

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

**REGULATION NUMBER AND TITLE:** FPU-5.003 Textbook and Instructional Materials Selection and Affordability

**SUMMARY OF THE REGULATION:** This regulation is being revised to delete the requirement for the Board or its designee to periodically review the costs of textbooks for all general education courses and identify any variances among different **sections** of the same course as this is no longer a requirement under Section 1004.085, Florida Statutes or the Board of Governors regulation 8.003.

**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 <https://floridapoly.edu/university-notices.php>. If you would like a copy of the Proposed Regulation, please contact Melaine Schmiz, Assistant General Counsel at (863) 874-8489.

**AUTHORITY:** Section 1004.085, Florida Statutes, Board of Governors regulation 8.003

**NAME OF PERSON INITIATING PROPOSED REGULATION AMENDMENT:** Gina DeJulio, 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:** Melaine Schmiz, Assistant General Counsel at 4700 Research Way, Lakeland, Florida 33805, Email: [mschmiz@floridapoly.edu](mailto:mschmiz@floridapoly.edu), Phone: (863) 874-8489, Fax: (863) 874-8716.

**DATE OF PUBLICATION:** Thursday, August 6, 2020

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

## THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

### **FPU-5.003 Textbook and Instructional Materials Selection and Affordability.**

**(1) Purpose.** This regulation establishes the University's textbook and instructional materials selection procedures that support the effort to minimize the cost of textbooks and instructional materials for students while maintaining the quality of education and academic freedom, in accordance with Florida Board of Governors ("BOG") regulation 8.003.

**(2) Selection of Textbooks and Instructional Materials.** The University uses cost-benefit analyses, pricing techniques, and payment options to allow students to obtain the highest quality textbooks and instructional materials at the lowest available price by considering the following:

- (a) Purchasing digital textbooks in bulk;
- (b) Expanding the use of open-access textbooks and instructional materials;
- (c) Providing rental options for textbooks and instructional materials;
- (d) Increasing the availability and use of affordable digital textbooks and learning objects;
- (e) Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials;
- (f) The length of time that textbooks and instructional materials remain in use; and
- (g) An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of the materials.

The University encourages adoption of common textbooks for the same course as a way of addressing affordability

### **(3) Selection Procedures.**

- (a) Selection deadline and exceptions to deadline. The Provost or designee establishes textbook and instructional material adoption deadlines for each academic term. The deadlines are set no later than forty-five (45) days prior to the first day of class for each term in order for the bookstore to confirm the availability of the requested materials, source lower cost options, explore alternatives with faculty, and maximize the availability of used textbooks and instructional materials. A request for an exception to the selection deadline must be submitted, in writing, to the Provost or designee prior to the established deadline and must provide a reasonable justification for the exception.
- (b) Instructor notifies bookstore of selections. Each instructor must provide the University bookstore with textbook and instructional material selection information for each course he/she has been assigned to teach, in accordance with the requirements specified in this regulation, as early as reasonably possible but no later than the deadline established by the Provost for each academic term. Such information must include:
  - (i.) notification that no textbook or instructional materials will be required or recommended for the course, if applicable; or
  - (ii.) sufficient information detailing any and all textbooks and instructional material that the instructor will require students and/or recommend to students who are enrolled in the course to purchase;
  - (iii.) 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 obtain, 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

- (iv.) if the course instructor, or academic department offering the course, is selecting a new edition of a textbook or instructional material, 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 to the student of changing to a new edition or the extent to which open-access textbooks or instructional materials are available.

**(4) Textbook and Instructional Materials Posting Deadline.** Not less than forty-five (45) days prior to the first day of class scheduled for each term, the University will post a hyperlink to the 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 on its course registration system and the University's website. Textbook and instructional materials information for courses added after the posting deadline must be posted immediately as such information becomes available; a course or section added after the posting deadline is exempt from this posting requirement. Requests for exceptions to the posting deadline must be submitted in writing to and approved by the Provost or designee prior to the posting deadline. For courses where an exception to the posting deadline has been approved by the Provost or designee, the required information must be posted immediately as the information becomes available. The information published to students must provide the following for all course textbooks and instructional materials that students are required or recommended to purchase:

- (a) the International Standard Book Number (ISBN), or
- (b) other identifying information which includes, at a minimum:
  - (i.) title
  - (ii.) all authors listed;
  - (iii.) publisher;
  - (iv.) edition number;
  - (v.) copyright date;
  - (vi.) published date; and
  - (vii.) other relevant information necessary to identify the specific textbook.

**(5) Financial Aid Procedures.**

- (a) Eligible students may choose to participate in the book voucher program to purchase course textbooks and instructional materials at the University Bookstore up to the approved purchase amount. Students who purchase textbooks and instructional materials with a book voucher will have a charge placed on their student account after the Drop/Add period for the textbooks and instructional materials they purchased. By using the book voucher, the student authorizes the University to deduct all bookstore charges made with the book voucher from the amount of financial aid in the student's account. If the student does not use the total amount of the book voucher, the student's account will be adjusted to reflect the actual purchases. Financial Aid funds in excess of the tuition and fees will be reduced as a result of these charges.
- (b) The Director of Financial Aid or designee publishes, on the University website, the procedure for students to follow that make required and recommended textbooks and instructional materials for each course offering available to students who cannot afford the

cost, including consideration of the extent to which an open-access textbook or instructional material may be used.

**(6) Innovative Pricing Techniques and Payment Options.** The University uses innovative pricing techniques and payment options for textbooks and instructional materials in consultation with providers, including bookstores. The pricing techniques and payment options must include an opt-in provision for students and are used only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.

**(7) Dual Enrollment Textbooks and Instructional Materials.** The Provost or designee consults 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.

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*Authority: §1004.085, F.S., BOG regulation 8.003*

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*History: New: 2.21.14, Revised: 12.19.16, \_\_\_\_\_*