

# **POLICY ADOPTION**



September 17, 2013

**TO:** THE DISTRICT BOARD OF TRUSTEES  
of Valencia College

**FROM:** SANFORD C. SHUGART  
President

**RE:** INSTRUCTIONAL MATERIALS ( 6Hx28:4-09)

The proposed amendments to the Instructional Materials policy (and related implementing procedures, attached for information purposes) clarify that the College's processes for adopting textbooks and other instructional materials are required to conform to all applicable laws, must strive to minimize costs for students, and must address real and perceived conflicts of interest.

RECOMMENDED ACTION:

The President recommends that the District Board of Trustees approve the policy amendment as proposed.

A handwritten signature in black ink that reads "Sanford C. Shugart". The signature is written in a cursive style with a large, prominent 'S' at the beginning.

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President

# VALENCIA COLLEGE DISTRICT BOARD OF TRUSTEES

## POLICY AND PROCEDURE

Number: 6Hx28:4-09

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**Title:** Instructional Materials Policy

**Specific Authority:** 1001.64 F.S.

**Law Implemented:** 1001.64 F.S.

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### **Policy:**

The adoption of textbooks and other required instructional materials shall occur in a manner that will promote quality of education, maintain academic freedom, and further efforts to minimize cost for students while complying with the applicable federal and state statutes and rules, and eliminating conflicts of interest and/or the appearance of conflicts of interest. Textbook and other instructional materials selection will align with the bookstore's ordering deadlines so as to confirm availability of the requested materials and, where possible, ensure maximum availability of used materials. The President or designee(s) will establish procedures to implement this policy.

### **Procedure:**

- A. The adoption of textbooks and other instructional materials will comply with Section 1004.085, F.S., State Board of Education Rule 6A-14.092, and any other applicable state and federal laws.
1. No employee of Valencia College 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 purchase a specific textbook for coursework or instruction.
  2. A Valencia College employee may receive (subject to the requirements of the Florida Code of Ethics for Public Officers and Employees):
    - a. sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation whether or not they are specifically marked as free samples not for resale. Such copies can be returned to publishers or provided to an instructor's division or the Valencia library for use as reserve materials.
    - b. royalties or other compensation from sales of textbooks or other instructional materials that include the instructor's own writing or work, as long as the

textbook and instructional materials have been produced and copyrighted by a recognized, independent publisher at its own expense, have been made available for open sale, and have been approved through the two-step process detailed below:

- i. All materials proposed for official adoption will be examined and approved using the documented process detailed in Paragraphs C. through E. below. However, a Valencia faculty member who has authored textbooks or other instructional materials being considered for adoption shall recuse himself or herself from the selection process for the course(s) for which the materials are being considered.
  - ii. If a textbook or other instructional materials authored by a Valencia faculty member are approved through the regular selection process, a committee of faculty and a dean from the same department on any other campus will subsequently review the materials, measuring them, in particular, against other adopted materials for those courses both for cost and quality, to ensure that the faculty-authored materials meet policy standards. The committee will write a report that details the process and criteria used for the decision to ensure the process is documented in case of audit or inquiry.
- c. honoraria for academic peer review of course materials. However, a Valencia faculty member who has received honoraria for academic peer review of instructional materials being considered for adoption and is participating in the selection process for such instructional materials shall disclose in writing the receipt of such honoraria to the selection committee and/or dean.
  - d. fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks pursuant to guidelines adopted by the State Board of Education. However, a Valencia faculty member who has authored support materials for instructional materials being considered for adoption shall disclose in writing such authorship to the selection committee and/or dean, as appropriate.
  - e. training in the use of course materials and learning technologies. However, travel, lodging, and food costs related to attending training will be the responsibility of the faculty member, who may request College funding through appropriate channels.
- B. Each campus or set of campuses reporting to a campus president must adopt textbooks and other instructional materials no later than forty-five (45) days prior to the first day of classes to

allow sufficient lead time to the bookstore to work with publishers to confirm availability of the requested materials and to ensure maximum availability of used books. When courses are added after this forty-five (45) day deadline, textbooks and other instructional materials for such courses shall be adopted as soon as is feasible to ensure sufficient lead time.

- C. Each campus or set of campuses reporting to a campus president may select up to two sets of instructional materials for each course.
1. If a particular component of a set is available in multiple formats, full-time professors may choose to use any format as long as it is less expensive than the default option. (If a textbook is available in print and as an e-book, professors may choose to use the e-book, even if it has a different ISBN, if it is less expensive than the traditional book.)
  2. A full-time faculty member may elect to use a set of materials from any approved set college-wide.
  3. A campus president may approve additional sets of materials that meet the principle underlying this policy: ensuring quality instructional materials at reduced costs available to all students before classes begin, thus enhancing student learning. An annual report of these exceptions will be provided to the District Board of Trustees, the College president, and the Faculty Council.
  4. A campus president may approve a one-time pilot of materials if that pilot results in lower costs to the students than the cost of the adopted instructional materials.
- D. Instructional materials are selected at the discipline level with the participation of full-time faculty members who teach particular courses. Faculty from each campus supervised by a campus president will be included in the selection processes related to affiliated campuses. If an academic area doesn't have a full-time faculty member, the dean will select the instructional materials after consulting with the faculty teaching in the area.
- E. Faculty in each discipline will use a collaborative, documented process to adopt instructional materials for each course. The process shall include a vote, and each full-time faculty member in a discipline will have a vote. The selection process will ensure that:
1. materials for a given course are suitable, accurate and current.
  2. materials reflect diverse viewpoints, where appropriate.
  3. materials offer students format choices, when possible.
  4. materials are accessible with assistive technologies used by students with disabilities.
  5. materials that might be used by students taking sequential courses are given particular attention.
  6. materials are reasonably priced within the context of the academic area, and affordable alternatives have been carefully evaluated.

7. significant variations in the cost of materials are avoided or justified using the appeal procedure described below:
  - a. If the cost of a set of instructional materials exceeds the cost of a concurrently used or previously used set by more than 20%, the use of the set must be approved by the academic dean and the campus president.
  - b. The faculty requesting to use the substantially higher priced set of materials must explain the need for the materials and document the qualities of the materials that make the higher cost necessary.

- F. The College shall collect and maintain, before textbook adoption is finalized, written or electronically transmitted certifications from course instructors attesting:
  1. That all textbooks and other instructional items ordered will be used, particularly each individual item sold as part of a bundled package, and
  2. The extent to which a new edition differs significantly and substantively from earlier versions, and the value of changing to a new edition.
- G. The instructional materials selected through the process described above generally are the only ones for which students may be charged a fee. Instructional materials in addition to the adopted materials may be required, with the approval of the department's textbook committee and the dean, and should be available at the start of a class. Such materials should be provided for no cost, electronically when possible, or at the direct cost for reproduction and copyright permissions where applicable.
- H. Employees of the College are prohibited from selling any instructional materials directly to students, parents, other College employees, and to the College (including without limitation the College's bookstore).
- I. Full-time faculty may choose to not use any officially adopted materials, with notification to the academic dean of this choice before book ordering deadlines. Faculty opting out of the use of the adopted materials may use any combination of no cost (free and/or open source) materials, with the review and approval of the department's textbook committee. All course learning outcomes must be met even if the officially adopted materials are not used.
- J. Once adopted, instructional materials should be used for as long as possible, and reviewed periodically to ensure that they remain suitable for the course and that the cost has not increased to an objectionable extent. An ideal adoption cycle is at least two years.

- K. Part-time faculty may use only textbooks and other instructional materials approved in accordance with this procedure by full-time faculty on the campus where they teach a class unless an exception is approved by the dean.
- L. Faculty and academic departments are encouraged to participate in the development, adaptation, and review of open-access textbooks, in particular for high enrolled general education courses.
- M. The College shall post on its website, as early as is feasible, but not less than 30 days prior to the first day of class for each term, a list of each textbook required for each course offered at the College during the upcoming term. The posted list must include the International Standard Book Number (ISBN) for each required textbook or other identifying information, which must include, at a minimum, all of the following: the title, all authors listed, publishers, edition number, copyright date, published date, and other relevant information necessary to identify the specific textbook or textbooks required for each course. For those classes added after the thirty (30) day notification deadline, the College shall post textbook information on its website immediately as such information becomes available.
- N. Bookstore personnel will inform faculty and deans of materials that are not available with time for adjustments so materials will be available by the first day of classes.