

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: January 13, 2023

REGULATION TITLE AND NUMBER: Textbook and Instructional Materials Affordability (3.004).

SUMMARY: FAU Regulation 3.004 was developed in accordance with Florida Statutes and Board of Governors Regulations to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom. The amendments outlined below are proposed for purposes of complying with recent changes to Board of Governors Regulation 8.003. The proposed changes are summarized as follows:

1. Adds “Transparency” to the title.
2. Changes the number of days from 60 to 45 to post the list of required and recommended textbooks and instructional materials for the upcoming term.
3. Updates the requirements for the posted list of required and recommended textbooks and instructional materials.
4. Requires the postings to remain in a public, searchable database for at least five academic years beginning with the fall 2022 term.

FULL TEXT OF THE AMENDED REGULATION: The full text of the proposed amended regulation is attached below to this notice. The full text of the existing regulation is posted on FAU’s website at www.fau.edu/regulations. In addition, the full text of the proposed amended regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATION:

THE PERSON TO BE CONTACTED REGARDING THE REGULATION AMENDMENT
IS: Ms. Cassandra Rey, Paralegal, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

Florida Atlantic University

Regulation 3.004 Textbook and Instructional Materials **Affordability and Transparency**

- (1) This Regulation is promulgated to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom.
- (2) Textbooks and instructional materials shall be adopted 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 (OER) and instructional materials;
 - (c) Rental options;
 - (d) ~~Affordable~~Increasing the availability and use of affordable digital textbooks and learning objects;
 - (e) ~~Mechanisms for assisting~~Developing mechanisms to assist students in buying, renting, selling, and sharing textbooks and instructional materials;
 - (f) The length and 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 or opt-out 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

- (4) When making adoptions, Course instructors shall:
 - (a) Certify that all textbooks and instructional materials sold as part of a bundled package will be used; and
 - (b) If a prior edition is available, state the extent to which the new edition differs

(6) Consultation with school districts for which there are articulation agreements in place shall 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.

(7) The Director of Student Financial Aid or designee shall publish on the University website its procedure to make required and recommended textbooks and instructional materials for each course offering available to students who otherwise cannot afford the cost of the textbook, including consideration of the extent to which open-access or OER