

**THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES
NOTICE OF PROPOSED REGULATION**

REGULATION NUMBER AND TITLE: FPU-5.003 Textbook Adoption and Affordability.

SUMMARY OF THE REGULATION: This regulation establishes the University's textbook selection and adoption procedures that support the effort to minimize the cost of textbooks for students while maintaining the quality of education and academic freedom, in accordance with Florida Board of Governors Regulation 8.003. This regulation also articulates specific benefits University employees may or may not receive in relation to the selection and use of course instructional materials.

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the Florida Polytechnic University Board of Trustees website, at <http://floridapolytechnic.org/board-of-trustees/university-policies-and-regulations/>.

If you would like a copy of the Proposed Regulation, please contact Bacogie Luke, Administrative Assistant to the VP and General Counsel at (863)583-9061.

AUTHORITY: Board of Governors Regulation 8.003; Florida Statutes, Section 1004.085.

NAME OF PERSON INITIATING PROPOSED REGULATION: Gina DeIulio, VP and General Counsel.

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.

THE CONTACT PERSON REGARDING THIS REGULATION IS: Bacogie Luke, Administrative Assistant to the VP and General Counsel at 439 South Florida Avenue, Suite 300, Lakeland, Florida 33810, Email: bluke@floridapolytechnic.org, Phone: (863)583-9061, Fax: (863)583-9070.

DATE OF PUBLICATION: January 8, 2014

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

FPU-5.003 Textbook Adoption and Affordability.

(1) Purpose. This regulation establishes the University’s textbook selection and adoption procedures that support the effort to minimize the cost of textbooks for students while maintaining the quality of education and academic freedom, in accordance with Florida Board of Governors (“BOG”) regulation 8.003. This regulation also articulates specific benefits University employees may or may not receive in relation to the selection and use of course instructional materials.

(2) Textbook Adoption Procedures. The Vice President of Academic Affairs or designee shall establish textbook and instructional material adoption deadlines for each academic term, which shall be set no later than thirty (30) days prior to the first day of classes for each term in order for the bookstore to confirm the availability of the requested materials and, where possible, maximize the number of used books available. Any request for an exception to the deadline shall be submitted, in writing, to the Vice President of Academic Affairs prior to the established deadline and shall provide a reasonable justification for an exception.

Each instructor must provide the University bookstore with textbook and instructional material adoption information for each course he/she has been assigned to teach (such information shall include notification that no textbook or instructional materials will be required or recommended for the course, if applicable), in accordance with the requirements specified in this regulation, as early as reasonably possible but no later than the deadline established by the Vice President of Academic Affairs for each academic term.

(3) Textbook Adoption Information. Each instructor shall be responsible for the timely submission of textbook adoption information for each course the instructor has been assigned to teach, and such information shall provide, at minimum:

- (a) sufficient information detailing any and all instructional material(s), including textbook(s), that the instructor will require students who are enrolled in the course to purchase;
- (b) a statement of the intent of the course instructor, or academic department offering the course, to use, during the term of the course, all instructional materials that the instructor is requiring students enrolled in the course to purchase, including each individual item sold as a part of a bundled package, unless the individual items from the bundled package would cost more, if purchased separately, than the package as a whole; and
- (c) if the course instructor, or academic department offering the course, is selecting a new edition of a textbook, a statement reflecting the determination by the course instructor or academic department of the extent to which the new edition differs significantly and substantively from earlier versions and the value of changing to a new edition.

(4) Textbook Posting Deadline. Not less than thirty (30) days prior to the first day of class scheduled for each term, the University will publish on its website a list of each textbook required for each course offering during the upcoming term. Textbook information for classes added after the posting deadline or when exceptions to the deadline have been approved by the Vice President of Academic Affairs shall be posted immediately as such information becomes available. The information published to students shall provide the following for all course textbooks and instructional materials that students are required to purchase:

- (a) the International Standard Book Number (ISBN), or
- (b) other identifying information which shall include, at a minimum:

1. title
2. all authors and editors listed;
3. publishers;
4. edition number;
5. copyright date;
6. published date; and
7. other relevant information necessary to identify the specific textbook.

(5) Financial Aid Procedures. The Director of Financial Aid or designee shall publish, on the University website, the procedure for students to follow that make required textbooks for each course offering available to students who cannot afford the cost. Students with confirmed financial aid eligibility may choose to enter into an advance purchase arrangement with the University to purchase course textbooks at the University Bookstore up to the approved purchase amount.

(6) Employee Prohibitions. No University employee 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 for coursework or instruction. However, an employee may receive (subject to the requirements of the Florida Code of Ethics for Public Officers and Employees, the University's Code of Conduct, and the outside activity and conflict of interest requirements set forth by University rules, regulations, and policies) the following:

- (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.
- (c) Honoraria for academic peer review of course materials.
- (d) Fee 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: §1004.085, F.S., BOG regulation 8.003

History: New;

7.25.13RLD