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| POLICY TITLE | Adoption of Course Materials and Textbooks | Policy Number | 606 |
| Section | Academics | Approval Date | June 22, 2017 |
| Subsection | Instruction and Curriculum | Effective Date | June 22, 2017 |
| Responsible Office | Office of the Senior Vice President of Academic Affairs | Effective Date | |

1.0 PURPOSE

1.1 This policy establishes procedures regulating the adoption of course materials by university instructors. These procedures will help ensure that selected course materials meet established curricular and quality standards and are priced fairly and affordably for students.

2.0 REFERENCES

2.1 *Higher Education Opportunity Act (HEOA), Section 112: “Textbook Information”*

2.2 *Utah Code 53B-7-105 Higher Education Cost Disclosure*

2.3 *Utah Code 63G-2 Government Records Access and Management Act (GRAMA)*

2.4 *Utah Code 67-16 Utah Public Officers’ and Employees’ Ethics Act*

2.5 *Utah State Board of Regents’ Policy R465 Course Materials Affordability*

2.6 *Utah State Board of Regents’ Policy R511 Tuition Disclosures and Consultation*

2.7 *UVU Policy 114 Conflict of Interest*

2.8 *UVU Policy 135 Use of Copyrighted Materials*

2.9 *UVU Policy 222 Bookstore*

2.10 *UVU Policy 511 Student Fees*

2.11 *UVU Policy 607 Course-Based Fees for Credit Courses*

2.12 *UVU Policy 633 Annual Faculty Reviews*

2.13 *UVU Policy 635 Faculty Rights and Professional Responsibilities*

2.14 *UVU Policy 647 Faculty Grievance*

2.15 *UVU Policy 648 Faculty Personnel Reduction*

3.0 DEFINITIONS

3.1 Course fee: Fees that are established to offset non-personnel costs associated with individual courses that are not covered by tuition and/or general fees. Examples of such fees include but are not limited to participation in the use of technology-supported delivery or field experiences; access to and the use of specialized instruments, technology, or software; and/or use of consumable laboratory or other specialized instructional materials/resources.

3.2 Course materials: Any required or optional textbooks or other course materials (including but not limited to software, packets, applications, and art supplies), which a student purchases or acquires, that are associated with a given class. Optional course materials are not required to complete course assignments.

3.3 Digital-materials access fee: A fee paid to access required digital materials for the duration of the course. Digital materials are those meant to replace or supplement a print textbook. These fees are assessed upon registration and are not included as a course fee.

3.4 Direct sale: For the purposes of this policy, a transaction between a student and vendor other than the university bookstore for purchase of any course materials.

3.5 Employee: For the purposes of this policy, any individual employed part- or full-time in any capacity by the University.

3.6 Open Educational Resources (OER): Teaching, learning, and research resources that reside in the public domain or have been released under an intellectual-property license that permits their free use and repurposing by others. OER include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.

3.7 Royalties: A sum of money paid under contract to an author from the sales of creative works.

4.0 POLICY

4.1 Instructor Choice of Course Materials

4.1.1 The University respects the right of individual instructors to select their own instructional materials as a right protected under the principles of academic freedom. This right is balanced by considerations such as educational quality, cost, availability, department requirements, and/or coordination of curriculum and course materials with other instructors or courses.

4.1.2 A department may determine that all sections of a single course shall use the same course materials. If state higher-education regulatory authorities have established uniform curricular standards for specific courses or require that all sections of a particular course must be consistent, course materials shall conform to those standards. Course materials required across all sections of single course must be approved through the approval process outlined in section 5.1.

4.2 Faculty/Employee-Authored or Faculty/Employee-Compiled Course Materials

4.2.1 Course materials authored or compiled by UVU faculty or employees cannot be listed as required or optional course materials until approved through the review process (see section 5.2). UVU faculty and employees are responsible to submit for review and obtain approval for such authored or compiled course materials.

4.2.2 UVU faculty/employee-authored or faculty/employee-compiled course materials must be competitive in both price and quality with comparable course materials.

4.3 Compliance

4.3.1 It is the responsibility of the faculty author or compiler to ensure compliance with all copyright laws and guidelines, regardless of the authorship of course material(s), in consultation with the Office of General Counsel and UVU Policy 135 *Use of Copyrighted Materials*.

5.0 PROCEDURE

5.1 Course Materials Approval Process

5.1.1 Departments shall use the procedures established in this policy as minimum requirements for course material approvals or individual departments may adopt more stringent practices.

5.1.2 The adoption of all course materials shall be initiated at the department level by the individual faculty member under the direction of the department chair and/or dean, in consultation with the departmental curriculum committee, and in accordance with the procedures outlined below.

5.1.3 All course materials must be approved at least every three years (or when changes are made before the end of the three-year period). An individual instructor's determination of course materials, as well as any committee review of course materials or any other entity's approval of course materials, shall include consideration of these factors:

- 1) Utility of the course material for achievement of course learning outcomes as determined by the instructor and/or department
- 2) Total cost of the course materials and/or digital-materials access fee for each course
- 3) Use of the same course materials for multiple sections of the same course
- 4) Adoption period and availability of used course materials
- 5) Availability of the course materials at the time of course initiation
- 6) Availability and selection (where appropriate) of Open Educational Resources for which there is no cost and
- 7) Affordability for students

5.1.4 Whenever possible, departments shall place a copy of each required and optional textbook on reserve at the UVU library to provide access for students who cannot afford to purchase the textbook, are unable purchase the textbook at the beginning of the semester, and/or in cases where there are no immediately available copies.

5.1.5 If an instructor is not assigned to a section by the time semester registration begins, the department chair or designee shall select for use in that section course materials that have been approved through the procedures outlined in this policy.

5.1.6 Before course materials can be required of students, faculty must complete the *Approval for Adoption Form* and the *Copyright Compliance, Non-Conflict of Interest Assurance Form*. (These forms are located on the university employee website under the faculty tab.) Faculty shall submit the completed forms to the appropriate department chair.

5.1.7 Each department shall maintain and archive written approvals of course material adoptions. These records are public and subject to internal disclosure and/or the *Government Records Access and Management Act (GRAMA)*.

5.2 Review and Approval of Faculty/Employee-Authored and Faculty/Employee-Compiled Course Materials

5.2.1 Once approved through the review process outlined in section 5.3, faculty/employee-authored material may be assigned.

5.2.2 To arrange commercial publication of course materials, faculty and employee authors shall negotiate directly as private individuals with publishers. The University shall not enter into such negotiations, and the author must not commit the University to any agreement entered into with a publisher. Statements by the author promising university adoption of the course materials are strictly prohibited.

5.2.3 Except for reimbursement of out-of-pocket costs, faculty and employees may not accept or retain royalties or any other personal compensation or material benefit from the sale or furnishing of course materials they authored to students in their own classes, in any classes in their department, or department/college for which they have authority to assign or recommend course materials. They may, however, designate such royalties or compensation into a department-wide fund, as approved by the college/school dean in consultation with the university Compliance Officer.

5.3 Committee Review Process

5.3.1 Once received from an instructor, the department chair must approve or deny the course materials/textbook adoption proposal or return it to the faculty member with recommendations. The school/college curriculum committee reviews and approves course materials/textbook proposals forwarded from the department chair. All such proposals must be approved by majority vote of the committee or denied and returned to the faculty member with recommendations.

5.3.2 Curriculum committee recommendations shall be based, at a minimum, on the requirements listed in section 5.1.3 of this policy. The committee will consider the appropriateness of the items to the specific course, materials adopted in similar courses at the University and at other institutions, and the cost to students in comparison with other available materials.

5.3.3 When a curriculum committee decide upon non-adoption of proposed course materials, faculty members may appeal the decision pursuant to Policy 647 *Faculty Grievance*. Until the appeal has been resolved, a faculty member shall not adopt non-approved course materials.

5.4 Dissemination of Course Materials Information

5.4.1 Faculty must provide timely and accurate information regarding course material adoptions to the university bookstore and the administrator of the University's learning management system by the established deadlines. This includes immediate notification of course materials selection and adoption for classes added after semester registration begins.

5.4.2 As soon as is practicable and/or upon the request of the university bookstore, department chairs shall provide the most accurate information available regarding

- 1) The department's course schedule for the subsequent academic period; and
- 2) For each course offered by the department for the subsequent academic period
 - a) If not provided by the instructor, the International Standard Book Number (ISBN) and retail price information of required and optional course materials for each course listed in the course schedule used for preregistration and registration purposes;
 - b) The number of students enrolled in the course; and
 - c) The maximum student enrollment for the course.

5.4.3 The university bookstore or university-sanctioned suppliers shall post a list of required and optional course materials and the cost of each item in a timely manner and in a conspicuous place. Course materials in the postings shall be clearly labeled as "required" or "optional." University course schedules shall identify where students can access information regarding the course materials, including the ISBN and retail price.

5.5 Sale of Course Materials

5.5.1 Faculty and employees, whether part-time or full-time, are prohibited from selling materials directly to students for any class, laboratory, project, or other activities sponsored in the name of the University.

5.6 Compliance

5.6.1 A faculty member who violates this policy shall be subject to appropriate discipline pursuant to Policy 648 *Faculty Personnel Reduction* and Policy 633 *Annual Faculty Reviews*.

| POLICY HISTORY | | |
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| June 22, 2017 | Revised policy, Regular process, approved. | UVU Board of Trustees |
| January 21, 1993 | Policy implemented. | |
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