

**A. POLICY STATEMENT**

This policy has been put in place in order to comply with the textbook provision of the Higher Education Opportunity Act of 2008 (HEOA).

**B. PURPOSE**

Per HEOA, “to ensure that students have access to affordable course materials by decreasing costs to students and enhancing transparency and disclosure with respect to the selection, purchase, sale, and use of course materials. It is the intent of this section to encourage all of the involved parties, including faculty, students, administrators, institutions of higher education, bookstores, distributors, and publishers, to work together to identify ways to decrease the cost of college textbooks and supplemental materials for students while supporting the academic freedom of faculty members to select high quality course materials for students”.

**C. SCOPE**

All faculty and students.

**D. DEFINITIONS**

HEOA: The Higher Education Opportunity Act (Public Law 110-315) (HEOA) was enacted on August 14, 2008, and reauthorizes the Higher Education Act of 1965, as amended (HEA).

Bundle: The term ‘bundle’ means one or more college textbooks or other supplemental materials that may be packaged together to be sold as course materials for one price.

College Textbook: The term ‘college textbook’ means a textbook or a set of textbooks, used for, or in conjunction with, a course in postsecondary education at an institution of higher education.

Course Schedule: The term ‘course schedule’ means a listing of the courses or classes offered by an institution of higher education for an academic period, as defined by the institution.

Supplemental Material: The term ‘supplemental material’ means educational material developed to accompany a college textbook that—

1. May include printed materials, computer disks, website access, and electronically distributed materials; and
2. Is not being used as a component of an integrated textbook.

**E. PROCEDURES**Publisher Requirements<sup>1</sup>:

When a publisher provides information about a college textbook or supplemental material to faculty or any college entity or person in charge of selecting course materials at an institution that receives Federal financial assistance, the information must be in writing, which may be conveyed by means of an electronic communication. This information must include:

- The price the publisher would charge the bookstore on the campus of, or otherwise associated with, the institution of higher education for the textbook and any supplemental material (this is often referred to as the “net price”) and, if available, the price the publisher would charge the public for the same materials (this is often called the “list price”).
- The copyright dates of the three previous editions of the textbook or supplemental material (if any).
- A description of major differences or revisions between the current and previous editions of the textbook or supplemental material (if any).
- Whether the textbook or supplemental materials are available in other printed formats, including paperback or unbound, and, if so, the price(s) the publisher would charge campus bookstores and bookstores associated with institutions of higher education for these alternate printed formats, and, if available, the prices that would be charged to the general public for the same materials.

The same information as described above for custom textbooks, to the extent possible. In addition, for any textbook bundle (i.e., one or more textbooks bundled with supplementary materials, such as workbooks, CDs, or DVDs) made available by the publisher, the publisher must make each part of the bundle available separately (with separate pricing). This requirement does not apply to “integrated textbooks.” An integrated textbook is defined in section 133(b)(6) of the HEA as a college textbook that is—

- (A) Combined with materials developed by a third party and that, by third-party contractual agreement, may not be offered by publishers separately from the college textbook with which the materials are combined; or
- (B) 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.

Textbooks without explicit third-party contract limitations should not generally be considered as “integrated textbooks” if an identical textbook or supplemental material, including a book or material that is used, is commonly available to students in a form that is fully usable for its intended purpose and which meets the requirements of a course at an institution.

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<sup>1</sup> <http://www.ifap.ed.gov/dpcletters/attachments/GEN1009FinalTextbookGuidance2.pdf>

What the New Law Requires of Institutions of Higher Education<sup>2</sup>:

An institution of higher education receiving Federal financial assistance is required, to the maximum extent practicable, to post verified textbook pricing information for both required and recommended materials for each class on the institution's online course schedule or linked to the course schedule from another site, such as a college-designated bookstore, in a manner of the institution's choosing. This pricing information must include:

- The International Standard Book Number (ISBN) and retail price of the materials charged by the institution or a bookstore on the campus of, or otherwise associated with, the institution.
- If no ISBN is available, the author, title, publisher, and copyright date of the textbook or supplemental material.
- If the institution determines that disclosure of this pricing information is not practicable for some reason, the designation of "To Be Determined (TBD)" in lieu of the required pricing information.

**F. REFERENCES**

Full text of the HEOA can be found at

<http://www2.ed.gov/policy/highered/leg/hea08/index.html>

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<sup>2</sup> <http://www.ifap.ed.gov/dpccletters/attachments/GEN1009FinalTextbookGuidance2.pdf>