

**Committee on Academic Freedom  
Conditional Report:**

**Academic Freedom and Textbook Choice**

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Prepared for College of the Canyons Academic Senate

## Academic Freedom and Textbook Choice

- I. What are the general parameters of academic freedom regarding textbook choice?
  - A. The individual faculty member assigned to teach a particular course has the right, protected under the principles of academic freedom, to choose the materials for the course, including the textbook(s).
  - B. College of the Canyons Board Policy BP 4030 states that “academic freedom is the freedom to teach, both in and outside the classroom,” citing the American Association of University Professors (AAUP) *1940 Statement of Principles on Academic Freedom and Tenure* in support. The AAUP defines *the freedom to teach* as follows: “The freedom to teach includes the right of the faculty to select the materials, determine the approach to the subject, make the assignments and assess student academic performance in teaching activities for which faculty members are individually responsible, without having their decisions subject to the veto of a department chair, dean, or other administrative officer.”<sup>1</sup>
  - C. Further, the principles of academic freedom apply equally to tenured, full-time untenured, and part-time faculty members.<sup>2</sup>
  - D. Though there may be good reasons for faculty to use Open Educational Resources or a Zero Cost Textbook, the principles of academic freedom preclude any kind of administrative mandate, either official or unofficial, that instructors use such materials in their courses.
  - E. The Higher Education Opportunity Act (Public Law 110-315) which requires educational institutions to disclose on the institution’s Internet site the ISBN and price of textbooks does not preclude instructors who have been reassigned to a course for which a text has been chosen and advertised from choosing their own

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<sup>1</sup> “The Freedom to Teach,” *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>2</sup> “The Freedom to Teach,” *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

text.<sup>3</sup> Of course, in all these situations, quality and cost should also be taken into consideration.<sup>4</sup>

II. Are there cases that override an individual instructor's independent textbook choice?

A. There are certain cases or situations where academic departments may decide to limit individual choice of textbooks, but these cases must meet certain criteria. For example, those courses that have multiple sections and are taught by more than one instructor. In such cases, teaching duties and responsibilities are in some sense shared, and therefore may require an element of coordination, consistency, or structure between the relevant faculty members.<sup>5</sup> Such courses, "require a significant amount of coordination and the imposition of a certain degree of structure, often involving a need for agreement on such matters as general course contact, syllabi, and examinations."<sup>6</sup> In such cases, departments may choose a common text or list of acceptable texts for the course (though they are not required to do so).

B. According to the AAUP, "In a multi-section course taught by faculty members, responsibility is often shared among the instructors for identifying the texts to be assigned to students ...The shared responsibility bespeaks a shared freedom, which trumps the freedom of an individual faculty member to assign a textbook that he or she alone considers satisfactory."<sup>7</sup> In cases where departments choose a common textbook or list of acceptable texts, the process utilized must be clearly defined. *While this report cannot hope to outline any definitive process for all departments, there are several features of one that may be ideal.*

1. The process ought to be democratic. Stakeholders who bear responsibility for teaching the course ought to have a voice in the choice of shared teaching materials. This applies equally to tenured, nontenured, and those faculty who are adjunct instructors of the course. Furthermore, instructors should have the

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<sup>3</sup> The language of HEOA contains the following: "Rule of Construction. -- Nothing in this section shall be construed to supersede the institutional autonomy or academic freedom of instructors involved in the selection of college textbooks, supplemental materials, and other classroom materials." Higher Education Opportunity Act, Public Law (110-315), Section 112, Textbook Information.

<sup>4</sup> See Committee on Academic Freedom Conditional Report: *What are the Instructor's Rights Regarding Textbook Choice if the Instructor has been Reassigned to a Section for Which a Text has Already Been Chosen and Advertised?*

<sup>5</sup> "The Freedom to Teach," in AAUP, *Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>6</sup> Ibid

<sup>7</sup> "The Freedom to Teach," in AAUP, *Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28. The authors note that an administrator, dept. chair, or coordinator cannot (by *fiat*) require a certain book be used.

freedom to adopt supplementary materials to address topics they believe are “inadequately treated” in the departmentally adopted text.<sup>8</sup>

2. The texts chosen through this process should also remain faithful to the Course Outline of Record. In short, the original approved curriculum in the COR is the document guiding any selection of learning materials for a given course.
3. The process should be transparent to department members, aligned with standards of fairness and allow for substantial reflection and discussion.
4. The process ought to weigh such considerations “as quality, cost, availability, and the need for coordination with other instructors or courses,”<sup>9</sup> and should be revisited on a consistent periodic basis.
5. Further, the selection process may be subject to review by the Academic Senate.<sup>10</sup>

*Approved by the Academic Senate on February 23, 2023.*

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<sup>8</sup>“The Freedom to Teach,” in AAUP, *Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>9</sup> “On Professors Assigning Their Own Texts to Students,” AAUP: *Association's Committee on Professional Ethics in November 2004*. < <https://www.aaup.org/report/professors-assigning-their-own-texts-students>>

<sup>10</sup>“The Freedom to Teach,” in AAUP, *Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.