

**THE UNIVERSITY OF WEST FLORIDA
NOTICE OF PROPOSED AMENDMENT TO REGULATION**

DATE: January 28, 2025

REGULATION TITLE AND NUMBER: UWF REGULATION 3.040, Textbook and Instructional Materials Affordability

PURPOSE AND EFFECT: The purpose of this amendment is to align the regulation with the requirements of BOG Regulation 8.003, Textbook and Instructional Materials Affordability and Transparency

SUMMARY: The proposed amendment to this regulation is as follows:

- Addition of a requirement that faculty or instructors must review all required course materials for each course they teach each semester and complete an attestation indicating that the materials are appropriate for the course.
- A directive that individuals responsible for selecting the materials for a course to be taught by an adjunct or temporary instructor complete the attestation for those materials.
- Explanation of the attestation that is required.

AUTHORITY TO AMEND THE REGULATION: BOG Reg. 1.001, University Board of Trustees Powers and Duties; BOG Reg. 8.003, Textbook and Instructional Materials Affordability and Transparency; and Florida Statute §1004.085.

NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION AMENDMENT: Dr. Jaromy Kuhl, Provost

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED AMENDMENT TO THE REGULATION OR CHALLENGE: Jessica Whittle, Paralegal, Office of the General Counsel at jwhittle@uwf.edu or 850-474-3420 or Office of the General Counsel, Building 10, 11000 University Parkway, Pensacola, Florida 32514.

THE FULL TEXT OF THE REGULATION: The full text of the proposed amendment to the regulation is attached below this Notice. The full text of the proposed amendment and existing regulation is also posted on UWF's website: <https://uwf.edu/offices/board-of-trustees/regulations/>



Number: UWF/REG-3.040
Title: Textbook and Instructional Materials Affordability
Responsible
Department: Office of the Provost

I. General Statement:

The University of West Florida (“UWF” or “University”) establishes the following regulation for minimizing the cost of textbooks to students while maintaining the quality of their educational experience and continuing to ensure academic freedom.

II. Selection of Textbooks and Instructional Materials

The faculty or instructor must review all required course materials for each course they teach each semester and complete an attestation indicating that the materials are appropriate for the course. If the University is using an adjunct or temporary instructor for a course and has selected the materials for the course, the individual responsible for selecting the materials for that course must complete the attestation.

Textbook and instructional materials shall be adopted by the University through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price, by considering:

- A. Purchasing digital textbooks in bulk;
- B. Expanding the use of open-access or Open Education Resources and instructional materials;
- C. Rental options;
- D. Affordable digital textbooks and learning objects;
- E. Mechanisms for assisting students in buying, renting, selling, and sharing textbooks and instructional materials;
- F. The length of time that textbooks and instructional materials will remain in use;

- G. An evaluation of the cost savings for textbooks and instructional materials which students may realize if they are able to exercise opt-in provisions for the purchase of the materials; and
- H. The use of 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 may be approved only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.

III. Selection Procedures

A. Selection Deadline and Exceptions to Deadline

The Office of the Provost shall establish textbook and instructional material adoption procedures providing that textbooks and other instructional materials shall be adopted no later than 45 days prior to the first day of classes to allow sufficient time for the University bookstore to work with publishers to confirm availability of the requested materials, source lower cost options, explore alternatives with faculty, and maximize the availability of used textbooks and instructional materials. Requests for an exception to the compliance deadline shall be submitted in writing to the Office of the Provost in accordance with the established textbook and instructional material adoption procedures and shall provide a reasonable justification for an exception. For courses added after the notification deadline or when an extension is granted, textbook information shall be posted immediately as such information becomes available. However, no exceptions shall be granted less than 45 days prior to the first day of class for each semester.

B. Bookstore Notification

Each instructor must provide the University bookstore with textbook and instructional material selection information for each course they have been assigned to teach as early as reasonably possible but no later than the deadlines established in this regulation. Such information must include:

1. Textbooks and Instructional Materials Not Required

Notification that no textbook or instructional materials will be required or recommended for the course, if applicable; or

2. Textbooks and Instructional Materials Required

- a. Sufficient information detailing any and all textbooks and instructional material that the instructor will require or recommend to 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 obtain;
- c. If a bundled package is required, a statement that the instructor intends to use each individual item sold as a part of the bundled package, unless the individual items from the bundled package would cost more, if purchased separately, than the package as a whole; and
- d. 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 previous editions are acceptable and if open-access textbooks or instructional materials are available.

C. Faculty Attestation

- 1. All faculty or instructors must attest that they have reviewed all required materials for each course they teach each semester and that the materials are appropriate for the course.
- 2. Materials include, but are not limited to, textbooks, test and assignment questions, assigned and supplemental readings, and any other instructional material the faculty member plans to assign to students to read and review in the course.
- 3. The attestation shall be submitted in accordance with University procedures.
- 4. The University will provide information to the BOG Chancellor upon request on compliance with this requirement.

IV. Posting Requirements

The University shall post prominently in the course registration system and on applicable websites as early as is feasible, but at least 45 days before the first day of class for each semester, a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the institution during the upcoming term. The Office of the Provost shall determine compliance with this requirement no later than 45 days prior to the first day of classes for each semester. A course added less than 45 days prior to the first day of classes is exempt from this notification requirement. The posted list shall include the following information for each required textbook:

- A. The International Standard Book Number (ISBN); or

B. Other identifying information that shall include, at a minimum:

1. The title;
2. All authors listed;
3. Publisher(s) and edition number;
4. Copyright date;
5. Published date; and
6. Other relevant information necessary to identify the specific textbook required for each course.

C. In addition, the list of required and recommended textbooks and instructional materials must:

1. Be searchable by the course subject, course number, course title, instructor name, assigned textbook or instructional material title, and author of the assigned textbook or instructional material; and
2. Be easily downloadable by current and prospective students.

D. If a course subject to posting requirements is a general education core course option identified pursuant to Section 1007.25, Fla. Stat., the course syllabus must be included and contain the following:

1. The course curriculum;
2. The goals, objectives, and student expectations of the course; and
3. How student performance will be measured.

The above information must remain posted in a public, searchable database for at least five academic years.

V. Financial Aid

The Director of Student Financial Aid or designee shall publish on the University website the procedure through which students who cannot otherwise afford the cost of a textbook can obtain a textbook, including consideration of the extent to which an open-access textbook may be used, and shall publish on the University website the procedure through which students can obtain required textbooks prior to receipt of their financial aid distribution, when necessary.

VI. Consultations

As dual enrollment agreements are made or reviewed, the appropriate office within the Division of Academic Affairs shall consult with school districts for which there are articulation agreements in place to help identify practices that impact the cost of dual enrollment textbooks and instructional materials to these districts, including, but not limited to, the length of time that textbooks and instructional materials remain in use.

VII. Prohibitions

No employee of the 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 make specific purchases. However, subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and both the outside activity requirements and conflict of interest restrictions set forth in the university's regulations, policies, and in collective bargaining agreements, an employee may receive:

- A. Sample or instructor copies of textbooks or other instructional resources. These materials cannot be sold if they are identified as samples and not for sale;
- B. Royalties or other compensation from the sales of textbooks that include the individual's own writing or work;
- C. Honoraria for academic peer review of course materials;
- D. Fees resulting from activities such as reviewing, critiquing, or preparing support materials for textbooks; and
- E. Training in the use of course materials and learning technologies.

VIII. Reporting

The Board of Trustees shall provide a report, by September 30 of each year, to the Chancellor of the State University System, in a format determined by the Chancellor, that details:

- A. The textbook and instructional materials selection process for high enrollment courses;
- B. Specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials;
- C. Policies implemented regarding the posting of textbook and instructional materials for at least 95% of all courses and course selections 45 days before the first day of class;

D. The number of courses and course sections that were not able to meet the posting deadline for the previous academic year;

E. Compliance with the required components of the textbook and instructional materials list posting requirements;

E.F. Attestation that all required materials have been reviewed each semester; and

F.G. Any additional information determined by the Chancellor.

Effective Date: [date]

Authority: BOG Reg. 1.001
BOG Reg. 8.003
§1004.085, Florida Statutes

History: Adopted June 2010; amended September 2010, July 2017, September 2020, September 2023, and [date]

Last review: [date]