or their stores from linking to other booksellers who don't pay Arkansas sales and use taxes. **Status:** Filed 1/8/07, referred to the Senate Committee on Insurance and Commerce. Amended, 1/30/07. Committee recommended passage, 3/1/07.
- [House Bill 2228](#) exempts the sale of used college textbooks from the state's gross receipts tax. The bill does not affect taxes on brand-new books. The bill has been referred to the House Committee on Revenue and Taxation.
- California www.legislature.ca.gov
 - [Senate Bill 365](#) Proposes amendments to SB 832
 - [Senate Bill 832](#) Adds a section to the law passed last year which encourages practices to reduce the cost of course materials at public institutions. The new section prohibits these institutions from buying or selling textbooks, or allowing the sale of textbooks on campus, unless the publishers or distributors have provided a full list of products, pricing, and the length of time each product will remain on the market. The list must be published on the publisher's web site. **Status:** Filed 2/23/07.
 - [AB 1548](#) Similar to SB 832. Bans institutions from buying or selling textbooks unless the publisher posts on its web site the price difference between bundled and unbundled textbooks, a summary of changes in new editions, estimates of intended time on market, and compensation offered for adopting the book. **Status:** Filed 2/23/07.
 - ACSFA hearing in California to discuss how to make college textbooks more affordable for students. This hearing was hosted by the Advisory Committee on Student Financial Assistance, a non-partisan federal committee created to advise Congress and the Secretary of Education on higher education and student financial aid policy. The Committee has been asked by Congress to do a study on the affordability of college textbooks. As part of this study, AC SFA will be holding public hearings around the country to enable representatives of states, institutions, publishers, bookstores, faculty and students to share what they are doing to make textbooks more affordable for students. The hearing in California was held on Monday, March 5 at the College of the Canyons in Santa Clarita.

- Connecticut www.cga.ct.gov
 - [House Bill 5145](#) Requires any store selling textbooks to students enrolled at public institutions to offer bundle components for sale separately. **Status:** Introduced 1/4/07. Referred to Joint Committee on Higher Education and Employment Advancement.
 - [House Bill 6885](#) *New bill drafted by committee:* Deletes rental study. Requires the Department of Higher Education to evaluate the availability of price and revision information for college textbooks and the policies concerning student use of financial aid to buy textbooks. *Original bill:* Requires the Department of Higher Education to study the feasibility of textbook rental programs at public institutions. **Status:** Introduced 1/24/07. Referred to Joint Committee on Higher Education and Employment Advancement. Hearing, 2/8/07. New draft, 2/27/07. Committee recommended passage, 3/1/07.

- Florida www.leg.state.us
 - [Senate Bill 254](#) *Amendment:* Adds the requirements that purchases must be books required or recommended for current courses, and that the on-campus store must retain syllabi to prove that. *Original bill:* Exempts textbooks sold at on-campus bookstores at public postsecondary institutions from sales taxes. Specifies that books sold at other institutions are still taxable. **Status:** Prefiled 12/14/06. Referred to Senate Committee on Higher Education, Senate Committee on Finance and Tax, and Senate Committee on General Government Appropriations. Temporarily deferred by Committee on Higher Education, 2/21/07.
 - [House Bill 289](#) and [Senate Bill 2492](#) (identical) Exempts textbooks from sales taxes; prohibits state employees from accepting inducements to adopt textbooks; bans sale of comp copies; requires public institutions to "notify" students of required textbooks (including ISBNs) at least 15 days before classes or when instructors submit book orders; mandates adoptions be made early enough to confirm availability of books and source used copies; places limits on adoption of bundles and new editions; mandates state boards to adopt policies on textbook affordability; and requests study of textbook costs and institutions' purchasing practices. **Status:** HB 289 prefiled 1/16/07, referred to House Policy and Budget Council, 1/29/07. HB 289 referred to House Committee on Postsecondary Education, 2/9/07. SB 2492 prefiled 3/1/07.
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- Georgia www.legis.state.ga.us
 - [House Bill 141](#) Exempts textbooks from sales taxes. Same bill was introduced in 2006 as HB 1397. **Status:** Filed 1/24/07, referred to House Ways and Means Committee.

- Hawaii www.capitol.hawaii.gov
 - [House Bill 953](#) Directs the University of Hawaii to establish textbook lending libraries at its seven community college campuses, to be used by students who demonstrate financial need or are enrolled in remedial or developmental classes. *Final status:* Died in committee, 2/6/07. *History:* Filed 1/22/07, referred to House Committee on Higher Education.

- Illinois www.ilga.gov
 - [Senate Bill 325](#) (Textbook Advisory Committee Act)
Requires each public institution to set up a textbook advisory committee to set deadlines for faculty to submit booklists; ensure booklists with ISBNs are published online 60 days prior to each term; ban employees from accepting inducements to adopt specific books; establish textbook reserves (including electronic) for students to use at no charge; encourage buyback programs; support campus book swaps. *Status:* Introduced 2/7/07. Referred to Senate Committee on Higher Education.
 - [Senate Bill 326](#) (Textbook Consumer Information Act)
Requires publishers to disclose wholesale prices, history of revisions, and cost of individual bundle items to faculty. Requires faculty to provide written booklists to the bookstore, including the earliest edition a student may use. Requires bookstores to publish booklists with ISBNs and retail prices on the web. *Status:* Introduced 2/7/07. Referred to Senate Committee on Higher Education.
 - [Senate Bill 327](#) Exempts college textbooks from the state's portion (5%) of sales and use taxes. *Status:* Introduced 2/7/07. Referred to Senate Committee on Revenue. Postponed in committee, 3/2/07.
 - [Senate Bill 1689](#) Requires the Board of Higher Education to create a textbook rental program for public universities, beginning with the 2009-2010 academic year. *Status:* Introduced 2/9/07.
 - [House Bill 1464](#) (Higher Education Textbook Act)
Requires the Board of Higher Education and the Illinois Community College Board to adopt rules requiring affiliated bookstores to sell bundle items individually; disclose textbook prices; explain how new editions vary from previous ones; and promote buyback. Faculty are required to consider the least costly options in choosing materials and must work with publishers to create bundles if they deliver cost savings. *Status:* Introduced 2/21/07. Referred to House Committee on Higher Education.

- Indiana www.in.gov
 - [Senate Bill 16](#) and [House Bill 1311](#) (identical)
Waives state sales taxes on textbooks required for undergraduate college courses. The purchaser must be an enrolled student or the student's parent. The Legislative Services Agency estimates the exemption would reduce the state's tax revenues by \$5.5 million in 2008. *Status:* SB 16 prefiled 12/18/06, referred to Senate Committee on Tax and Fiscal Policy. HB

- 1311 filed 1/16/07; referred to House Committee on Education. House Committee on Education recommended passage, 1/24/07.
- [House Bill 1810](#) Exempts textbooks and prewritten computer software from states sales taxes if the materials are required for a college course and the purchaser is a student or parent. **Status:** Filed 1/26/07, referred to the House Committee on Ways and Means.
 - Kansas www.kslegislature.org
 - [Senate Bill 315](#) Requires the CEO of each state higher education institution to implement policies to minimize the cost of course materials. The policies should ensure that faculty: consider the least costly course materials; adopt books in sufficient lead time to confirm availability and used copies; notify the bookstore if some items in a bundle won't be used in class so the store can order individual items for sale; acknowledge the store's quoted retail prices on books selected for class; and limit use of new editions when previous editions don't differ substantively. The policies must also promote buyback; provide books to students in need; and require course materials vendors to post returns policies and exchange rates. **Status:** Filed 2/6/07. Referred to Senate Education Committee. Hearing, 2/20/07.
 - Kentucky www.lrc.ky.gov/home.htm
 - [HRC 19](#) Requests a study of course materials pricing, to include publisher pricing policies; production costs; market competition and profit margins for publishers, distributors, and booksellers; effects of digital materials on book prices; relationship between distribution structures for new and used books; role of shorter revision cycles; adoption practices and the effect of marketing incentives. Concurrent resolution from both House and Senate. Same bill was introduced in 2006 as HCR 9. **Status:** Filed 1/2/07. Referred to House Education Committee. Committee reported favorably, 2/13/07. Passed House, 2/16/07. Referred to the Senate Committee on State and Local Government.
 - Louisiana www.legis.state.la.us
 - [House Bill 56](#) Exempts from sales tax any textbook that is required "or commonly used by a college student in the course of studying for a course." **Status:** Prefiled 2/28/07, referred to the House Committee on Ways and Means.
 - Maryland mlis.state.md.us
 - [Senate Bill 166](#) and [House Bill 1092](#) (identical) Requires booklists to be posted online with ISBNs as soon as the instructor or department "identifies the textbook for order and subsequent student purchase." Also prohibits public employees from accepting any inducements for adopting specific course materials, but does permit

- employees to receive royalties and comp copies. Same bill was introduced in 2006 as SB 214. **Status:** SB 166 filed 1/26/07, referred to Senate Committee on Education, Health, and Environmental Affairs. HB 1092 filed 2/13/07. Hearing on SB 166, 2/21/07. HB 1092 referred to House Committee on Appropriations.
- [House Bill 204](#) Provides a credit on state income taxes for textbook expenses that exceed \$500 in the taxable year. The credit is capped at \$500. **Status:** Filed 1/26/07, referred to House Ways and Means Committee. Hearing, 2/13/07.
 - [Senate Bill 785](#) and [House Bill 1269](#) Requires the governing boards of public universities and community colleges to develop a plan to include the cost of textbooks within tuition, by the start of the 2008 academic year. Also prohibits the institutions from requiring that students buy textbooks not covered in the tuition plan. **Status:** SB 785 filed 2/14/07, referred to the Senate Committee on Education, Health, and Environmental Affairs. HB 1269 filed 2/22/03, referred to the House Committee on Rules and Executive Nominations.
- Massachusetts www.mass.gov/legis/legis.htm
 - [House Bill 1200](#) (House Docket 3674) Requires publishers to provide a product list, wholesale prices, and estimated time products will remain on the market. Requires bundle components be made available for individual sale. **Status:** Filed 1/10/07. Referred to Joint Committee on Higher Education.
 - [Senate Bill 1705](#) "relates to the taxation of the retail sale of college textbooks," according to the Senate petition accompanying the bill's introduction. However, the specifics of the bill are yet to be determined by the Senate Committee on Revenue.
 - Minnesota www.leg.state.mn.us
 - [Senate File 1314](#) and [House File 1508](#) (identical) Prohibits institutions from doing business with publishers that have not disclosed pricing of books, bundles, and supplements, and edition revisions for the past decade. Requires faculty to consider the least costly practices in choosing course materials, including using materials for longer periods, providing booklists in writing, and indicating the earliest edition students may use. Faculty must work with bookstores to review the adoption process and timeliness, share costs with students, and promote buyback. Requires stores to stock equal numbers of bundles and unbundled books (adjustable after the first shipment), post booklists online with ISBNs, and adopt policies to price required materials "so these are affordable to students." Authorizes (but does not require) establishment of self-sustaining textbook rental programs and sets down a number of requirements for such programs. **Status:** SF 1314 filed 2/26/07, referred to Senate Committee on

Higher Education. HF 1508 filed 3/1/07, referred to House Committee on Finance.

- Minnesota Office of Higher Education Textbook taskforce report. Overall, the report was very favorable. The staff removed the draft recommendation on state bulk purchasing after reviewing the information NACS provided the staff following the final meeting of the taskforce. Most of the findings and recommendations I think the majority of store directors would agree with. One problematic recommendation is promoting faculty to share course adoption information including ISBN numbers directly with their students via e-mail well before class starts to allow and potentially encourage students to shop around online. Store representatives argued at the last meeting of the taskforce that the bookstore and its web site is the central location for course adoption information and ordering, allowing students access to all of their course material requirements. The report is available at this link: http://www.ohe.state.mn.us/mPg.cfm?pageID=1650&1534-D83A_1933715A=a750b787e4
- Mississippi www.ls.state.ms.us
 - [Senate Bill 2864](#) Requires publishers to disclose the wholesale price of textbooks to faculty and provide the history of revisions on each book. Custom textbooks and special editions would be exempt. **Final status:** Died in committee, 1/30/07. **History:** Filed 1/15/07. Referred to the Senate Committee on Universities and Colleges.
- Nebraska nebraskalegislature.gov
 - [Legislative Bill 32](#) Exempts required and recommended college textbooks and workbooks from sales taxes, with a valid student ID. **Status:** Filed 1/4/07, referred to the Revenue Committee. Hearing, 2/23/07.
- New York assembly.state.ny.us
 - [Assembly Bill 355](#) Requires the State University of New York to form an academic review board to develop cost controls for sale of textbooks in campus bookstores, including: requiring publishers to justify new editions; sample copies provided to professors only on request; and price caps on reprinted editions. The same bill was introduced in 2005-06 as AB 4766. **Status:** Prefiled 12/21/06. Referred to Assembly Higher Education Committee, 1/3/07.
 - [Assembly Bill 1518](#) Requires institutions to provide all textbook retailers with the same booklist information upon request. The same bill was introduced in 1987 and reintroduced in 2005-06 as AB 3877. **Status:** Filed 1/9/07. Referred to Assembly Higher Education Committee.
 - [Assembly Bill 2350](#) Expands the sales tax exemption for required textbooks to include ones recommended by professors. The same bill was

- introduced in 2004 and reintroduced in 2005-06 as AB 1965. **Status:** Filed 1/16/07. Referred to Assembly Ways and Means Committee.
- [Assembly Bill 3377](#) Provides a deduction on state income tax for textbook purchases at New York private or public higher education institutions. Same bill was introduced in 2006 as AB 11494. **Status:** Filed 1/24/07. Referred to Assembly Ways and Means Committee.
 - [Senate Bill 3063](#) Requires textbook publishers to disclose wholesale prices on request. Mandates that textbooks must be sold in the same manner as ordered by faculty; if not available, the store must work with faculty and publishers to provide the closest substitute. Requires institutions to develop policies encouraging faculty to provide booklists with sufficient lead time to confirm availability. Prohibits employees from accepting compensation for adoptions; may still receive royalties, desk copies, and honoraria for academic peer reviews. **Status:** Filed 2/21/07, referred to Senate Committee on Higher Education.
 - [Assembly Bill 6367](#) provides an itemized tax deduction for required college course supplies, including textbooks and software. The Assembly Ways and Means Committee is already considering another bill (AB 3377) to allow a state income tax deduction specifically for college textbook purchases.
- Oregon www.leg.state.or.us
 - [Senate Bill 365](#) Requires publishers to provide "to a prospective purchaser of the publisher's products" a list of those products with wholesale prices and the length of time the publisher plans to keep them on the market. The list must be posted in a public area of the publisher's web site. Also requires publishers to sell individual bundle components. **Status:** Filed 1/15/07. Referred to the Senate Education and General Government Committee.
 - Tennessee www.legislature.state.tn.us
 - [House Bill 1257](#) and [Senate Bill 2076](#) (identical) Requires the University of Tennessee system and Tennessee board of regents to develop policies requiring: faculty to submit booklists in a timely manner to ensure available quantities and for posting online with ISBNs; faculty to consider the least costly options for course materials; campus bookstores to disclose retail pricing of books to faculty on a per-course basis; campus stores to sell bundled components individually; campus stores to promote buyback programs. Also, copies of textbooks must be made available to students at no charge through the academic department or library. **Status:** HB 1257 introduced 2/12/07. SB 2076 introduced 2/15/07. SB 2076 referred to Senate Committee on Education, 2/22/07.

- Texas www.capitol.state.tx.us
 - [Senate Bill 49](#) Exempts college textbooks from sales taxes when purchased between the second Friday of the month and the second following Sunday in August and January. Originally introduced in 2005 as SB 222. **Status:** Prefiled 11/13/06. Referred to the Senate Finance Committee.
 - [Senate Bill 114](#) Requires institutions to provide adoption information to other booksellers on request; allow booksellers to participate in programs related to course materials provisions, such as orientation. If there's space, allow other retailers access to campus credit programs. Originally introduced in 2005 as SB 1716. **Status:** Prefiled 11/14/06. Referred to Senate Subcommittee on Higher Education.
 - [House Bill 956](#) Prohibits faculty from requiring students to buy a book if it won't be used for class. Faculty must adopt books for at least three years, with limited exceptions. Faculty must explore using open-access course materials in lieu of purchased books. Schools must post booklists online with ISBNs within one week of the same information being provided to the bookstore. Requires schools to permit institutional credit arrangements for students to be extended to off-campus retailers. Provides numerous requirements for bundled course materials. Requires the Texas Building and Procurement Commission to negotiate bulk textbook pricing with publishers. Bans state employees from accepting inducements to adopt specific books. **Status:** Filed 1/30/07. Referred to House Committee on Higher Education.
 - [House Bill 960](#) Directs each higher education institution's governing board to develop policies requiring faculty to adopt textbooks for core curriculum for at least three years, unless there is "good cause" to switch to another book. **Status:** Filed 1/30/07. Referred to House Committee on Higher Education.
 - [House Bill 1729](#) Exempts sales of required textbooks if purchased by a full-time or part-time student. The books must be "written, designed, and produced for educational, instructional, or pedagogical purposes." **Status:** Filed 2/21/07. Referred to House Committee on Ways and Means.
 - [House Bill 2009](#) Requires institutions to grant off-campus booksellers, upon request, the same access to booklists, campus marketing opportunities (such as orientation and buyback), and student credit accounts that the campus bookstore has. **Status:** Filed 2/26/07.
 - [House Bill 2965](#) would limit the circumstances under which faculty could adopt new editions of textbooks for their courses. The bill prohibits professors from requiring or recommending editions less than three years old unless a newer edition is needed to provide adequate instruction or would cost students less than older editions. Faculty also could not require or recommend a specific edition for a class unless the information needed to update the edition could be made available as an insert.

- Washington www1.leg.wa.gov/legislature
 - [House Bill 1224](#) and [Senate Bill 5183](#) (identical) Amends a 2006 law that requires the boards of state and regional universities to develop policies on textbook bundling, promoting buyback, disclosing book costs to faculty, and encouraging faculty to consider price in selecting course materials. Places the same requirements on the community college districts. **Status:** SB 5183 introduced 1/12/07; referred to Senate Committee on Higher Education. HB 1224 introduced 1/15/07; referred to the House Committee on Higher Education. House committee recommended passage of HB 1224, 2/5/07. HB 1224 referred to House Rules Committee. Senate committee recommended passage of SB 5183, 2/1/07. SB 5183 passed Senate, 2/28/07. Both bills referred to the other house's higher Ed committee, 3/2/07.
 - [House Bill 1531](#) and [Senate Bill 5784](#) (identical) Waives sales taxes on course materials sold by bookstores "affiliated" with a higher education institution. Includes computer software and workbooks. **Status:** HB 1531 filed 1/22/07, referred to House Committee on Higher Education. Hearing on HB 1531, 2/5/07. SB 5784 filed 1/31/07, referred to Senate Committee on Higher Education. Hearing on SB 5784, 2/14/07. Senate committee recommended passage, 2/20/07. SB 5784 referred to Senate Ways and Means Committee.
 - [House Bill 2300](#) and [Senate Bill 6077](#) (identical) Requires publishers of college textbooks to inform faculty of the wholesale prices of textbooks and the history of their revisions. **Status:** Both bills introduced 2/19/07, referred to respective Committees on Higher Education. Hearing on SB 6077, 2/22/07. Senate committee recommended passage of SB 6077, 2/23/07. House committee recommended passage of HB 2300, 2/27/07.