

UCF Faculty Senate

Budget and Administration Committee

Report on Proposed State Legislation Regarding Textbooks

Drafted at the meeting of 18 February 2015, approved by subsequent email.

The Budget and Administration committee of the UCF Faculty Senate raises the following concerns about the proposed legislation to regulate university textbooks and instructional materials:

1. It is rare for new editions of texts to be published more often than every three years. If changes to required texts are made more often than that, it is generally because the faculty member teaching the course, in his or her professional judgement, thinks it will increase the quality of education for our students. The proposed legislation would thus make it much more difficult to improve the quality of education at state universities.
2. Registration opens as much as 2.5 months ahead of the start of a semester and the university is seeking to increase this lead time to help students plan ahead. It would increase the cost of books if the legislature locks students into a purchase without fixing the price 4.5 months in advance of a course, especially if publishers can count on the book not changing for 3 years. They would just raise prices once they see a book on the list, especially for special editions made for UCF, as is common in general education classes.
3. Classes in development are often proposed and opened for registration later than the proposed textbook declaration deadline. They usually need to change or add materials each of the first several times they are taught. The proposed legislation would make such changes administratively difficult.
4. The bill would make changing the textbook in response to student complaints difficult, and would delay a change by at least a semester and perhaps several years.
5. The bill would pressure the university to open registration later, which would be a problem for students.
6. The bill's administrative burden is high and extremely expensive, e.g., to evaluate textbook changes for whether they are sufficiently different and necessary, to register all the educational resources used in every class to ensure that they do not change from one semester to the next, etc.
7. The state of the art in some fields, e.g., computing or genetics, changes faster than every three years.
8. Publishers control when old editions are discontinued, not professors or state legislatures. Legislating that we use a book for three years could create a problem if those books are simply unavailable. Most students do not sell their books.

9. For most textbooks, the cost of a copy is not just the incremental cost of printing and distribution, but an amortization of the high cost of creating and reviewing the manuscript, layout, and developing electronic materials, which are often extensive and in many cases reduce the cost to the university for graders because the electronic exercises are self-grading. Textbook printing runs are often as low as 5000 copies. The legislation attempts to reduce the number of new copies being sold by bolstering the used market. However, if the number of copies sold decreases, it would raise the price of new books because the development cost would be amortized over fewer copies. In the end, students would pay the same, on average, but get lower-quality, used books more of the time.
10. Faculty already have an obligation not to profit from the textbooks they choose, through the conflict-of-interest system. Faculty are on the same side as students.
11. Nearly all books in the College of Medicine are available as e-books, with access fees included in tuition, but 70% of students buy the print. This indicates that students are willing to pay for print editions for the convenience of the format.
12. Different professors use different approaches and emphases when teaching the same subjects. For example, for Modern European History, one professor might emphasize economics and politics, while another could emphasize social and cultural aspects, while both covered the same essential historical events. They would use different texts. Professors are encouraged to bring their own expertise to their subjects in this manner, and this is why the educational level at research universities is so high. If one professor taught the class in the Spring and the other in the Fall, they would have difficulty under the proposed legislation, because it would entail changing the texts every semester, which is more often than every 3 years, as proposed.
13. The definition of instructional materials as “educational materials for use with any course that may be available in printed or digital format” is so broad that it includes links to ephemeral web pages, handouts developed by the professor, etc. This means the professor would be forbidden from updating his or her own handouts more than every three years. One could not use online news items in a class for fear that the web pages would change or be taken down in less than three years.
14. The definition of instructional materials includes anything in printed form, which could be interpreted to include homework sets and exams. Thus, the legislation would require the very poor practice of giving the same exams and homework assignments every time a class is offered. Cheating would be rampant, and would damage the reputation of Florida’s state universities.

Therefore, it is the sense of the Committee that the Faculty Senate, through its Chair, encourage the UCF administration to oppose the proposed legislation. The Committee also encourages the Chair to approach the student body through the Student Government Association, to raise these concerns, and to suggest that they give feedback to the UCF administration.