

From: Jason Lorgan, Negotiator, Public Four-Year Institutions of Higher Education [Primary]
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To: Program Integrity and Institutional Quality Committee
Date: March 5, 2024
Re: Memo Regarding Cash Management- Books and Supplies

We would like to submit the letter below for the committee's consideration as we attempt to reach consensus. This letter has been signed by eight Higher Education Associations. We believe this letter demonstrates the concerns that institutions have about the current language being discussed.

March 5, 2024

The Honorable James Kvaal
Under Secretary of Education
U.S. Department of Education
400 Maryland Ave, SW
Washington, D.C. 20002

Dear Mr. Kvaal:

We write to express concerns about the Department of Education's proposal to revise current federal cash management regulations to restrict institutions' ability to ensure students receive low-cost textbooks and supplies through affordable access programs. We believe such a regulatory change would ultimately undermine our shared goals to improve affordability and raise student outcomes in higher education.

The cost of higher education remains a leading concern for many, and the Biden Administration has been working to identify new solutions to help mitigate costs for students. However, this particular proposal would compromise the successful structure of affordable access programs, leading to dramatically higher course materials prices and reducing timely access to textbooks and supplies, with the greatest harm coming to underserved and disadvantaged students.

During the decade leading up to 2016, the cost of books and course materials for college courses increased by [88 percent](#). The Obama-Biden Administration recognized the need for a better solution and approved cash management regulations to allow institutions, when disbursing Title IV funds, to automatically provide course materials to students, as long as the materials were offered below competitive market rates and students had the choice to opt-out. Today, more than 1,500 institutions nationwide offer affordable access programs to help students save money on textbooks and course materials.

The opt-out structure underpinning these access programs has allowed publishers the economies of scale necessary to offer bulk discounts that would otherwise not be available to students. As a result, affordable access programs have been credited with helping to bring down student spending on course materials by an astounding [57 percent](#) in less than a decade and most programs offer better terms and features than found in the retail marketplace, including free access each term through the add/drop period.

Millions of college students across the country benefit from the cost savings, ease of access, and convenience offered by access programs. According to [independent research](#), the average student spent \$285 on course materials in the 2022-2023 academic year – that’s a 60% drop from 2007, when the average student spent more than \$700 on course materials. Recognizing the value and savings afforded by access programs, several student body governments at institutions like [CSU Long Beach](#) and [UNC Charlotte](#) have taken action to formally endorse access programs.

Access programs can have a direct positive impact on students’ academic performance, increasing course completion rates and raising academic outcomes. The premise is simple: when students automatically have the materials they need on or before the first day of class, they perform better in class. A recent [student survey](#) confirmed more than three-quarters (83%) of students believe access programs had a positive impact on their academic success. Further, independent [research](#) found these programs are especially beneficial to underserved students; access programs resulted in substantial increases in course completion rates for at-risk groups, including Black students and students over the age of 25.

As leaders in higher education, we recognize access programs help lower course materials costs, make it easier than ever for students to have all the materials they need on or before the first day of class, and can contribute to better academic outcomes – particularly among nontraditional and disadvantaged students.

Instead of advancing regulations that could have unintended consequences for college costs and make it more difficult for students to succeed academically, we strongly urge the Department of Education to preserve the existing structure of access programs while working with institutions and stakeholders to advance commonsense modifications that enhance transparency and protections for students. Any regulatory actions must not compromise the integrity of access programs nor harm institutions’ ability to continue offering these convenient, popular, and affordable programs.

Thank you for taking our concerns into consideration as you continue this important higher education rulemaking effort.

Sincerely,

American Association of Community Colleges

Association of Community College Trustees

EDUCAUSE

National Association of College and University Business Officers

National Association of College Auxiliary Services

National Association of College Stores

Rebuilding America's Middle Class

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