What We Will Cover Today

- Two Key Issues – Location and Timing
- HEOA and State Policy
- Implementation,
- Next Steps

Illinois State University
Senator Dick Durbin (IL) in front of the bookstore at Illinois State University to discuss the textbook provisions of HEOA.
9/2/2008 • Normal, IL
Higher Education Act (HEA) and College Course Materials

- Approximately every six years, the Congress renews HEA, exploring ways to improve the law.
- Core theme of the new law is empowering consumers through “sunshine” and transparency in college costs information—including course materials.
HEOA Textbooks – General Provisions Sec. (133)(a)

- The purpose is to ensure that students have access to affordable course materials by decreasing costs to students and enhancing transparency with respect to the selection, purchase, sale, and use of course materials.

- To encourage all parties to work together to identify ways to decrease the cost of college textbooks while supporting the academic freedom of faculty.

HEOA Textbooks – Definitions sec (133)(b)

- Nine different terms are defined.

- Definitions are important in understanding provisions and what is required.

- Of particular note:
  - (3) Course Schedule
  - (6) Integrated Textbook
HEOA Textbook Provisions–Publishers sec (133)(c)

- Requires publishers to provide to the faculty and staff in writing (may be electronic):
  1) The price (net) to the campus bookstore and if available the price the publisher would charge the public (might mean a list or direct sale price).

  2) The copyright dates of the three previous editions.


  4) What alternative formats are available and the price to the campus bookstore and if available the price the publisher would charge the public.
HEOA Textbook Provisions– Publishers (133)(c)

- Requires publishers to offer unbundled textbooks and supplemental materials each separately priced, unless it is part of an integrated textbook.
HEOA Textbook Provisions—Publishers (133)(c)

- Integrated Textbook:
  - Bound by third party contract, or
  - combined with other materials that are so interrelated with the content of the college textbook that the separation of the college textbook from the other materials would render the college textbook unusable for its intended purpose.
  - Congressional intent: exemptions are not intended to restrict students' use of used textbooks and that bundles without third-party contract limitations should not be considered as integrated if an identical used textbook or used supplemental material is commonly available making the materials fully usable for its intended purpose.
HEOA Textbook Provisions – Institutions sec (133)(d)

- Requires institutions of higher education who receive federal funding to the “maximum extent practicable”:
  - Make accurate required and recommended textbook information “in a manner of its choosing”, including ISBN and retail price, available on its internet course schedule used for pre-registration and registration purposes.
  - May provide the book information through a link in the internet course schedule to another appropriate web site such as the bookstore (in conference report).
  - When ISBN is not available, the institution is to provide author, title, publisher, and copyright date.
  - If information is deemed by the institution as not practicable to provide, then indicate “to be determined” in lieu of the information.
HEOA Textbook Provisions – Institutions sec (133)(d)

- If applicable, include in a written course schedule an internet address to the location of the internet class schedule and the textbook information.

- Congressional intent: Institutions without a printed course schedule or an internet course schedule do not have to create one to comply with the law. It is implied, however, that textbook information should be available online for students.
HEOA Textbook Provisions – Institutions sec (133)(e)

- Requires institutions to make available to a college bookstore, that is operated by, or in a contractual relationship or otherwise affiliated with the institution, as soon as is practicable and upon request, the most accurate information available regarding the institution’s course schedule, class enrollment, class size, and adoption information.

- Encourages institutions to disseminate information to students on campus based initiatives to reduce costs such as used books, guaranteed buy-back, rental programs, alternative delivery (e-books, PoD, reserves, etc). sec (133)(f)

- Requires a new GAO study in 2013 to review the implementation of sec (133) by institutions, bookstores, and publishers, as well as the costs, and benefits to institutions and students of the textbook provisions. sec (133)(g)


- Establish an advisory commission and competitive grant program to make course materials more accessible for students with disabilities. Sec (771) through sec (778)
HEOA Textbook Provisions – Textbook Rental Pilot sec (803)

■ Purpose
Not more than 10 institutions of higher education to support pilot programs that expand the services of bookstores to provide the option for students to rent course materials in order to achieve savings for students.

■ Use of Funds-
(1) purchase of course materials;
(2) any equipment or software;
(3) hiring staff needed for the conduct of a rental program, with priority given to hiring enrolled undergraduate students; and
(4) building or acquiring extra storage space dedicated to course materials for rent.

■ Evaluation, Best Practices and Report

■ $10 million in Funding Possible in 2009
HEOA Textbook Issues: Location

- Does the book information have to be in or on the registrar’s web site or can it reside on another web site, such as our campus’ college bookstore?

  - The information can reside on another appropriate website such as the bookstore’s as long as the information is appropriately linked in the schedule, meets the requirements for information disclosure, and the information is presented in a user friendly manner for students.
Why link and keep the information on the store’s website?

- Ensures that the information is the most accurate and updated.
- Allows students to see the choices and retail price points the institution offers, which is the intent of the law—for example new, used, rental, stand alone, or e-book.
- Allows students to review more enhanced information that would not likely be available in a schedule—look inside book feature, table of contents, etc.
Why link and keep the information on the store’s website?

- Seamless process for students.
- Preserves identity of store as source of information and first purchase option consideration – helps preserves sales needed to support services.
- You are already on the road to compliance.
- Lower cost of implementation. Near turnkey solutions available from vendors that serve registrars and bookstores.
Example of class schedule with book information imbedded links

Students can access textbook information three ways: 1) when they register through the registration portal (REGLINK), 2) browsing the online course schedule as seen above; and 3) students may go directly to www.ccsfbookstore.com and compile a listing for all courses they are interested in.

Registrar, Bookstore and IT department involved. Supporting vendors: Banner by SunGuard and MBS.

Courtesy of Don Newton, City College of San Francisco Bookstore
Imbedded link takes student directly to the bookstore
HEOA Textbook Issues: Timing

- Is there a specific date that textbook and supplemental materials information are to be posted online?
  - There is not a specific date as Congress recognized that institutions of higher education operate under very different calendars. However, the intent of Congress is that this book information be made available as early as practicable and the law in describing a course schedule identifies the schedule as one used for pre-registration and registration purposes. There are different ways to interpret the reference to registration.
HEOA Textbook Issues: Timing

- Considerations:
  1. What are the time periods for pre-and regular registrations?
  2. When are faculty assigned classes?
  3. When are faculty turning in their adoptions and what percentage are meeting current deadlines?
  4. Has the book information been researched, validated, and designated for order by the bookstore? — making a certain level of confidence in the accuracy of the information
HEOA Textbook Issues: Timing

5. Have publishers disclosed accurate net prices and ISBN for the coming term?

6. What are the technical capabilities and staffing to handle processing and disseminating the information?

7. Is there any state law or statewide policy that governs the release of this information that should also be factored into this? and;

8. An emerging store issue: You posted early, but are you ready to sell?
HEOA Textbooks – Next Steps

- Begin the conversation about what these provisions require with your partners on campus – there are significant misperceptions.

- Ask questions and share information.

- Evaluate what you are currently doing and what more you need and can do.
HEOA Textbooks – Next Steps

- Document what your doing and what problems may occur for students and institutions.
- We need to hear from you so we can convey this information to Congress and other policymakers so they are aware of the progress being made and where problems exist.
- An opportunity and need to tell your story.
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