

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-5074**

SUBJECT: Selection, Adoption, Use and Sale of Textbooks and Other Course Materials

REFERENCE: West Virginia Code §18B-10-14; West Virginia Council for Community and Technical College Education, Title 135, Procedural Rule, Series 51, *Bookstores and Textbooks*; Public Law 110- 315, Higher Educations Opportunity Act, August 2008

ORIGINATION: June 2010

EFFECTIVE: January 15, 2021

REVIEWED: October 14, 2022

SECTION 1. PURPOSE

1.1 The purpose of this policy is to establish and communicate the rule of Southern West Virginia Community and Technical College regarding the selection, adoption, use and sale of textbooks and other course materials for all credit-based College courses and programs in compliance with state and federal requirements.

SECTION 2. SCOPE AND APPLICABILITY

2.1 This policy applies to the selection, adoption, and use of textbooks and other course materials by faculty in all academic units, departments, programs and/or courses, and addresses the sale of the adopted textbooks and materials by bookstores operated and/or contracted by Southern West Virginia Community and Technical College.

SECTION 3. DEFINITIONS

3.1 None.

SECTION 4. POLICY

4.1 It is the policy of Southern West Virginia Community and Technical College (College) to comply with the mandates of Title 135, Procedural Rule, Series 51, *Bookstores and Textbooks* of the West Virginia Council for Community and Technical College Education (Council) and the requirements of the Higher Education Opportunity Act (HEOA) regarding the selection, adoption, use and sale of textbooks and other course materials as well as the regulations pertaining to the operation of bookstores.

4.2 Employees of the College will comply with the above cited mandates and the institutional procedures established in respect to the selection, adoption and use of textbooks and other course materials for all academic credit-based courses offered by the College at all campuses, instructional sites and course locations.

4.3 Employees of the College, or those employed by contractors for purposes of operating College bookstores, shall comply with the above cited mandates and the institutional procedures established in respect to the sale of textbooks and other course materials.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 Series 51 requires the Board of Governors to promulgate a rule that fully and adequately addresses the mandates in West Virginia Code §18B-10-14 regarding the actions of employees of the institution in the selection and adoption of textbooks and course materials. These mandates include:
- 5.1.1 The faculty must commit, to the maximum percent practicable, to a selection procedure that will ensure certain basic textbooks will be utilized for a reasonable number of consecutive years without new editions being adopted unless earlier editions are not easily utilized in the courses.
 - 5.1.2 The faculty or any employee is prohibited from receiving any payment, loan, subscription, advance, deposit or money, service, benefit or anything of value, at present or promised, as an inducement for requiring students to purchase a specific textbook or supplemental course material.
 - 5.1.3 The faculty or any employee may receive royalties or other compensation from such sales that include the faculty member or other employee's own writing or work.
 - 5.1.4 The faculty or any employee may receive free sample copies, instructors' copies, and instructional materials for review, but shall not resell those items and retain the proceeds.
 - 5.1.5 The faculty or any other employee is prohibited from requiring for any course a textbook that includes his or her own writing or workbook if the textbook or workbook incorporates either detachable worksheets or workbook-style pages intended to be written on or removed from the book.
- 5.2 In addition, Series 51, requires the institutional rule to address the mandates of West Virginia Code §18B-10-14 related to the actions of employees and bookstores operated or contracted by the College regarding the sale of textbooks and course materials. These mandates require that the institution:
- 5.2.1 Provide specific mechanisms to minimize the costs to students for textbooks and course materials.
 - 5.2.2 Commit, to the maximum percent practicable, the number of used books the bookstore will repurchase from students at the end of each semester.
 - 5.2.3 Commit, to the maximum percent practicable, a range of percentage of repurchase prices based on the new textbook price.
- 5.3 Series 51 also requires that institutional policy comply with the mandates of Public Law 110-315, the Higher Education Opportunity Act enacted on August 14, 2008 in the selection, adoption, and use of textbooks and course materials. This law requires that:
- 5.3.1 Prior to considering a specific textbook for selection, adoption, and/or use, faculty should attempt to determine the best value for the students and the college and may require that textbook publishers provide, in writing:
 - 5.3.1.1 The price of the textbook and/or supplemental course materials to be considered;
 - 5.3.1.2 The copyright dates of the three previous editions, if any;
 - 5.3.1.3 A description of substantial content revisions from previous editions;
 - 5.3.1.4 Whether the textbook is available in other lower cost formats and, if so, the price to the institution and the general public;

5.3.1.5 The price of textbooks unbundled from supplemental materials; and

5.3.1.6 The same information, to the extent practicable, for custom textbooks.

SECTION 6. GENERAL PROVISIONS

6.1 Institutional procedures for the selection, adoption and use of textbooks and/or supplemental course materials shall be developed through an inclusive process under the direction of the Chief Academic Officer. Such procedures shall include the following:

6.1.1 Deadlines for the faculty to be assigned to courses.

6.1.2 Deadlines for the selection, adoption and placement of orders with the College bookstore for textbooks and supplemental course materials to be used in each course.

6.1.3 For deadlines not met, to the maximum extent practicable, there shall be a mechanism in place reasonably calculated to ensure that used textbooks, if available, can be located and purchased by the time of enrollment each semester. This mechanism should include, but is not limited to, such measures as default selection of certain textbooks, continuing to use the previous textbook, or having the appropriate faculty and Dean select the textbook. Any such textbook default selection must be strictly enforced and the faculty shall not be allowed to change the selection.

6.1.4 Guidelines to be used by faculty in the selection, adoption and use of textbooks and supplementary course materials include the following:

6.1.4.1 The faculty should consider more than one textbook publisher;

6.1.4.2 The faculty must compare prices for textbooks and supplemental course materials in their consideration for selection and adoption;

6.1.4.3 An e-mail stating that the required information as stated in section 5.3.1 was or was not provided by the publisher must be submitted to the appropriate Dean in support of the adoption of any textbook or supplemental course material;

6.1.4.4 Procedures for textbook selection and adoption must include a requirement that a textbook be used for a minimum of three academic years before any change is considered, to the extent practicable;

6.1.4.5 The selection and adoption of textbooks in which less than 50 percent of the content will be used in the course is discouraged unless the same textbook will be used in subsequent courses;

6.1.4.6 Faculty should use textbooks that have low-cost alternative editions available, Open Educational Resources (OER), or other quality open source textbooks or course materials to the faculty and students free or at low cost;

6.1.4.7 Select textbooks it is believed will not be revised by the publisher within the next three (3) years;

6.1.4.8 Encourage the use of various technology innovations for the provision of textbooks and course materials such as electronic textbooks, on-line textbooks, open source materials,

and institutionally produced materials.

- 6.2 The College shall include a link on its website for any provisions for rental of textbooks, purchase of used textbooks, textbook repurchase or buyback, and any alternative content delivery programs available.

SECTION 7. RESPONSIBILITIES

- 7.1 The Chief Academic Officer, through a collaborative and inclusive process, shall be responsible for developing academic unit, division, department, and/or program procedures and assigning responsibilities for the implementation of all sections of this policy applicable to faculty and employees.
- 7.2 In addition to the requirements set forth in previous sections of this policy, the Chief Academic Officer shall:
- 7.2.1 Include training for all faculty on textbook selection and strategies that guarantee high quality course materials at the most affordable cost;
 - 7.2.2 Enforce the policies of the Board of Governors concerning textbook selection, adoption, and use.
- 7.3 The Chief Finance Officer, through a collaborative and inclusive process, shall be responsible for developing procedures and assigning responsibilities for the implementation of the sections of this policy applicable to the bookstore and other employees under the direction of the Finance Unit.
- 7.4 In addition to the requirements set forth in previous sections of this policy, the Chief Finance Officer shall:
- 7.4.1 Appoint the Bursar's office to act as liaison with the Bookstore vendor, and maintain and monitor the API system;
 - 7.4.2 Ensure that the College's bookstores minimize the costs to students of purchasing educational materials;
 - 7.4.3 Ensure the appropriate, high quality educational materials selected by course instructors are available;
 - 7.4.4 Encourage and incentivize the use of previous or older versions of basic educational materials to the extent those older versions are available and less costly to students and remain relevant, high quality educational materials with up-to-date information and content;
 - 7.4.5 Require the repurchase and resale of educational materials on a College-wide basis; and
 - 7.4.6 Provide for the use of basic educational materials for a reasonable number of years.

SECTION 8. CANCELLATION

- 8.1 SCP-3780, Textbook Selection Policy, *SIP 5074.A Textbook Consideration Form*, and SCP-5075, Bookstore Textbook Procedures.

SECTION 9. REVIEW STATEMENT

- 9.1 This policy shall be reviewed on a regular basis to comply with any future federal mandates with a time frame for review to be determined by the President or the President's designee.

SECTION 10. SIGNATURES

Board of Governors Chair **Date**

President **Date**

Attachments: None.

Distribution: Board of Governors (12 members)
www.southernwv.edu

Revision Notes: June 2010 - This is a new policy and addresses the requirements of Series 51 of the Council for Community and Technical College Education and the mandates of Public Law 110-315, the Higher Education Opportunity Act of August 2008 regarding the selection, adoption, use and sale of textbooks and other course materials. This policy supersedes any and all previous policies pertaining to these subjects and related bookstore procedures.

December 3, 2014 - Revisions made to this policy are grammatical in nature and reflect changes in job titles.

May 2020 - Language was added to provide clarity and to clearly define the Official Textbook List. Titles were changed to reflect the current organizational structure.

August 2020 - Revisions reflect changes in titles and management responsibilities due to reorganization; Incorporated new legislative requirements (subsections 7.5.2.4 thru 7.5.2.8) of the colleges' Educational Materials Affordability Committees in accordance with 2019 and 2020 amendments to W.Va. Code §18B-10-14(c).

October 2022 – Updated processes to include the API system and other operational changes for the new bookstore.