ACE/NACS Warn Proposed Rule Could Unravel Textbook Affordability and Raise Costs for Students

The American Council on Education (ACE) and the National Association of College Stores (NACS) recently hosted a webinar on the potential consequences an upcoming Department of Education rulemaking could have on popular affordable access programs that have helped reduce college student spending on course materials by 57% since 2016.

The Department of Education is exploring a proposed rule that would eliminate the existing “opt out” structure of affordable access programs, which ensures students automatically have access to their required textbooks on the first day of classes at competitive below-market prices, and replace it with an “opt in” framework that will result in higher prices and fewer students having access to required materials.

Highlights from the Webinar:

- **Flawed Regulatory Process:** During the negotiated rulemaking, the Department of Education declined to consider alternate language offered by negotiators to preserve the current opt out structure that is key to securing competitive discounts on textbooks. No consensus was reached through this process, and NACS and ACE urged webinar participants to share concerns with the Department about the impact the proposal could have on college costs and affordability.

- **Higher Costs, Less Access:** ACE and NACS explained that an opt-in model would eliminate the bulk publisher discounts that institutions have negotiated on behalf of students, leading to higher textbook prices across the board and less access, particularly for students on financial aid and those with disabilities. Students could lose the convenience of having their books automatically delivered when classes begin and miss out on the built-in accessibility features provided through many affordable access programs.

- **Worsening Outcomes:** Despite data that confirms students benefit academically from having access to their course materials on or before their first day of classes, institutions will no longer be able to guarantee students have the materials they need to excel. As a result, ACE and NACS warned some students may fall behind in class or even drop out altogether, leading to reduced completion and success rates.

**Take Action:**

It is critical that college presidents, provosts, and other higher education stakeholders contact Under Secretary of Education James Kvaal and urge the Department to more closely examine the merits of affordable access programs and develop a workable final rule that will not lead to higher costs or harm student success. Contact Richard Hershman (rhershman@nacs.org) if you need any assistance in getting your letter to Under Secretary Kvaal, and also take a moment to visit www.keep textbooks affordable.org/take-action to show your support for affordable access programs.