

**Queensborough Community College
Committee on Academic Freedom**

TO: Faculty Executive Committee
FROM: Committee on Academic Freedom
SUBJECT: Department Selection of Textbooks

The Academic Freedom Committee met on January 26, 2010 to discuss the new laws regarding students' rights to information about and department selection of textbooks. These laws are major changes to the policies which have been in force previously. In fact, the New York state law already took effect on July 1, 2009, the Federal law to follow next July. This report to you has a two-fold purpose: first, to underscore the need to make sure that every department of the college is aware of these new laws and is implementing the changes to their policies regarding textbooks, and second, to emphasize that each department should codify their means of selecting textbooks for all of their faculty, including adjuncts. We envision problems with students' rights to textbook information in cases where teaching decisions are made, especially regarding adjuncts, immediately before the start of a class. We caution that the unilateral selection of textbooks by department chairs for adjuncts and other faculty may be regarded as violations of the academic freedom of said faculty: all the more reason for the codification of policy.

Federal textbook information policy is summarized by the following excerpt from an internet source for librarians (<http://dltj.org/article/textbook-disclosure-rules/>); the New York State Law overlaps considerably with the federal statutes. This summary of the relevant portion of the Higher Education Opportunity Act of 2008 (HEOA) is a concise guide, and is not meant as a full description of either the federal or state law. We encourage information about the new laws to be front and center in the business of all departments, especially where this is not already the case. Serious consequences to the College and University could result from laxity in their observation:

"The HEOA supports the academic freedom of faculty to select high quality course materials for their students while imposing several new provisions to ensure that students have timely access to affordable course materials at postsecondary institutions receiving Federal financial assistance. These provisions support that effort and include the following:

- When textbook publishers provide information on a college textbook or supplemental material to faculty in charge of selecting course materials at postsecondary institutions, that information must be in writing (including electronic communication) and must include
 - the price of the textbook;
 - the copyright dates of the three previous editions (if any);
 - a description of substantial content revisions;
 - whether the textbook is available in other formats and if so, the price to the institution and to the general public;
 - the separate prices of textbooks unbundled from supplemental material;
 - and

- to the maximum extent possible, the same information for custom textbooks.
- Unbundling of college textbooks from supplemental materials: a publisher that sells a college textbook and any supplemental material accompanying such college textbook as a single bundle shall also make available the college textbook and each supplemental material as separate and unbundled items, each separately priced.
- To the maximum extent practicable, an institution must include on its Internet course schedule for required and recommended textbooks and supplemental material
 - the International Standard Book Number (ISBN) and retail price;
 - if the ISBN is not available, the author, title, publisher, and copyright date; or
 - if such disclosure is not practicable, the designation "To Be Determined."

If applicable, the institution must include on its written course schedule a reference to the textbook information available on its Internet schedule and the Internet address for that schedule.

- A postsecondary institution must provide the following information to its college bookstores upon request by such college bookstore:
 - the institution's course schedule for the subsequent academic period; and
 - for each course or class offered, the information it must include on its Internet course schedule for required and recommended textbooks and supplemental material, the number of students enrolled, and the maximum student enrollment.
- Institutions disclosing the information they must include on their Internet course schedules for required and recommended textbooks and supplemental material are encouraged to provide information on
 - renting textbooks;
 - purchasing used textbooks;
 - textbook buy-back programs; and
 - alternative content delivery programs. "

Respectfully,

The Committee on Academic Freedom
Julian Stark, Chairperson