# NOTICE OF AMENDED REGULATION

**March 15, 2023**

## BOARD OF GOVERNORS

Division of Universities

University of North Florida

## REGULATION TITLE:

Textbook Adoption Requirements

## REGULATION NO.:

2.0520R

## SUMMARY:

The regulation is being amended in order to implement revisions based on the BOG’s recent changes to their regulation. The revisions include addressing the textbook affordability program, which include providing detailed identifying information regarding textbooks and making the documentation publicly availability. The revisions also updates the annual reporting requirements.

## FULL TEXT:

The full text of the regulation being proposed is attached.

## AUTHORITY:

Florida Constitution, Article IX, Section 7(c)

Florida Statutes 1004.085

BOG Regulation 8.003

## UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Chadwick Lockley, Director of Academic Support Services

## INDIVIDUAL TO BE CONTACTED REGARDING THE PROPOSED REVISED REGULATION:

Stephanie Howell, Paralegal, Office of the General Counsel, showell@unf.edu, phone (904)620-2828; fax (904)620-1044; Building 1, Room 2100, 1 UNF Drive, Jacksonville, FL 32224.

***Any comments regarding the amendment of the regulation must be sent in writing to the contact person on or before Monday, April 3, 2023, to receive full consideration.***

** Regulation**

**Regulation Number**: 2.0520R

**Effective Date**: 01/28/21 **Revised Date**:

**Subject:** Textbook Adoption Requirements

**Responsible Division/Department**: Academic Affairs

**Check what type of Regulation this is:**

[x] New Regulation

[ ] Major Revision of Existing Regulation

[ ] Minor/Technical Revision of Existing Regulation

[ ] Reaffirmation of Existing Regulation

[ ] Repeal of Existing Regulation

**I. OBJECTIVE & PURPOSE**

This regulation establishes textbook adoption procedures with the intent to minimize the cost of textbooks for students while maintaining the quality of education and academic freedom. This regulation is promulgated pursuant to Florida Board of Governors Regulation 8.003 ~~(see below).~~

Nothing in this regulation 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.

**II. STATEMENT OF REGULATION**

(1) ~~Each university~~ The Board of Trustees ~~shall~~ adopts this  ~~a~~ regulation in support of the UNF Textbook Affordability Program (the Program) ~~that establishes textbooks and instructional materials~~~~affordability policies~~ to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom. Activities and initiatives in support of the Program include: ~~The regulation shall provide for the following:~~

 (a) Selection of textbooks and instructional materials through cost-benefit
 analyses that enable students to obtain the highest-quality product at the
 lowest available price, by considering:

 1. Purchasing digital textbooks in bulk;

 2. Expanding the use of open-access textbooks and instructional
 materials;

 3. Providing rental options for textbooks and instructional materials;

 4. Increasing the availability and use of affordable digital textbooks and
 learning objects;

 5. Developing mechanisms to assist in buying, renting, selling, and
 sharing textbooks and instructional materials;

 6. The length of time that textbooks and instructional materials remain in
 use;
 7. An evaluation of cost savings for textbooks and instructional materials
 which a student may realize if individual students are able to exercise
 opt-in or opt-out provisions for the purchase of the materials.

 (b) The use of innovative pricing techniques and payment options for
 textbooks and instructional materials in consultation with providers
 including the bookstore. The pricing techniques and payment options

 ~~must~~ include an ~~opt-in or~~ opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.

 (c) Published deadlines established by the Provost/designee for

 1. the selection of textbooks and instructional materials each term, and

 2. the posting of a hyperlink listing required and recommended textbooks.

i. the posted list shall include the following information for each required and recommended textbook and instructional materials:

 a. the International Standard Book Number (ISBN); or

 b. other identifying information which shall include, at a minimum:

1. the title,
2. all authors listed,
3. publisher,
4. edition number,
5. copyright date,
6. published date, and
7. other relevant information necessary to identify the specific textbook or instructional materials required and recommended for each course.
8. Any request for an exception to a deadline shall be submitted to the Provost/designee and shall include a statement regarding the exceptional circumstances giving rise to the request. ~~that shall provide sufficient lead time for bookstores to confirm availability, source lower-cost options, explore alternatives with faculty, and
maximize the availability of used textbooks and instructional materials~~.

 (d) A procedure to document the intent of the course instructor or the
 academic department offering the course to use all items ordered, including
 each individual item sold as part of a bundled package, before the selection
 is finalized.

(e) A determination by the course instructor or academic department offering the
 course, before a textbook or instructional material is selected, of the extent to
 which a new edition differs significantly and substantively from earlier versions
 and the value to the student of changing to a new edition or the extent to which
 an open-access textbook or instructional material is available.

(f) A procedure~~(s)~~ to make required and recommended textbooks and instructional
 materials for each course offering available to students who otherwise cannot
 afford the cost of the textbook including consideration of the extent to which an
 open-access textbook or instructional material may be used.

 (g) A procedure~~(s)~~ by which students can obtain required textbooks and instructional
 materials prior to receipt of their financial aid distribution, when necessary.

 (h) A deadline for posting a hyperlink to lists of required and recommended textbooks
 and instructional materials for at least 95 percent of all courses and course
 sections offered for the upcoming term in the university’s course registration system
 and on the university’s website. The designated university official shall determine
 compliance with this requirement no later than forty-five (45) days prior to the
 first day of classes for each term. Any request for an exception to the
 compliance deadline shall be submitted in writing to the designated university
 official and shall provide a reasonable justification for an exception. A course or
 section added after the notification deadline is exempt from this notification
 requirement. The posted list shall include the following information for each
 required and recommended textbook and instructional materials:

 1. the International Standard Book Number (ISBN); or

 2. other identifying information which shall include, at a minimum:

 a. the title,

 b. all authors listed,
 c. publisher,

 d. edition number,
 e. copyright date,
 f. published date, and

 g. other relevant information necessary to identify the specific textbook or
 instructional materials required and recommended for each course.

 (i) Consultation with school districts to identify practices that impact the cost of dual
 enrollment textbooks and instructional materials to school districts, including, but
 not limited to, the length of time that textbooks and instructional materials remain
 in use.

 (2) No employee ~~of a state university~~ may demand or receive any payment, loan,
 subscription, advance, deposit of money, service, or anything of value, present or
 promised, in exchange for requiring students to purchase a specific textbook or
 instructional materials for coursework or instruction. However, an employee may
 receive, subject to the requirements of the Florida Code of Ethics for Public Officers
 and Employees and the outside activity and conflict of interest requirements set forth in
 university regulations and collective bargaining agreements:

 (a) Sample copies, instructor copies, or instructional materials. These materials
 may not be sold for any type of compensation if they are specifically marked as
 free samples, not for resale.

 (b) Royalties or other compensation from sales of textbooks or instructional
 materials that include the instructor’s own writing or work.

 (c) Honoraria for academic peer review of course materials.

 (d) Fees associated with activities such as reviewing, critiquing, or preparing
 support materials for textbooks or instructional materials.

 (e) Training in the use of course materials and learning technologies.

 (3) ~~Each university board of trustees shall provide a report, by~~ By September 30 of each year, the President, on behalf of the Board of Trustees, shall provide to the Chancellor of the State University System, in a format determined by the Chancellor, a report that details:

 (a) The selection process for high enrollment courses;

 (b) Specific initiatives of the institution designed to reduce the costs of textbooks
 and instructional materials;

 (c) Policies implemented regarding the posting of textbook and instructional
 materials for at least 95% of all courses and course sections 45 days before the
 first day of class;

 (d) The number of courses and course sections that were not able to meet the
 posting deadline for the previous academic year; and

 (e) Any additional information determined by the Chancellor.

~~The Chancellor will report to the Board of Governors a summary of the State~~

~~University System’s initiatives and efforts addressing textbook and instructional~~

~~materials affordability by November 1 of each year.~~

~~Authority: Section 7(c), Art. IX, Fla. Const.; BOG reg 8.003. History: New as approved by BOT 01/28/21~~. Amended \_\_\_\_\_\_\_\_\_\_\_\_.