**NOTICE OF PROPOSED REGULATION DEVELOPMENT**

The New College of Florida Board of Trustees

Date: May 27, 2025

**REGULATION CHAPTER NUMBER:**

Chapter 4 – Academic Affairs

**REGULATION NUMBER AND TITLE:**

4-2003: Textbook and Instructional Materials Affordability

**AUTHORITY:** Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1004.085; Fla. Board of Governors Regulation 8.003

**SUMMARY OF PROPOSED REGULATION AMENDMENT:**

4-2003: The proposed regulation provides for amendments in order to conform the existing NCF regulation with the current Florida Board of Governors Regulation 8.003. The proposed amendments clarify attestation requirements for faculty concerning course materials and the affordability of textbooks, updates the requirements for a searchable database for student and consumer use, sets deadlines for performance, and delegates to the President of the New College of Florida the authority to implement the regulation.

**TEXT OF PROPOSED REGULATIONS:**

The full text of the proposed regulation is set out following this notice.

**NEW COLLEGE OFFICIAL INITIATING THE REGULATION:**

David Brickhouse, Vice President for Legal Affairs

**PROCEDURE FOR COMMENTING ON PROPOSED REGULATION:**

Comments concerning the proposed regulation should be submitted **within 14 days of the date of this notice** to David Brickhouse, Vice President for Legal Affairs, 5800 Bay Shore Road, Sarasota, Florida 34243, (941)-487-4106 office, generalcounsel@ncf.edu. Comments provided to Mr. Brickhouse will be presented to the Board of Trustees for consideration.

**THE FULL TEXT OF THE PROPOSED REGULATION IS BELOW**

~~Strikethrough~~ indicates deletion; Underlining indicates addition

**NEW COLLEGE OF FLORIDA REGULATIONS**

**MANUAL**

**CHAPTER 4 - Academic Affairs**

**4-2003 Textbook and Instructional Materials Affordability**

Pursuant to Florida Board of Governors Regulation 8.003, this regulation is promulgated to minimize the cost of textbooks and instructional materials to students while supporting a high quality of instruction and academic freedom.

1. All faculty, instructors, or individuals responsible for selecting textbook and instructional materials must attest that they will review all required materials for each course they teach each semester before the materials are presented or assigned to students. 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. Faculty or instructors must attest that the materials are appropriate for the course and submit the attestation in accordance with policies adopted pursuant to this regulation. The faculty, instructor or individual responsible for selecting materials ~~Instructors~~ shall engage in cost-benefit analysis in selecting required or recommended textbooks and instructional materials to enable students to obtain the highest quality product at the lowest available price. Such analysis should consider the following:
   1. Purchasing digital textbooks in bulk;
   2. Expanding the use of open-access textbooks and instructional materials;
   3. Providing rental options for textbooks and instructional materials;
   4. Increasing the availability and use of affordable digital textbooks and learning objects;
   5. Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials;
   6. The length of time that textbooks and instructional materials remain in use; and
   7. An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of materials.
2. In consultation with providers, including bookstores, Division Chairs and individual instructors shall use innovative pricing techniques and payment options for textbooks and instructional materials. 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.
3. Instructors shall select textbooks and instructional materials for their classes 60 calendar days prior to the first day of class where possible but no later than 45 calendar days. This deadline shall provide sufficient lead time for bookstores to confirm availability, source lower cost options, explore alternatives with faculty, and maximize the availability of used textbooks and instructional materials.
4. Any request for an exception to the deadline in Section (3) of this regulation shall be submitted by the instructor in writing to the appropriate Division Chair or his/her designee prior to the deadline and shall provide a reasonable justification.
5. For courses which are added after the deadline in Section (3), the course instructor shall order textbooks and instructional materials ~~as soon as feasible~~ no later than the deadline set by the President or their designee. ~~For the purposes of this regulation, neither tutorials nor Independent Study Projects (ISPs) are considered courses.~~
6. In selecting textbooks and instructional materials, instructors shall:
   1. Certify that all instructional items sold as part of a bundled package will be used;
   2. Determine the extent to which a new edition differs significantly and substantively from earlier versions, and explain the value to the student of changing to the new edition, or the extent to which an open-access textbook or instructional material is available. If a new edition cannot be justified, the course instructor should request the old edition.
   3. Indicate that no textbooks or instructional materials are required for the course if none are to be ordered.
7. A hyperlink to lists of required and recommended textbooks and instructional materials for at least ninety five (95) percent of all courses and course sections offered for the upcoming term shall be posted on the College’s website as early as feasible but no later than forty five (45) days prior to the first day of classes for each term. Any request for an exception to this deadline shall be submitted in writing to the President ~~designated university official~~ prior to the deadline, and shall provide a reasonable justification for an exception. Classes added after the notification deadline are exempt from this notification requirement. The posted list shall include the following information for each required and recommended textbook and instructional materials:
   1. The International Standard Book Number (ISBN); or (b) Other identifying information, including:

1. Title;

2. ~~1.~~ Author(s);

3. ~~2.~~ Publisher(s);

4. ~~3.~~ Edition number;

5. ~~4.~~ Copyright date;

6. ~~5.~~ Publication date;

7. ~~6.~~ Other information necessary to identify the specific textbook or instructional material that is required or recommended for each course.

8. Be posted as early as is feasible but at least 45 days before the first day of class for each term.

9. Be searchable by the course subject, the course number, the course title, the name of the instructor of the course, the title of each assigned textbook or instructional material; and each author of an assigned textbook or instructional material.

10. Be easily downloadable by current and prospective students.

11. If the course is a general education core course option identified pursuant to section 1007.25, Florida Statutes, the course syllabus must be included and contain the following:

a. The course curriculum;

b. The goals, objectives, and student expectations of the course;

c. How student performance will be measured.

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

1. Where applicable, the College shall consult with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to school districts, including, but not limited to, the length of time that textbooks and instructional materials remain in use.
2. The Director of Financial Aid or his/her designee shall publish on the College web site its procedure for the Book Advance program, which makes required and recommended textbooks and instructional materials available to students who otherwise cannot afford the costs prior to receipt of their financial aid distribution. Students eligible for this financial aid are notified as well via their award letter. See NCF Regulation 5-1005 Financial Aid.
3. Each semester, the College will examine the cost of required and recommended textbooks and instructional materials by course and course section for all general education courses, identifying any variance in the cost among different sections of the same course. This examination will also identify the percentage of textbooks and instructional materials that remain in use for more than one term. A list of courses that have a wide variance in cost among sections, or that have frequent changes in textbook and instructional materials, shall be submitted to the appropriate Department Chair for review.

1. No employee of the 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 or instructional materials for coursework or instruction, except in the cases listed in Section (12) below.

1. An employee may receive, subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and the outside activity and conflict of interest requirements set forth in College regulations, policies and collective bargaining agreements, the following:

* 1. Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.

* 1. Royalties or other compensation from sales of textbooks or instructional materials that include the instructor’s own writing or work.

* 1. Honoraria for academic peer review of course materials.

* 1. Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks or instructional materials.

* 1. Training in the use of course materials and learning technologies.

1. By September 30 of each year, the Board of Trustees shall provide a report to the Chancellor of the State University System that details:

* 1. The selection process for ~~general education courses with a wide cost variance and~~ high enrollment courses;

* 1. Specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials;

* 1. Policies implemented regarding the posting of textbook and instructional materials for at least ninety five (95) percent of all courses and course sections forty five (45) days before the first day of classes;

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

* 1. Compliance with the required components of the textbook and instructional materials list in subsection (7)(a). ~~Any additional information determined by the Chancellor~~.

* 1. Attestation that all required materials have been reviewed each semester; and
  2. Any additional information determined by the Chancellor.

1. The President or designee is delegated authority to implement additional policies and procedures in furtherance of, and consistent with, the requirements set forth herein, BOG Regulation 8.003, applicable law, and governing collective bargaining agreements.

*Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1004.085; Fla. Board of Governors Regulation 8.003*

# History: Adopted 11-07-09; Revised 10-29-16, 11-04-17, 6-26-25.