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**Subject:** RE: Course Syllabi & Textbook/Course Materials  
**Date:** Thursday, December 15, 2011 4:28:00 PM

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Dr. Curtis and Dr. Benedik,

Thank you for working with me the last couple of days regarding clarifications to the message that was sent on Monday. I know everyone has had a busy week with finals and closing out the semester and I have appreciated your patience. I have confirmed with General Counsel and contract administration to assure their offices are informed of inquiries. A few of the misconceptions in the email require a more detailed explanation than a simple response allows, so I apologize in advance for the length of this email. I hope you will share pertinent parts of this message with original recipients of your email and whomever you feel would benefit and make use of Additional Resources referenced below.

#### Responsibility of Texas A&M

- Texas A&M is committed to assisting students to make informed course registration decisions, by sharing the required and recommended course materials for all courses in advance of each term. This not only enables students to make sound registration decisions and assists in their personal financial planning, but also maintains Texas A&M compliance with state and federal regulations regarding posting of information on required and recommended course materials.

#### Role of MSC Bookstore

To facilitate this process, the MSC Bookstore has been designated as the collector of required/recommended course materials. Each academic department has a designated bookstore liaison who is charged with collecting the materials listing for each course the department will offer and submitting a listing of materials to the MSC Bookstore. "Course materials" reported by department coordinators should include textbooks, assembled notes packets (referred to as custom textbooks by legislation), and any devices such as clickers, calculators, lab supplies or other devices that faculty feel are required or recommended to improve student abilities to succeed in their course.

- *The MSC Bookstore links the course materials list to the HOWDY Registration portal for students to see course materials for each course as they register. The bookstore also automatically shares the listing as received with other booksellers who wish to support faculty and student needs at Texas A&M, via an e-mail distribution list.*
- Beyond this role of collecting and posting the course materials listing, the contract allows for " the MSC Bookstore shall be Texas A&M University's exclusive buyer and seller of all required, recommended or suggested course materials and tools, including books, and materials published or distributed electronically, or sold over the Internet. As used in this

Agreement, "Internet" includes the World Wide Web and any proprietary on-line service (e.g., America On Line)."

- This "exclusive buyer/seller" role refers to purchases/sells **made by TEXAS A&M (Departments & Colleges)**. This role has been delegated to MSC Bookstore to eliminate multiple Texas A&M entities performing similar sell/purchase duties. Examples would be departmental purchases of textbooks, online subscriptions on the students' behalf, etc. This does not apply or limit student individual purchases.
- Through RFP process(1990 & 2005), Barnes & Noble was selected as the operator of the MSC Bookstore. As part of this contractual partnership, Barnes & Noble shares revenue with Texas A&M averaging \$1.5 Million a year. These funds have supported scholarships, student activities, the University Libraries and other individual programs such as summer enrichment programs, University Art Galleries and New Faculty Orientation.

### Handling Notes Packets, Print on Demand or Other Types of Course Materials

For those faculty who utilize assembled course packets or copy bundles in lieu of textbooks, the need to notify students prior to the semester is still required by state and federal regulation mentioned above and should be reported by departmental textbook coordinators as "custom textbook" or " custom notes packet" in the required/recommended course materials listing submitted to MSC Bookstore.

- Both the off campus vendors and MSC Bookstore would note faculty needs for a "custom textbook", work with faculty, publishers and copyrights holders to produce the packets desired, analyze any market risks and compete to fulfill student needs.
- We appreciate the service a number of retailers have provided to faculty in assembling these types of packets for many years, however, we must publish a complete required/recommended course materials listing and ensure that we are not limiting student choice to single sources.
- Faculty who choose to use course packets or "custom textbooks" should expect that multiple vendors will offer to assemble the packets for them. In an effort to ensure students' have multiple choices faculty should provide needs to as many vendors as practical.

### Syllabi

None of these regulations or contractual agreements affect the Faculty's right to choose the textbooks and course materials they wish to require and recommend to registered students which enable them to best achieve learning objectives in their courses.

- Syllabi should simply indicate any required/recommended course materials. Faculty should not limit student choice by designating any single location as the sole source for students to acquire course materials regardless if it is from on-campus, off-campus, online or other retailers. This preserves competition for students to choose from. If faculty wish to suggest a vendor on the course syllabus, we recommend using the language required by state statute HB 1096 and provided to students on the Howdy registration portal:

“Notice: As a student at Texas A&M you are not under any obligation to purchase a textbook from a university affiliated bookstore. The same textbook may also be available from independent retailers, including online retailers.”

- By submitting the course materials listing, departments can assure that multiple retailers will be aware of their faculty and students’ course materials needs and provide competitive marketplace that should benefit all.

### Additional Resources

I have worked over last two days to assemble additional information that could be helpful in understanding our responsibilities regarding textbooks and course materials, including the federal and state legislation, the current MSC Bookstore operation contracts with Barnes & Noble and listing of departmental textbook coordinators. It is all posted at <http://provost.tamu.edu/resources/faculty-1>

Finally, to assist the University and the MSC Bookstore with these communications and to provide a feedback opportunity for campus, earlier this semester we assembled an MSC Bookstore Advisory Committee, consisting of University faculty, staff, students and administrators. As the 2011 Chair of this committee, I invite you to share any concerns or opportunities you see for improved coordination and communication with the MSC Bookstore or course materials issues. <http://provost.tamu.edu/initiatives/councils-task-forces-folder/msc-bookstore-advisory-committee>

Again I apologize for the length of this message. Thanks for the opportunity to clarify.

Chad

### ***Chad Wootton***

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**From:** Curtis, Don  
**Sent:** Monday, December 12, 2011 3:44 PM  
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**Subject:** Texas A&M University - Barnes and Noble Bookstore Contract Information

Dear All;

Please distribute to all faculty and instructors in your departments.

Texas A&M University and Barnes and Noble have entered into a contract that makes Barnes and Noble the primary provider of educational materials for Texas A&M University students. Please be aware that any order for textbooks or course packets or other course material must be made through Barnes and Noble. Faculty may not order textbooks or course packets/materials outside of Barnes and Noble unless Barnes and Noble, after consultation with them, is unable to provide the required materials. Faculty also cannot direct students to other book stores where their materials may be available through wording in their syllabi. Any questions regarding the contract should be addressed to Chad Wootton at [c-wootton@tamu.edu](mailto:c-wootton@tamu.edu).

If you have any questions, please let me now.

Don

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