

The following is a public comment provided to Academic Senate on the matter of Ken Rand's Math 121 and Math 123 textbooks, October 11, 2011, by Dr. Suzanne Flannigan.

As a preface to this commentary, it is important to make clear that the choice of textbook is up to the faculty member, and protected by principles of academic freedom. At no time since this issue was brought forward by a student in May of 2011 has there been a question about the content of any particular textbook, or about faculty rights to select textbooks for classes. What have been, and continue to be the issues, are:

Publisher-quality standards of materials sold to students
The District's contractual obligation with the bookstore
Copyright
Conflict of Interest
Compliance with Title 5
Board Policy on Textbooks

1. A math student complained to us in May about a math text that he was using in a math class that had many errors in it, including uncorrected errors and handwritten corrections.
2. We took a look at the book, saw that there were a number of errors in addition to handwritten corrections, and asked the bookstore how they handled situations where students complained about the accuracy of books, and the bookstore said that they would return the books to the publisher and demand corrected copies.
3. So, we went to the publisher of the book and said that we needed corrected copies. Now, Ken Rand is the publisher of the book – identified as Ken Rand Publishing CO., on the front cover of both texts, and we attempted to use the same process that the bookstore would use for any vendor.
4. The District's concern always has been to provide students with a textbook of publishable quality. Neither the content nor the philosophy of the book have ever been at issue, nor the right to select a textbook.
5. As a public college, the issues for us are:
 - a) To ensure the professional quality of all instructional materials sold to students,
 - b) To assure compliance with the contractual obligations flowing between Follett and the College, including the integrity of copyright clearances and exclusivity clauses,
 - c) To guard against conflicts of interest, including the government code's mandate that public employees which includes instructors, "perform their duties in an impartial manner, free from bias caused by their own financial interests,"
 - d) To meet Title 5 rules about the value and availability of instructional materials, and
 - e) To follow Board Policy.

6. At the end of the Spring term, the faculty member was asked to provide corrected textbooks for sale or choose a different textbook.

7. As of this date, the texts are still not in publishable quality. The bookstore has offered the resources of its vendor, Premium Source, to typeset the books and to make all corrections, with the cost to be absorbed in the price of the books. As of this date, this option has not been exercised.

8. Clearly, textbook selection is of primary interest to Academic Senate; therefore I suggest we form a committee to review all the issues surrounding textbook selection, taking into account all of the issues cited above, the meaning of academic freedom, and the concerns raised in the AAUP statement on professors assigning their own texts.

Respectfully submitted,