POLICY TITLE	Adoption of Course Materials and Textbooks	**Policy Number**	606
Section	Academics	**Approval Date**	March 20, 2025
Subsection	Instruction and Curriculum	**Effective Date**	March 20, 2025
Responsible Office	Office of the Provost/Senior Vice President of Academic Affairs	**Last Review**	March 20, 2025

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 *Institutional Eligibility Under the Higher Education Act of 1965*, as amended, 34 CFR § 600.2

2.2 *Higher Education Opportunity Act* (*HEOA*), Section 112: "Textbook Information"

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

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

2.5 Utah Code § 67-16 *Utah Public Officers' and Employees' Ethics Act*

2.6 Utah State Board of Higher Education Policy R465 *Course Materials Affordability*

2.7 Utah State Board of Higher Education Policy R511 *Tuition Disclosures and Consultation*

2.8 UVU Policy 114 *Conflict of Interest and Commitment*

2.9 UVU Policy 136 *Intellectual Property*

2.10 UVU Policy 511 *Student Fees*

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

2.12 UVU Policy 633 *Faculty Performance Evaluation and Feedback*

2.13 UVU Policy 635 *Faculty Rights and Professional Responsibilities*

2.14 UVU Policy 649 *Faculty Sanction and Dismissal for Cause*

3.0 DEFINITIONS

3.1 Course fee: Fees 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 course materials that a student acquires that are associated with a given class. Course materials include, but are not limited to, textbooks, software, packets, and art supplies. Optional course materials are not required to complete course assignments.

3.3 Department course materials committee: A department committee, either and hoc or standing, which reviews course material proposals and considers appeals of course material decisions.

3.4 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.

3.5 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: 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. Open educational resources 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: Compensation paid to an author from the sales of creative works.

3.8 Self-authored materials: Materials authored by an instructor of a course. For purposes of this policy, self-authored also refers to materials created by a family member as defined in UVU Policy 114 *Conflicts of Interest and Commitment*.

3.9 Substantive interaction: Engaging students in teaching, learning, and assessment, consistent with the content under discussion, which also includes at least two methods listed under

subsections (4)(i) through (v) of the definition of "distance education" provided at 34 CFR 600.2: (1) providing direct instruction; (2) assessing or providing feedback on a student's coursework; (3) providing information or responding to questions about the content of a course of competency; 4) facilitating a group discussion regarding the content of a course or competency, or (5) other instructional activities approved by the institution's or program's accrediting agency.

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 protected under the principles of academic freedom. This right is balanced by considerations such as educational quality, cost, availability, department requirements, and 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 must conform to those standards. Course materials required across all sections of a single course must be approved through the approval process outlined in section 5.1.

4.1.3 Course materials may not be listed as required or optional course materials until approved through the review process outlined in section 5.1 and in compliance with section 5.3. A UVU instructor assigning the material shall obtain approval for all course materials before assigning or recommending them.

4.2 Department Course Materials Committees

4.2.1 Department course materials committees may be ad hoc or standing depending on the size and complexity of the department. These committees may provide consultation to department chairs on course materials and consider faculty appeals for course materials purchasing decisions. (See section 5.2.)

4.3 Copyright Compliance

4.3.1 UVU employees must comply with all copyright laws and UVU Policy 136 *Intellectual Property*.

4.4 Violations of this Policy

4.4.1 An employee who violates this policy will be subject to the appropriate remedial or disciplinary action in accordance with university and Utah Board of Higher Education policy.

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. Individual departments may adopt more stringent practices.

5.1.2 The individual faculty member shall initiate the adoption of all course materials, under the direction of the department chair and/or dean in consultation with the department course materials committee, and in accordance with the procedures outlined below.

5.1.3 When required, the assigning instructor must submit all course materials to their department chair for approval at least once every three years (or when they make changes before the end of the three-year period). This approval is required under the following circumstances:

5.1.3.1 When materials are self-authored and would result in compensation from an external source to the instructor or family member;

5.1.3.2 When materials do not allow for substantive interaction between faculty members and students as required by federal regulations; or

5.1.3.3 When deemed necessary by the department.

5.1.4 When the department chair receives a course materials/textbook adoption proposal from an instructor, they must approve or deny the proposal or return it to the instructor with recommendations and an invitation to resubmit for approval. The department chair may consult with a department course materials committee as desired.

5.1.5 If any faculty member disagrees with the department chair's decision, the faculty member may appeal to the department course materials committee.

5.1.6 The department course materials committee reviews and either approves or denies an appeal for a course material and textbook proposal. All such decisions for appeals must be approved by majority vote of the committee or denied and returned to the instructor with recommendations.

5.1.7 Faculty members may not use proposed course materials before the committee approves them.

5.1.8 Decisions regarding proposed course materials must be based on sound academic values without any prospect of personal financial gain. An individual instructor's determination of course materials, as well as chair and 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 (a) course learning outcomes, as determined by the instructor and department; (b) program learning outcomes, as determined by the department; and (c) essential learning outcomes, as determined by the University;

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 as determined by programs and/or departments;

4) Availability of the course materials at the time of course initiation;

5) Availability and selection (where appropriate) of open educational resources for which there is no cost; and

6) Affordability for students.

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

5.1.10 As determined by programs and/or departments, course coordinators may determine course materials for all sections.

5.2 Appeal of Curriculum Denials

5.2.1 When a department course materials committee denies approval of proposed course materials, the assigning instructor may appeal the denial to an ad hoc committee formed by the Faculty Senate. The Faculty Senate ad hoc committee shall evaluate the appeal request using the criteria in section 5.1.8. If the appeal is not resolved in the instructor's favor, the instructor shall not adopt non-approved course materials.

5.3 Safeguarding Student Trust in Employee-Created Course Materials

5.3.1 *No Compensation from Direct Sales.* Employees and their family members must not accept compensation or other material benefit from selling course materials (whether self-authored or not) directly to students for any class, laboratory, project, or other activity sponsored by the University. Direct sales include transactions facilitated through online websites, platforms, or marketplaces where the employee receives payment from a student-buyer through a third-party

mediator in exchange for delivery or access to assigned course material. Department printing costs to reduce costs for students are not considered compensation or direct sales. Employees may, as an alternative to refraining from compensation or gain from direct sales to students, document and designate compensation or gain into an institutional scholarship fund through UVU's Finance and Business Services Office.

5.3.2 *No Compensation from Assigned Materials.* Employee-creators may, as an alternative to refraining from compensation from assigned materials, document and designate royalties or compensation into an institutional scholarship fund through UVU's Finance and Business Services Office. This shall be done consistent with section 5.3.3 and in accordance with Utah Board of Higher Education Policy R465 *Course Materials Affordability.*

5.3.3 Employees designating royalties or other compensation into an institutional scholarship fund under section 5.3.1 or 5.3.2 must document and reasonably explain how the amounts directed to the scholarship fund effectively negate the revenue prohibited in those sections. Direct distributions from publishers or third-party platforms to UVU may simplify the explanation and administrative burden.

5.3.4 To arrange commercial publication of course materials, instructor-creators shall negotiate directly as private individuals with publishers. Consistent with UVU Policy 247 *Contract Review and Signature Authority*, instructor-creators are not authorized to contract with publishers on behalf of UVU and shall not

1) give the impression or claim they represent the University;

2) purport to commit the University to any agreement with a publisher (this includes minimum sales);

3) promise university adoption or department approval of the course materials; or

4) purport to commit UVU to purchasing any materials.

5.4 Dissemination of Course Materials Information

5.4.1 Departments must provide timely and accurate information regarding course material adoptions to the Campus Store and the administrator of the University's learning management system before the established deadlines. This should be done in compliance with Utah Board of Higher Education policy, including Policy R465 *Course Material Affordability.*

5.4.2 The Campus Store 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 (e.g., online). Course materials in the postings shall be clearly labeled as "required" or "optional." Items that are not required or recommended by the course instructor shall not be

labelled or otherwise misrepresented as "required" or "optional." University course schedules shall identify where students can access information regarding the course materials, including the ISBN and retail price.

5.4.3 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 or are unable to purchase the textbook at the beginning of the semester. This also applies in cases where there are no immediately available copies.

5.5 Violations

5.5.1 An employee who violates this policy will be held accountable on performance evaluations or under the appropriate disciplinary policy (UVU Policy 649 for most faculty; UVU Policy 371 for most staff).

POLICY HISTORY		
Date of Last Formal Review: March 20, 2025		
Due Date of Next Review: March 20, 2030		
Date of Last Action	**Action Taken**	**Authorizing Entity**
January 21, 1993	Policy implemented.	UVU Board of Trustees
June 22, 2017	Revised policy, Regular process, approved.	UVU Board of Trustees
March 20, 2025	Revised policy approved through the regular policy process.	UVU Board of Trustees