

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED AMENDMENT TO REGULATION

REGULATION NO.: FIU-1103

REGULATION TITLE: Textbook Affordability

SUMMARY: This regulation addresses the University's efforts to make textbooks and instructional materials more affordable for students. The Regulation is being updated to: (1) describe the assessment practices of pricing variances for textbook and instructional course materials for general education and high enrollment courses, and (2) set forth the University's intent to conduct an annual consultation with public school officials and FIU faculty who teach dual enrollment courses to identify and implement best practices in selecting cost-effective textbook and instructional materials.

TEXT OF REGULATION: The full text of the Proposed Amended Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://regulations.fiu.edu/>. If you would like a copy of the Proposed Amendment to Regulation, please contact Eli Deville, Departmental Administrator, Office of the General Counsel, 305.348.2103.

AUTHORITY: Board of Governors Regulation 8.003.

NAME OF PERSON INITIATING PROPOSED REGULATION: Kenneth G. Furton, Provost and Executive Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED AMENDMENT TO REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REGULATION: Eli Deville, Departmental Administrator, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, Florida 33199. Email: devillee@fiu.edu Phone: 305.348.2103 | Fax: 305.348.3272.

DATE OF PUBLICATION: April 28, 2017

THE FULL TEXT OF THE PROPOSED AMENDMENT TO REGULATION IS PROVIDED BELOW:

FIU- 1103 Textbook Affordability.

The Board of Trustees of Florida International University establishes the following procedures for minimizing the cost of textbooks to students while maintaining the quality of their educational experience and continuing to ensure academic freedom.

~~(1) (1) No later than sixty (60) days prior to the beginning of each full semester, the Provost's Office shall notify the faculty of the requirements included in this Policy and encourage instructional faculty to be mindful of the importance of cost considerations as they consider the adoption of instructional materials.~~ 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:

(a) Making available digital textbooks in bulk; expanding the use of open-access textbooks and instructional materials; providing rental options for textbooks and instructional materials; increasing the availability and use of affordable digital textbooks and learning objects; developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials; increasing the length of time that textbooks and instructional materials remain in use; and other proactive measures.

(b) Distinguishing the required materials from those which are recommended. By identifying any materials as required, instructors certify that the students need these materials for the course. By identifying any bundled materials as required, instructors certify that students must obtain all the items in the bundle. When it is possible to obtain the bundled materials separately, instructors should specify only those materials which the students need for the course as required.

(c) Determining which edition(s) to require for the course, whereby the instructor's adoption shall constitute certification that a newer edition differs significantly and substantively from the earlier versions to warrant the change. When instructors do not believe this to be the case and when it will not impede the instruction of the course, faculty members may indicate on the adoption that students may obtain either the new or older editions as this will ensure affordability options to the students.

~~(2) -Textbooks and other instructional materials shall be adopted by the course instructor or his/her designee via transmitting a completed Textbook Adoption Form to the University Bookstore's adoption online platform no later than forty-five (45) days prior to the first day of classes.~~

(a) The 45-days is-deadline is established to allow sufficient time for the University Bookstore to confirm availability of the requested materials, to ensure availability of sufficient used instructional materials, and to allow the University Bookstore to source lower cost options, explore alternatives with faculty, coordinate its book-buy-back activities at the end of the semester with the book orders for the ensuing semester to maximize. When textbooks cannot be ordered within this time frame, written explanations must be provided to the appropriate Dean's Office, and such orders should be completed as quickly as possible to allow for the availability of

the used textbooks and instructional materials. A course or section added after this 45-day deadline is exempt from this requirement.

~~(3) In submitting the Textbook Adoption Form to the University Bookstore, instructors must clearly distinguish the required materials from those which are recommended. By identifying any materials as required, instructors certify that the students need these materials for the course. By identifying any bundled materials as required, instructors certify that students must purchase all the items in the bundle. When it is possible to purchase the bundled materials separately, instructors should specify only those materials which the students need for the course as required. When new editions are ordered by an instructor, such orders shall constitute certification by the instructor that the new edition differs significantly and substantively from the earlier versions to warrant the change. When instructors do not believe this to be the case and when it will not impede the instruction of the course, faculty members may indicate on the Adoption Forms that students may purchase either the new or older editions as this will ensure affordability options to the students.~~

~~(b) (3) Textbook Adoptions for required and recommended textbooks and instructional materials for orders placed by the deadline-upcoming term will be posted publicly by course section on the University's Bookstore's website by course and linked to the student registration system prior to the beginning of the official registration period for each semester. Students may view the information on the required and recommended instructional materials for each course through either the Bookstore or the Registration websites. As soon as they are received. This posted information will include: ISBN, author(s) or editor(s), title, publisher, edition number, copyright and publication dates, or other relevant information necessary to clearly identify the specific materials students must obtain purchase for the course.~~

(34) The University shall develop innovative and effective pricing and payment options for textbooks and instructional materials.

(a) The University shall conduct consultations with providers including the University Bookstore and publishers to implement price match and other options.

~~(a)~~ (b) Determination of the students' ability to pay for instructional materials will be made through the standard student financial aid eligibility assessment. When financial aid applications are made within stated deadlines students with confirmed financial aid eligibility for textbooks will be notified of this prior to the beginning of each semester. They may elect to have their Panther Accounts credited with the approved funding to so they may make textbook and instructional materials purchases from the University Bookstore directly.

(c) Making available book advances three (3) weeks before the start of classes each Fall/Spring/Summer term, including for students receiving early loan disbursements as not all students take their loans.

(4) The University shall consult with dual enrollment partner schools to identify best practices that reduce the cost of dual enrollment course textbooks and instructional materials.

- (5) The Office of the Provost shall examine, each semester, the cost of required and recommended textbooks and instructional materials for general education and high enrollment courses by:
- (a) Identifying any wide variance, as established by the Board of Governors, in the cost among different sections of the same course and submission of a list of courses that have a wide variance in costs among sections to the appropriate academic department chair for review.
 - (b) Identification of the percentage of textbooks and instructional materials that remain in use for more than one term, if such analysis in the textbook adoption platform can be provided.
- (6) No employee of Florida International 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 specific items. 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 that include the instructor's own writing or work (which requires the filing and approval of the "Outside Activity and Conflict of Interest" form).
 - (c) Honoraria for academic peer review of course materials.
 - (d) Fees associated with activities such as reviewing, critiquing, or preparing support materials— for textbooks.
 - (e) Training in the use of course materials and learning technologies.

Authority: Section 7(d), Art. IX, Fla. Const., FBOG Regulation 8.003. History-New 3-25-10, Amended _____.