

FLORIDA GULF COAST UNIVERSITY

NOTICE OF REGULATORY ACTION

December 9, 2010

REGULATION TITLE:

Textbook Adoption and Affordability

REGULATION NO.:

FGCU-PR3.003

SUMMARY:

The purpose of this new regulation is to establish textbook selection and adoption.

FULL TEXT:

The full text of the regulation being proposed is attached and can also be found at <http://www.fgcu.edu/generalcounsel/promulgation.asp>

LAW IMPLEMENTED:

§1004.09 Florida Statutes; Florida Board of Governors Regulation 8.003

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Dr. Hudson Rogers, Associate Provost and Associate Vice President for Academic Affairs

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:

Dr. Ronald Toll, Provost and Vice President for Academic Affairs

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:

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ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE DECEMBER 23, 2009 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: DECEMBER 9, 2009.



REGULATION: FGCU-PR3.003

Effective
Date of
Regulation: _____

Textbook Adoption and Affordability

The purpose of this regulation is to establish textbook selection and adoption procedures to decrease the cost of textbooks to students, minimize the cost of textbooks for students maintain the quality of education and ensure faculty academic freedom.

Florida Board of Governors Regulation 8.003, Textbook Adoption, directs that the regulation establish a procedure for adoption of required textbooks for courses including deadlines for identification of text by instructor, consideration of actual value of any required new edition of required texts, actual use of the required materials in the course, precise identification of text to ease comparison and purchase by the student, monitoring of instructor compliance and financial assistance. Also, no employee may receive any form of compensation for requiring a textbook other than those specified in the regulation.

The Board of Trustees of Florida Gulf Coast University establishes the following procedures for minimizing the cost of textbooks to students, maintaining the quality of the students' educational experience and ensuring faculty academic freedom.

PART 1

1. For purposes of this Regulation, the term "Faculty" or "Faculty Member" shall mean an employee or employees in the collective bargain unit and any adjunct or out of unit employee or employees who are required to comply with the requirements of this regulation.
2. The University shall publish the textbook ordering and textbook adoption dates for the fall, spring and summer terms of each academic year in the University Academic Calendar or other University approved publication. Pursuant to the Florida Board of Governors' Regulation 8.003, Textbook Adoption, textbook orders must be completed and made available to students no later than 30 days prior to the first day of classes for each term. The date for making the textbook adoption information available to students shall occur after the textbook ordering date and shall be a date prior to the minimum 30 days date required by the Florida Board of Governors' Regulation 8.003, Textbook Adoption for the posting of required textbooks.
3. No later than the published textbook ordering date for each term, each faculty member, or the department where applicable, shall identify the textbook and other materials adopted for the course to be taught by completing the Course Textbook Adoption request page on the University Bookstore website or other University determined location.

4. There shall be an exception process to the textbook ordering date requirements which shall address, among other things, the situation when a faculty member is assigned to teach a course after the text book ordering date.
5. In placing the textbook order, the textbook listings shall include the following information:
 - a. the international standard book number (ISBN);
 - b. the name(s) or the author(s) or editor(s);
 - c. the title, the publisher;
 - d. the edition;
 - e. the copyright and publication dates; and
 - f. other relevant information necessary to identify the specific textbook required for each course.

The textbook information will be included in the posting of required textbooks on the University website.
6. When adopting items other than books for a course, the faculty member shall described the items clearly to ensure that the student can determine what exactly is required to be purchase.
7. When requiring the purchase of a bundled package rather than one or more of its discrete parts, the faculty member must provide a written statement that the faculty member requires the students in that class to use all of the individual items that the bundled package. Additionally, the faculty member must include a list of all items in the bundled package ordered as part of the course syllabus.
8. Prior to adopting the new edition of the textbook currently in use, a faculty member, or the department where applicable, shall provide written determination of the extent to which the new edition differs significantly and substantively from the existing edition and the value of changing to a new edition. It shall be the responsibility of the college or department to retain such determination in accordance with general records requirements.
9. The dean or designee of each college and unit will monitor the completion of the Course Textbook ordering application and ensure that each faculty member with an instructional assignment complies with the requirements for timely submission of the information required by the textbook ordering process.

PART 2

1. 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 make specific purchases. However, and except as provided below, 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 FGCU-PR 5.012 and the Collective Bargaining Agreement:
 - a. Sample copies, instructor copies of textbooks, or instructional materials. These materials may not be sold for any type of compensation if they are specifically identified as free samples not for resale;

- b. Royalties or other compensation from sales of textbooks and other instructional resources of which he or she is the author or creator provided that such works are “published” and the University has agreed to waive this requirement in writing for materials sold to FGCU students;
- c. Honoraria for academic peer review of course materials;
- d. Fee associated with activities such as reviewing, critiquing, or preparing support materials for textbooks; and
- e. Training in the use of course materials and learning technologies.

Conflict of interest or potential conflict of interest must be reported consistent with 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 FGCU-PR5.012 and the Collective Bargaining Agreement.

PART 3

1. The University shall establish a policy and procedure to:
 - a. assist students who have qualified for need based educational financial assistance and cannot otherwise afford textbooks to have access to the textbooks necessary for the classes for which the student has registered;
 - b. assist those students who have applied and qualified for need-based financial aid and desire to purchase textbooks necessary for the classes for which the student has registered prior to the distribution of financial aid; and
 - c. assist students who have qualified for need based educational financial assistance purchase coursepack materials, where applicable.

Action by Florida Gulf Coast University Board of Trustees:

Approved: _____

Law Implemented:

§1004.085 Florida Statutes, Florida Board of Governors Regulation 8.003

History of Regulation:

New _____

Effective Date of Regulation:
