

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

NOTICE OF CHANGE IN PROPOSED REGULATION

REGULATION NO.: FIU-1103

REGULATION TITLE: Textbook Affordability

SUMMARY: The Florida International University, in response to comments received concerning the above regulation, has changed paragraphs (6) and (6)(b) to read as follows:

(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 ~~a specific~~ purchase 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:

(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).

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://bot.fiu.edu/regulations/>. If you would like a copy of the Proposed Regulation, please contact Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, (305) 348-2103.

AUTHORITY: Florida Constitution and Board of Governors Regulation 8.003.

NAME OF PERSON INITIATING PROPOSED REGULATION: Douglas Wartzok, Interim Provost and Executive Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED 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, Coordinator, Administrative Services, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu Fax: (305) 348-3272. Phone: 305-348-2103.

DATE OF PUBLICATION: February 12, 2010.

THE FULL TEXT OF THE REGULATION IS PROVIDED BELOW WITH CHANGES HIGHLIGHTED IN YELLOW:

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) 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.

(2) Textbooks and other instructional materials shall be adopted by transmitting a completed Textbook Adoption Form to the University Bookstore no later than forty-five (45) days prior to the first day of classes. This deadline is established to allow sufficient time for the Bookstore to confirm availability of the requested materials, to ensure availability of sufficient used instructional materials, and to allow the University Bookstore to coordinate its book-buy-back activities at the end of the semester with the book orders for the ensuing semester. 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 materials.

(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.

(4) Textbook Adoption orders placed by the deadline will be posted on the University 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. 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 purchase for the course.

(5) 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 so they may make textbook and instructional materials purchases from the University Bookstore directly.

(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 a specific purchases 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 _____.