

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on March 24, 2008, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Carol Toland, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Matt Todd, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Senator Anthony Hensley
Stacy Skelly, Association of American Publishers, Inc.
Courtney L. George, Associated Student Government
President, Emporia State University
Matt Wagner, Student Body President, Kansas State
University

SB 678 – Colleges and universities; textbooks

Matt Todd, Revisor of Statutes Office, explained that **SB 678** relates to text book policies that would be required of post secondary educational institutions, and it has provisions similar to **SB 315**, which was referred to the Senate Education Committee during the 2007 Legislative Session. He went on to say that **SB 678** is a more detailed version of a House floor amendment to **SB 437**, which was currently in conference committee. He explained that the bill would require the CEO of each post secondary educational institution to implement policies, procedures, and guidelines that would require textbook publishers to provide certain information to faculties and institutions. Under the new guidelines, publishers would need to include any marketing materials provided to the faculty or staff. Publishers would also be required to provide for the institutions the retail prices of textbooks and the history of revisions of the textbooks, if any. In addition, the publisher would be required to provide the institutions with the retail price of each textbook that would be required or recommended for each course and the retail price of the last revision of such textbook. This pricing information would have to be provided 90 days prior to the date when the course begins. Additionally, the institution's guidelines would need to ensure that faculty and staff consider the least costly practices in assigning textbooks when educational content is comparable. Each institution would be required to make the price information available to students at the time of enrollment and also post that information on the institution's Web site.

Senator Schodorf called attention to informational written testimony on **SB 678** submitted by Sheila Frahm, Kansas Association of Community College Trustees. (Attachment 1)

Senator Anthony Hensley explained that, earlier in the session, he met with the President of the University of Kansas student body regarding the issue of textbook prices, and he promised the student that he would have a bill introduced to address the full disclosure of the cost of textbooks. Thus, **SB 678** was introduced. Senator Hensley said that he felt that, before professors at regents institutions choose what text book they will use in their class, it is important that they realize what alternatives are available to them, perhaps even a less expensive alternative. He informed the Committee that the language in **SB 678** was no longer his preference. Instead, he preferred the language regarding textbooks in a House floor amendment to **SB 437** by Representative Paul Davis. He distributed copies of the amended version of **SB 437** and called attention to Representative Davis' amendment on page 5, Section 8. He noted that the amendment provides that the Board of Regents, in collaboration with each public post secondary educational institution, shall implement policies, procedures, and guidelines to ensure that faculty and staff consider the least costly practices in assigning textbooks when educational content is comparable as determined by the faculty or staff. Such price information would be made available to students at the time of enrollment in such course. He commented that he felt that the Board of Regents should be the controlling authority rather than each institution. He went on to say that **SB 437** originally dealt with ROTC scholarships, and Senator Schodorf made a motion on March 20 to nonconcur with House amendments and place the bill in a conference committee. He explained that he requested a hearing on **SB 678** in order to make the Senate Education Committee aware of the

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on March 24, 2008, in Room 123-S of the Capitol.

textbook issue. He suggested that perhaps the conference committee on **SB 437** could address the amendment concerning textbooks. He informed the Committee that Illinois and Washington state have passed laws very similar to **SB 678**.

Senator Allen discussed the requirement that the price of the textbook be posted at the time of enrollment. She noted that testimony submitted indicated that this requirement would present challenges for the faculty.

Stacy Skelly, Association of American Publishers, Inc., testified in opposition to **SB 678**. She outlined the Association of American Publishers' concerns about the provisions in the bill as follows:

- The new requirements would drive up prices and slow the delivery of information.
- Unnecessary costs would be added by requiring publishers to provide the same price and product information in a written format, even when that information has already been provided.
- Requiring publishers to provide a full history of any and all revisions is impractical, expensive, and would serve only to add costs.

She noted that there are more than 4,500 textbook publishers, that publishers' practices vary, and publishers actively compete over the best way to provide information. In her opinion, attempts to regulate how this information is delivered might actually decrease competition. Additionally, she pointed out that another key issue is the range of product and price choices that would be impacted by the bill. She clarified that there is no one publisher or textbook that dominates any course sector, and the faculty members make their own decisions without being influenced by publishers. ([Attachment 2](#))

Courtney George, Associated Student Government President, Emporia State University, testified in opposition to **SB 678**. She encouraged the Committee to delay discussion of the bill until such time as all higher education institutions have had a chance to carefully review the bill. Instead of the passage of **SB 678**, she proposed a recommendation to the Board of Regents that each institution submit their current policies regarding textbooks to the Board. ([Attachment 3](#))

Matt Wagner, K-State Student Body President, testified in opposition to **SB 678**. At the outset, he distributed copies of a K-State textbook proposal prepared by a task force in December 2005. ([Attachment 4](#)) He pointed out that the textbook proposal was a collaborative effort between faculty, students, and administration. He expressed his concern that **SB 678** would be more detrimental to the collaboration than allowing each institution to govern their own policies. Because there is a variation in university policies, he felt that a "one size fits all" across the state would not benefit K-State or its students in the best possible manner. He went on to say that he was also concerned about the House amendment to **SB 437**. He suggested that perhaps the Board should oversee the policies or hear about the policies that are taking place on each of the campuses rather than making a policy covering six institutions. In this regard, he said that K-State works on a fair governance model between administration, faculty, and students. Thus, everyone has a voice at the Board of Regents' monthly meeting.

Written testimony in opposition to **SB 678** was submitted by Allie E. Crouse, Student Body President at Wichita State University ([Attachment 5](#)) and Chelsey Gillogly, Student Body President at Fort Hays State University ([Attachment 6](#)).

Chris Worthington, Manager of the Johnson County Community College Bookstore, submitted written testimony in which he stated that, while he supported the spirit of **SB 678**, he had some concerns relating to publisher disclosure and timing. ([Attachment 7](#))

Reginald L. Robinson, President and CEO, Kansas Board of Regents, submitted written testimony regarding **SB 678** and the textbook amendment to **SB 437**. He noted that price of textbooks is not an issue that the Board has been asked to address and that the Board would be happy to review the amendment to **SB 437** over the interim. In his opinion, this is an issue that would be best addressed through Board policy and consideration rather than through statutory language. ([Attachment 8](#))

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on March 24, 2008, in Room 123-S of the Capitol.

Senator Schodorf observed that the Committee had testimony from Emporia State, K-State, Wichita State, and Fort Hays State; however, a representative from the University of Kansas, the college which brought the textbook issue to the Legislature, did not appear at the hearing or submit written testimony.

There being no others wishing to testify, the hearing on **SB 678** was closed.

Senator Schodorf called the Committee's attention to the minutes of the March 13, 18, and 19 meetings.

Senator Vratil moved to approve the minutes of the March 13, 18, and 19 meetings, seconded by Senator Lee. The motion carried.

Senator Schodorf announced that the Committee will work two previously heard bills, **SB 620** and **SB 646**, at the next meeting. In addition, at the request of the Board of Regents, the provisions in the following bills not in the Senate Education Committee will be discussed: **SB 403** (partnership for faculty of distinction program), **SB 415** (deferred maintenance for post secondary educational institutions), and **HB 2611** (staff benefits clarification).

Theresa Kiernan, Revisor of Statutes Office, reminded the Committee that **SB 620** would create a new state aid which would replace the money that is lost from the Medicaid state aid. As drafted, the bill addresses pupils who are eligible for Medicaid and pupils who are actually receiving Medicaid, and it is subject to appropriation. The fiscal note is \$23 million.

Ms. Kiernan said that **SB 646** provides that, beginning in school year 2008-09 and school years thereafter, increased amounts appropriated for special education and related services would first be distributed to those school districts which did not receive 92 percent of the excess costs in the prior school year. The balance after catching those districts up would be distributed on a per teacher basis.

The meeting was adjourned at 2:25 p.m.

The next meeting is scheduled for March 25, 2008.

**SENATE EDUCATION COMMITTEE
GUEST LIST**

DATE: March 24, 2008

NAME	REPRESENTING
Stacy Skelly	Association of Am. Publishers
Bill Brady	" " "
Courtney George	Emporia State University
Matt Wagner	Kansas State University
Kip Peterson	KBOR
Katy Damm	KU
Nate Michel	Hein Law Firm
Collie Coca	Hearney & Associates Inc.
Dustin Meyer	Pinger, Smith & Assoc.
TERRY FORSETH	KWEA
Val McFerson	SQE
Lot Meaf	LITTLE GOV REWARDS
Jenni Rose	KCSL
David J. Monical	Washburn University
Dill Carter	Johnson County Community College
Sheila Frahm	KACCT
LARRY BRUB	KACCT
Mark Tallman	KASTE
Doug Meyer	Topeka Public Schools



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MEMO

TO: Senate Education Committee

From: Sheila Frahm, Executive Director

Date: March 25, 2008

RE: SB 678

Senator Jean Schodorf, Chair and members of the committee:

Thank you for the opportunity to provide reflections on SB 678. The Kansas Community Colleges do everything they can to provide an EFFECTIVE, ACCESSIBLE and AFFORDABLE education for Kansas students. The consideration of housing, tuition, fees and textbook/instructional materials always has been an important part of each final decision regarding the cost of our students' educational opportunity.

The introduction of SB 678 and the resulting discussions, will continue to serve as a good reminder for our community college leadership: the locally elected Trustees, administration and classroom faculty.

The timing (90 days prior to the beginning of each class) suggested in SB 678 would be very difficult to meet; however, the issue is an important one and I know will be reviewed on each campus for individual classes. It will always be an important balance between providing a cost effective, but still excellent educational opportunity.

*Senate Education Committee
3-24-08
Attachment 1*



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**TESTIMONY ON BEHALF OF
THE ASSOCIATION OF AMERICAN PUBLISHERS**

**Before the Kansas Senate Education Committee
On Senate Bill 678**

**By Stacy Skelly
Director for Higher Education**

March 24, 2008

**TESTIMONY ON BEHALF OF
THE ASSOCIATION OF AMERICAN PUBLISHERS**

**By Stacy Skelly
Director for Higher Education**

March 24, 2008

Good afternoon, Madame Chair and members of the Committee. My name is Stacy Skelly. I am the director for higher education at the Association of American Publishers.

I'd like to begin today by thanking you for this opportunity to discuss Senate Bill 678, as it relates to the complexities and costs facing post-secondary education in general and students, specifically. The challenges are many and the easy answers are few, very few.

The issue before this panel – student spending on textbooks – is not a new one. Nor have student concerns fallen on deaf ears. I regret to say, however, that in recent years the textbook debate has often been marked more by advocacy and spin than by informed and clear-headed analysis. Everyone is searching for a silver bullet. The problem is there is no silver bullet and simply focusing on price is not an effective policy. Therefore, the Association of American Publishers must urge you to oppose the passage of SB 678, which would likely raise the price that students pay for their course materials.

As you review this legislation, I would suggest consideration be given to the following issue areas:

- Need – What course materials best meet the needs of our increasingly diverse and under-prepared student body, providing them with the best opportunity to succeed in their courses, stay in school, graduate and become competitive in today's global economy?
- Choice – What price and product options are available to faculty and to students?
- The role of faculty – How and why do faculty adopt the materials used in their classrooms?
- Transparency – How easily can faculty, students and the public find information on prices, content and options?

Regarding Senate Bill 678, specifically, the Association of American Publishers' concerns are the following:

- The new requirements would drive up prices and slow the delivery of information by mandating how publishers provide price and product data.
- Requirements will add unnecessary costs and raise student spending on textbooks by requiring publishers to provide the same price and product information in a written format during each and every interaction with faculties, even when that information has already been provided.
- Requiring publishers to provide a full history of any and all revisions is impractical, expensive, and would serve only to add costs.

Let me start with transparency first, as that is the core of the issue before us today. As a representative of college textbook publishers, I can honestly say that transparency – the ability of faculty, students and the public to quickly obtain details about course material prices and options – is a top priority for publishers. The Association of American Publishers (AAP) is fully supportive of transparency in price and product information -- including digital and print options – for course materials for the Higher Education market.

Transparency is good for everyone and is critical to publishers' ability to market their products. AAP's members interact constantly with faculty and students, and compete aggressively with each other and with other traditional and non-traditional publishers to develop materials that will best serve the diverse educational needs of students at affordable prices and with the greatest value.

The good news is that the Internet has made it possible for anyone to go online, enter the ISBN of a textbook into a search engine like Google and, in less than a second, get prices and product information from publishers and dozens to hundreds of independent booksellers. Access to ISBNs enables every student to be a well-informed shopper.

Yet, while the intent of Senate Bill 678 is to increase transparency, the bill actually raises some concerns because it would have unintended and negative consequences.

SB 678 seeks to create policies, procedures and guidelines at the institutional level that would then force specific requirements onto publishers. Implementing these requirements would only serve to drive up prices and slow the delivery of information.

As I briefly stated earlier, publishers already provide product and price information to faculty members, students and the public through their representatives and Web sites. But, the regulations in this bill would mandate *how* this information is provided, specifically with any marketing materials, requiring publishers to change their business methods, and in turn, raising prices for students.

Publishers are far from being "one thing." In fact, there are more than 4,500 textbook publishers ranging in size from multi-national corporations to faculty who self-publish a single book. Publishers' practices vary and they actively compete over the best way to provide information. Attempts to regulate how this information is delivered might actually decrease competition. For example, some publishers provide a suggested retail price, while others provide wholesale prices. This is a business decision that is based on their ability to compete in the marketplace.

Another key issue is the range of product and price choices that would be impacted by this legislation. There are more choices today than ever before; more than 262,000 textbook titles are on sale in the college bookstores across America. That number does not include e-books, custom course materials or all of the supplemental instructional and learning materials that more than 4,500 publishers are providing to faculties and students.

If you look at just two courses, introductory psychology and introductory algebra, you will find that bookstores currently have more than 425 printed titles on their shelves at retail costs ranging from \$23.50 to \$127.

In addition to the traditional textbook the available options now include e-books that are sold for about one-half the price of a printed text and textbooks online by the chapter. All of the major college publishers are also selling custom course materials, enabling instructors to determine exact content, the mix and method of delivery – whether printed, digital, multimedia or interactive – and to make determinations of the cost to students. The point is that there is no one publisher or textbook that dominates any course sector and the faculty can and do make their own decisions.

As an aside, let me also address the charge that publishers can somehow force faculty into choosing course materials. Nothing could be further from the truth. Competing publishers provide faculty with free review samples of textbooks; publishers' representatives are always available to answer faculty questions; and every major publisher has a website with a plethora of information on their products and prices. Also, if the faculty do not like the materials offered by publishers they have the option of writing their own text, creating course packs or using free, online materials.

The difference in the array of choices available to faculty and the choices available to students have created something of a disconnect. Students may choose their school, their major and, in most cases, their instructor, but their choices for course materials are more limited. The good and getting better news for students is the ever-increasing range of places and ways to shop. The Internet, in particular, has had a profound effect on how students buy their course materials. According to the National Association of College Stores, almost a quarter of all course materials are now bought online. There are, literally, hundreds of online booksellers competing for students' business.

Another area that should be examined is the role of faculty in the decision-making process. Faculties are among the best-educated consumers in the world. They are the educational professionals we entrust with our students. A nationwide survey by Zogby International found that 73 percent of faculty members said that price is important to them. However, by a margin of 17 to 1, these same faculty said they placed greater importance on the effectiveness of a learning tool than on its price.

In testimony before a legislative hearing in Connecticut, Dr. David Walsh of Western Connecticut State University put it this way: "I think it has to be recognized that faculty members have a responsibility and that responsibility is to provide students in their courses with what they paid for – and that is learning. Textbooks should be chosen on the basis of three criteria: their substantive quality; their usefulness in engaging students in a discipline; and their value in providing tutorial, remedial, or supplementary learning opportunities for students. Price should certainly be considered but as a secondary or tertiary factor."

Faculties also told Zogby they believe the majority of all entering freshmen are not ready for college-studies. Faculty at two-year schools believed 75 percent of incoming students to be unprepared. More than three in four professors said that supplemental materials “clearly enhance most students’ learning,” and two in three said that supplemental materials can help retain students who might otherwise fail to complete courses or drop out of school.

The bottom line is that when selecting course materials, frequently there are dozens, maybe even hundreds, of discussions between faculty and publishers before a textbook is chosen. As written, the bill would require publishers to provide the same price and product information in a written format at each and every interaction, even when that information has already been provided.

Publishers should not be asked to provide all price and product information in printed form, especially when that information is available online. Additionally, requiring a full history of any and all revisions, such as commas, page numbers, and color changes made to printed or digital texts, and software modifications made to educational technology components is both impractical and expensive. The gathering and reporting all of the changes made to a textbook that has been in print for an extended period of time, for example Samuelson’s “Economics” that was first published in 1948 and is now in its 18th edition, would place an unreasonable and unworkable burden on publishers without providing a benefit to faculty members or students.

The cost of printing and reprinting all of the information would be slow, burdensome, cost prohibitive and actually impede the distribution of information. The unfortunate result would be that these new costs would be passed along to students.

Again, publishers are willing to help faculty make informed course material decisions, but attempts to mandate how, when and where the information will be provided does not help faculty or students.

Finally, and probably most importantly, this panel should consider the needs of students and faculty. Every segment of the academy is aware of the dramatic reductions in the rate of state subsidies for postsecondary institutions. Nationwide, schools have been forced to reduce their per pupil instructional costs by increasing class sizes, reducing classroom support staff, and employing more part-time faculty.

These cuts, coupled with the increasing diversity of our students and the number of incoming freshmen who are unprepared for college-level work, have had a profound impact on our campuses.

According to ACT, only 23 percent of entering freshmen are college-ready in math, science, English and reading, and, according to The College Board, only 56 percent of students will graduate in four to six years after entering college.

As pressures have increased, colleges have turned to publishers to help ensure students are getting the education they are paying for. And, as the GAO has noted, publishers have responded by investing in, producing, and providing more textbooks, learning tools, class management systems, and faculty services.

Publishers are true partners with faculty in ensuring student success, despite these challenges. For example, a tenured math professor, who was a recent participant in a campus textbook taskforce, explained how the size of his calculus class had been increased from 40 to 150 students, a 350 percent increase. And, to cut costs, his support staff had been taken away.

The professor responded to this challenge by adopting course materials that included a highly illustrated printed text combined with publisher-produced online graded homework and online e-tutor. The online homework enabled his students to complete mathematics problems and get immediate feedback on their work. If they needed assistance they could immediately go to the e-tutor and spend as much time as needed to work their way through concepts and applications.

A report on each student's grade and an analysis of the overall strengths and weaknesses of the entire class was automatically sent to the professor's computer. With that knowledge the instructor was able to shape his classes to best meet his students' needs.

The question here is whether it was sound policy for the professor to require students to buy the more expensive textbook bundled with learning technologies, thereby increasing their chance of succeeding in the class, or to opt for a lower-priced text and risk higher failure rates?

This is just one example of how approaches to education and the kinds of course materials employed in classrooms have and are undergoing dramatic change. Textbooks are moving from the traditional paper, ink and cardboard to digital and multimedia materials that are more in tune with students' needs.

Publishers have accelerated their research efforts to gain a better understanding of student workflows so they can adjust course materials to different learning styles and learning capabilities.

Each of these new and changing options offers opportunities for students to lower their spending. For example, e-books generally cost about one-half as much as printed textbooks. And, six of the major college textbook publishers recently launched CourseSmart.com, the largest online retailer of e-books, which can be purchased online by students. Currently, more than 3,000 e-book titles are available and this number is rapidly expanding.

E-books, like rental programs, offer students substantial up-front savings. In most cases, e-book content is rented for a specified period of time and is not to be resold by the renter.

However, e-books have numerous advantages over textbook rentals. There is no large upfront capital requirement to acquire e-books. There is no cost for warehousing, inventorying or redistribution for e-books. There is no need to get several faculty or departments to agree on a single textbook; each faculty can choose their own materials. With e-books, faculty can change materials as they choose instead of being required to use the same textbooks for multiple semesters or years. And e-books are fully integrated with instructor and student supplements.

Custom textbooks are also an increasingly popular choice among faculties and students. A custom text enables faculty to choose exactly those materials – chapters from one or more textbooks, their own papers and lecture notes, white papers, independent data and research, for example – they wish to use in their class. Studies show that students like custom books because they generally cost less and are used extensively in their course, providing a good return on investment. And, as long as a professor continues to use a custom book it can be resold on that campus.

Those are just two examples of publishers' efforts to address students' concerns about textbook costs, while maintaining the highest level of quality content. Publishers will continue to work with all stakeholders to bring about innovative change.

Thank you again for the opportunity to participate today. In summary, I encourage you to look to the future – not the past – as you develop your recommendations to better ensure delivery of 21st century educational materials and methods that will improve student success and relieve economic pressure on students, wherever possible.

March 24, 2008

The Honorable Jean Kurtis Schodorf
Chair of the Senate Education Committee

Dear Senator Schodorf,

Good afternoon, Madame Chair and members of the Committee. My name is Courtney George and I am the Student Body President at Emporia State University. I also chair the Students' Advisory Committee to the Kansas Board of Regents, which is comprised of the six student body presidents from the state universities.

Our group meets monthly to discuss issues of concern to students in higher education. When SAC deems it necessary, we have the ability to recommend policy changes to the Board of Regents. Though we are all concerned about the rising costs of a higher education – including textbook costs – no formal action has been taken on this issue by the Students' Advisory Committee regarding SB 678 or otherwise.

We would, rather, encourage you to delay discussion of this bill until such time that all institutions of higher education have a chance to carefully review and either support or oppose this legislation.

Though there is one university in support for the passage of SB 678, I ask that you keep in mind the students attending other institutions in the State of Kansas and that all of us will be greatly affected. What I would propose instead of passage of SB 678 would be a recommendation to the Board of Regents for each institution to submit to the Board their current policies in place regarding textbooks.

Thank you for the opportunity to present our view on SB 678 and the Students' Advisory Committee would be happy to assist you or provide further information regarding this bill and other legislation in the future.

Respectfully Yours,



Courtney L. George,
Chair, Students' Advisory Committee to the Kansas Board of Regents
Associated Student Government President, Emporia State University

Senate Education Committee
3-24-08
Attachment 3

TEXTBOOK PROPOSAL

(Including Proposed Lower-Level Course Textbook Buy-Back Model)

December 12, 2005

Questions about this proposal should be directed to:

Michael Burns, Student Body President
532-6541, mburns@k-state.edu

Dr. Tom Herald, Faculty Senate President
532-1221, theald@k-state.edu

Task Force Discussion Group Members:

K-State Administration: Pat Bosco, Ruth Dyer

K-State Student Union: Bernard Pitts, Anthony Carter, Nacole Boan, Mary Fox

K-State Faculty Senate: Dr. Tom Herald, Roger Adams

K-State Student Government: Michael Burns, Tyson Moore, Emily Besler, Jason Topp

Varney's: Jeff Levin, Steve Levin, Dan Walter

*Senate Education Committee
3-24-08
Attachment 4*

NATURE OF THE ISSUE

Books are expensive, especially new textbooks. The cost of textbooks unceasingly rise with no end in sight. These high textbook costs add to the challenges of financing higher education. Every semester students and families continually dig deeper into their pockets to purchase high cost textbooks.

During the Fall 2005 semester Student Government leaders received an overwhelming response from students expressing their concern with the rising textbook cost that seem to be escalating out of control. Additionally, students voiced their opinion regarding the return policy being enforced by Varney's and the K-State Student Union Bookstore. The major Issues raised by students concerning textbooks and textbook purchases related to customized books, bundled textbook packets, continually changing required textbooks, updated edition of a certain textbook, not placing orders in on time, or changing the textbook after the first day.

The apparent higher cost of textbooks offered through Varney's and the issues stated above have encouraged students to explore other avenues of purchasing textbooks. Many students are resorting to online providers such as amazon.com to purchase their books each semester. Using an online provider creates difficulties in not only purchasing the right textbook, but also having the right edition and corresponding materials such as CDs or other supplemental materials.

The rising cost of textbooks is not an issue exclusive to Kansas State. This is a national issue facing every student at all universities. The voice of the students and parents regarding the rising cost of textbooks is even catching the attention of the U.S. Congress.

Professors, administration, students, and bookstore officials are all in agreement that students are paying too much for textbooks. Nationally little is being done to combat the issue of raising textbook costs. So individual campuses are left alone to find innovative ways to provide their students with more reasonably priced books.

TASK FORCE

A task force composed of a breadth of representation from across campus met with the charge to address and discuss the rising costs of textbooks at Kansas State. The goal of the task force was to determine if there are solutions that may be readily implemented to relieve the financial burden associated with textbook cost. The task force was comprised of individuals from Administration, the K-State Student Union, Faculty Senate, Student Government, and Varney's.

During the meeting a number of issues were raised by all parties which were believed to contribute to the high price and quality of books. The issues include:

- Differentiating between books that are required versus recommended for class;
- Instructors that change their book order after the first day of classes each semester;
- The amount of books that are ordered each semester that are customized to fit a specific class at K-State (including textbook bundles, books with resource CD's, books with tear-out worksheets, etc);
- The large number of book orders placed late (after semester buy-back);
- The limited usage of books for multiple semesters i.e. instructor will use a book for only one semester and consequently change to a different book or a new edition of the same book for the following semester.
- Varney's enforcement of the return policy.

During the meeting representatives from Varney's were asked to share the challenges they are experiencing with returns and faculty participation with on time book orders at K-State. Additionally, the task force inquired into possible ways to assist in reducing textbook costs to our students.

Facts that Varney's shared related to book orders were:

- Approximately 30% of book orders are submitted on time and 60% are ordered before the buy-back deadline;
- Ten percent of all book orders are custom;
- Ten percent of books ordered will be incorrect;
- Dozens of professors change textbooks after the first day of class;
- Over 50 book orders were changed during the summer prior to the Fall 2005 semester;
- During the Fall 2005 semester approximately 12 professors changed their class textbook from required to recommended; and
- Every department has a faculty staff liaison that works with all bookstores on ordering textbooks.

Most of Varney's comments centered around the concept of trying to provide a lower net cost to students by promoting a higher buy-back cycle. This scenario assumes that the (1) the student purchases a new textbook from Varney's (2) after completing the semester the student will sell back their book to Varney's (3) Prior to the following semester, Varney's subsequently resells the used textbook at a price less than the semester prior but more than the buy-back price to another student taking the same course.

The challenges that Varney's faces in creating a higher buy-back cycle are (1) the limited usage, (2) requests for newer editions of textbooks, (3) changing textbooks, (4) bundling of number of books, and /or (5) the inability to buy-back books from students because next semester textbook orders for that class has not been turned in before the deadline.

PROPOSAL

The task force proposes that the following steps be taken in an effort to minimize the rising costs of textbooks.

1. Initiate a Pilot Program to Increase "Buy-Back Cycle"—*The goal of this step is to promote a higher buy-back cycle, which in turn is believed to provide students with a lower net cost for textbooks. This pilot program will allow a group to study data over a period of time to see if an increased buy-back cycle does indeed lower the net cost of books.*

A. What is the buy-back cycle and how does it work?

- The buy-back cycle occurs when students purchase a new textbook that is required to complete course work. After the semester is over the student is able to sell the books back to the bookstore or to another student at a higher buy-back price, because the book will be used again during the next semester. This process allows for a lower net cost of the book and allows students to buy the textbook for the next semester at a cheaper price because it is a used again.
- If the bookstore or student is not aware what textbook is required for the following semester a lower buy-back price is offered to students. The textbook is then sold to wholesalers who are not willing to offer as much money for used books.
- Student pay a lower net cost in the end through buy-back cycles, because they are purchasing the book at a high cost, but in the end are selling it back to the bookstore or to another student at a high return rate because it will be used again.
- For example, let's say a required textbook is sold new at the beginning of the semester for \$100.
 - If the bookstore or another student is aware that it will be used again during the next semester, they could offer as a buy-back price of up to 50% of the original price, which in this case would be \$50. **The net cost of the textbook is \$50.**
 - If the bookstore is not aware that the book will be used again during the next semester, they will offer only a buy-back price of approximately 0 to 25% of the original price, which in this case, at best, would be \$25. **The net cost of the textbook for this scenario is \$75.**

being done in the local bookstores to minimize the cost of textbooks, and steps they can take in an effort to minimize prices.

A. The "Did You Know" campaign should include:

- 1) Individualized letters informing faculty members about the price of the textbooks for their classes;
- 2) Identifying the reasons for high book prices, what causes high prices and steps that individual professors can take to minimize these costs. The campaign will address high book costs due to continually using updated editions, custom books specialized for a particular K-State Course, requiring a textbook where only one chapter is utilized during the semester, requiring textbooks with tear-out worksheets, and requiring textbooks with supplemental materials such as CD's;
- 3) Stressing the importance of turning in textbook orders on time. This gesture will provide a higher end-of-semester payback to students;
- 4) Promoting the buy-back model to be utilized in their respective course.

B. The "Did You Know" campaign could be communicated in the following ways:

- 1) Individualized letter with supplemental information;
- 2) Best practices presentation for those who request it highlighting the top 10 professors and departments being the most proactive;
- 3) Better communication with college deans, department heads, and department faculty staff liaisons, so they can assist in providing information to professors and ensuring book orders are placed on time.

4. Did You Know Campaign for Students—*This step will be an effort to educate students about textbooks, why the prices are so high, where the money goes, and what is being done to reduce the prices.*

A. The "Did You Know" campaign should include:

- 1) Industry statistics about where the money goes for each dollar spent on textbooks;
- 2) Promoting the buy-back cycle of textbooks in lower level courses and why this program will save students money;
- 3) Informing students about the difference between required and recommended course textbooks;
- 4) The benefits of using a university bookstore (*100% refund if the course textbook is changed after the first day of class, is the wrong textbook, if the class is dropped, or the book is no longer required for the task*);
- 5) What the bookstore supports on campus (*university scholarships, K-State Student Union budget, constant donations to different university affiliated activities, etc.*)

5. The Textbook Taskforce – will continue to meet to discuss progress with “Did you know” campaigns, additional marketing to faculty and students, and further research into textbook policy.

The committee recognizes that these steps will be a continual process or will require studying the situation over a number of years to see if they are effective. The committee also understands that these steps are not the only ways to be proactive in providing reasonable textbooks costs. Any and all steps that are being made by individual departments is greatly appreciated.

1 **RESOLUTION 06/07/38**

**SUPPORT FOR AN ONLINE
TEXTBOOK LISTING AND
TEXTBOOK INFORMATION
AWARENESS CAMPAIGN**

2
3
4
5
6 **BY:** University Relations Committee

7
8 **WHEREAS,** The cost of textbooks is a burden that students across the nation are facing,
9 including students at Kansas State University. According to a report from
10 Government Accounting Office released in July 2005, "in the last two decades,
11 college textbook prices have increased at twice the rate of inflation";

12
13 **WHEREAS,** K-State Students have voiced a concern for greater accessibility to textbook
14 information and desire for alternative purchasing options;

15
16 **WHEREAS,** Varney's Book Store and university administration have responded to this call for
17 action by agreeing to the creation of an online textbook listing produced by
18 Varney's for the students of K-State;

19
20 **WHEREAS,** To access the online system students will sign into K-State's portal, located on the
21 K-State homepage, which will then direct them to Varney's Web site where their
22 textbook information will correspond to course reference numbers entered; and

23
24 **WHEREAS,** The University Relations Committee has created a textbook awareness campaign
25 targeting both students and faculty to focus on the pros and cons of purchasing
26 textbooks online and the importance of meeting the textbook ordering deadline,
27 respectively.

28
29 **BE IT RESOLVED THAT:**

30
31 **SECTION 1.** The Kansas State University Student Governing Association supports an online
32 textbook listing and the textbook information awareness campaign.

33
34 **SECTION 2.** The University Relations Committee shall continue to be a liaison between the
35 students, faculty, administration and Varney's Book Store through the
36 development of the online site and the awareness campaign.

37
38 **SECTION 3.** Upon passage, a copy of this resolution shall be sent to K-State President Jon
39 Wefald, Provost Duane Nellis, Vice President for Institutional Advancement Bob
40 Krause, Vice President for Administration and Finance Tom Rawson, Dean of
41 Student Life Pat Bosco, Faculty Senate President Roger Adams, Manager of the
42 K-State Student Union Bookstore Steve Levin, Manager of Varney's Book Store
43 in Aggieville Jeff Levin, Owner of Varney's Book Store Jon Levin, Director of
44 the K-State Student Union Bernard Pitts, President of the Union Governing Board
45 Mary Fox and Kansas State Collegian.

46
47 **THIS RESOLUTION PASSED STUDENT SENATE ON MARCH 8, 2007**
48 **BY A ROLL CALL VOTE OF 42-4-3**



Matt Wagner
Student Body President
Office of Student Activities
and Services

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809 K-State Student Union
Manhattan, KS 66506-2800
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March 24, 2008

The Honorable Jean Kurtis Schodorf
Chair of the Senate Education Committee

Dear Senator Schodorf,

Although rising textbook costs are a concern of any student pursuing higher education, it is the feeling of the students of Wichita State University that a state law is not necessary at this time. It is my understanding that SB678 will be discussed today, and I feel it is my duty to inform you that while the Wichita State University community is grateful for your service and your concern pertaining to this issue, we believe that a state policy would be inefficient and ineffective.

Every Regents Institution has its own campus culture and student population. For this reason, I strongly encourage yourself and your committee to continue to allow the individual institutions to work with their campus bookstores to establish a textbook pricing procedure that is most conducive to their campus.

Thank you for your time and your continued efforts to improve the quality of education in the state of Kansas.

--

In Shocker Spirit,

Allie E. Crouse

Student Body President
Wichita State University SGA
Rhatigan Student Center 202
office: 316-978-7060 | cell: 316-641-1935
aecrouse@wichita.edu

Senate Education Committee
3-24-08
Attachment 5



FORT HAYS STATE
UNIVERSITY



March 24, 2008

The Honorable Jean Kurtis Schodorf
Chair of the Senate Education Committee

Dear Senator Schodorf,

My name is Chelsey Gillogly, and I am the Student Body President of Fort Hays State University. This is my testimony in opposition to Senate Bill 678 that is presented before you today. First I would like to state that all of the six Regents institutions are sincerely grateful for the support you have provided us over the years. We realize that your time is precious and your constituent base is large, therefore we appreciate all that you do on our behalf. With the cost of attending post-secondary institutions on the rise, students are constantly looking for ways to save money. While many provisions of this bill assist with keeping costs low for students by calling for a better collaboration amongst students and the institutions, I do not feel it is the legislature's responsibility to set and regulate this policy for the six Regents institutions.

The Kansas Board of Regents was instated to serve as the governing body of the six state universities as well as supervise and coordinate the 19 community colleges, five technical colleges, six technical schools and a municipal university. During my presidency, I have seen the Board exercise their power by instating numerous policies by which each institution is to adhere to. I strongly assert that it is the responsibility of the Kansas Board of Regents to clarify and oversee that each institution has a policy in place regarding textbook distribution.

Senators, today I ask you to please oppose this bill and ask your colleagues who serve on the Board of Regents to investigate each institution's policy.

Sincerely,

Chelsey Gillogly
Student Body President

STUDENT GOVERNMENT ASSOCIATION
MEMORIAL UNION • 600 PARK STREET • HAYS, KS 67601-4099 • (785) 628-5311

Senate Education Committee
3-24-08
Attachment 6

OFFICE OF THE PRESIDENT



Johnson County Community College
12345 College Blvd.
Overland Park, Kansas 66210-1299
913-469-8500 www.jccc.edu

Written Statement to the Senate Committee on Education

Senator Jean Schodorf, Committee Chair

By Chris Worthington, Manager, JCCC Bookstore

While we at Johnson County Community College support the spirit of the Senate Bill 678 and are very appreciative of the work invested in this issue to benefit our students, we have concerns about potential challenges the current wording may present related to the course material adoption process. This process includes the timelines that guide faculty adoption review and decisions, procurement cycle, enrollment and publication deadlines; not to mention the need for clarification of terminology related to textbook editions, revisions, and pricing.

Additionally, there are two significant issues related to publisher disclosure and timing that need to be given serious consideration. First, the publishers need to disclose the wholesale cost to the institutions. It is important to note that the final retail pricing is ultimately determined by the institutions. And second, the timing of posting information to students at enrollment presents coordination challenges for faculty and academic departments, enrollment managers, procurement agents, and course catalogue authors. For the spirit of the legislation to be effectively and efficiently fulfilled, these implementation concerns need to be successfully resolved.



*Senate Education Committee
3-24-08
Attachment 7*



KANSAS BOARD OF REGENTS

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March 24, 2008

Senator Jean Schodorf, Chair
Senate Education Committee
Statehouse, Room 241-E
Topeka, KS 66612

Senator Janis Lee, Ranking Member
Senate Education Committee
Statehouse, Room 162-E
Topeka, KS 66612

Dear Chairwoman Schodorf and Ranking Member Lee:

On behalf of the Kansas Board of Regents, I write to you regarding Senate Bill 678, legislation pertaining to textbook pricing. While textbook prices are of the utmost importance to every higher education student, and while we know that this issue has recently been politicized in other states, this is not an issue that the Board has been asked to address.

The Students' Advisory Committee (SAC), a statutorily-created entity (K.S.A. 74-3229) composed of the highest elected student executive officer of each of the state's six universities, is charged with, among other things, attending all meetings of the Board, making recommendations to the Board concerning course and curriculum planning and faculty evaluation, advising and consulting with the Board in the formulation of policy decisions on student affairs, and identifying student concerns. SAC holds meetings in conjunction with the monthly Board meetings, and SAC provides a formal monthly update to the Board in which the group often identifies student concerns and issues of importance. The issue of textbook pricing is not one that SAC has presented to the Board.

As you may know, SB 437 was recently amended by the House to require the Board, in collaboration with public postsecondary educational institutions, to implement policies to ensure faculty members consider least costly practices in assigning textbooks. These institutions would be required to make price information available to students at enrollment, and these requirements would go into effect on January 1, 2009. SB 437 was recently assigned to a conference committee consisting of members from the House and Senate Education Committees. The Board would be happy to review this issue over the interim if the conference committee retains this amendment language. The Board believes that this is an issue that would be best addressed through Board policy and consideration rather than through statutory language.

Thank you for the opportunity to comment on Senate Bill 678.

Sincerely,

Reginald L. Robinson
President and CEO

Senate Education Committee
3-24-08
Attachment 8