FACULTY SENATE ISSUE FORM

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<th>Date Submitted:</th>
<th>August 31, 2018</th>
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<tr>
<td>Title of Issue (a short descriptive title by which the issue may be referenced)</td>
<td>Revisions to the Textbook Adoption and Sales Policy</td>
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<td>Description of Issue:</td>
<td>The Provost’s Council recommends changes to the Textbook Adoption and Sales Policy, including renaming the policy as Course Materials Adoption Policy.</td>
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<td>Rational for Submission:</td>
<td>The changes are in response to a state law requiring the creation of a policy on open education resources to be approved by each institution’s Board of Visitors. A committee consisting of Brian Payne, Andy Casiello, George Fowler, Todd Johnson, and a faculty member from each college developed the revised policy.</td>
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<tr>
<td>Name: Judy Bowman, submitted on behalf of Austin Agho and the Provost’s Council</td>
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<td>Department:</td>
<td>Academic Affairs</td>
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<td>Assigned to Committee:</td>
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Course Materials Adoption Policy

I. Policy Statement and Purpose

In accordance with the Code of Virginia § 23.1-1038, it is the policy of Old Dominion University to encourage efforts to minimize the cost of course materials for students while maintaining the quality of education and academic freedom. In addition, pursuant to §23.1-1308, Old Dominion University shall implement guidelines for the adoption and use of low-cost and no-cost open educational resources in courses offered at the university.

II. University Compliance

To the maximum extent practicable, each institution of higher education receiving Federal financial assistance shall disclose, on the institution's Internet course schedule and in a manner of the institution's choosing, the International Standard Book Number (ISBN) and retail price information of required and recommended college textbooks and supplemental materials for each course listed in the institution's course schedule used for preregistration and registration purposes.

Pursuant to § 23.1-1038.3:1 of the Code of Virginia, no employee at Old Dominion University shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, as an inducement for requiring students to purchase a specific textbook required for coursework or instruction, with the exception that the employee may receive

(i) sample copies, instructor's copies, or instructional material, not to be sold, and

(ii) royalties or other compensation from sales of textbooks that include such instructor's own writing or work.

Faculty members may require course materials they have authored or co-authored for classes they teach. However, the selection of one's own course material should be communicated to the department chair (or the Dean if the faculty member teaching the course is the chair) prior to adoption. The chair should determine that the course materials are appropriate for that class and keep a copy of the communication in the department file.

III. Definitions

A. Course materials - For the purpose of this policy, course materials include but are not limited to textbooks, articles, videos, streaming media, software applications, and/or media bundles designed to be used in a course to
introduce students to a subject or continue basic instruction at the intermediate or advanced level. Commonly, although not always, course materials include study questions, discussion topics, study guides or exercises at the end of each chapter and may be published in subsequent editions in order to update information in previous editions. Course materials may be designed for use in undergraduate courses, graduate courses, or for use in professional programs.

B. **Open Education Resources** – For the purposes of this policy, the definition of the U.S. Department of Education is followed. Open education resources (OER) are openly licensed educational resources as teaching, learning, and research resources that reside in the public domain or have been released under a license that permits their free use, reuse, modification, and sharing with others.

C. **Open Education Resources Committee** – The University-level committee that establishes overall policy and guidelines for implementation and expansion of OER course materials in accordance with existing University policies.

IV. **Open Education Resources (OER)**

A. To reduce costs and provide access to course materials, faculty and departments are encouraged to use open education materials in their courses to minimize the costs of course materials for students.

B. Faculty are encouraged to adopt or adapt existing, or create new OER, including open textbooks.

C. Faculty and departments who develop OER can have those resources digitally stored at Old Dominion University

D. The Libraries and Academic Affairs will provide training for faculty to identify and use open education resources. Where feasible, resources will be provided to assist faculty in developing open education resources in their courses.

E. A University OER Committee will be responsible for coordinating the expansion of OER materials across the university.

V. **Additional Actions to Minimize the Cost of Course Materials for Students**

A. Course materials and related class supplies shall be part of the financial aid Cost of Attendance budget used to award financial aid to students.

B. Faculty are encouraged to utilize the ODU Libraries’ collection and electronic books, journals, image databases, audio and video materials, and other supplemental items available.
C. Faculty are encouraged to limit their use of new edition non-OER textbooks when previous editions do not significantly differ in a substantive way. The appropriate faculty and the University Village Bookstore should ensure adequate supply of the older edition. Faculty members are also encouraged to adopt the best practice of using the same non-OER textbooks for consecutive semesters. Except in unusual circumstances, non-OER textbooks used in sequential courses (e.g., PHYS 101N and PHYS 102N) should not be changed after the first semester.

D. Faculty are encouraged to use new technologies and packaging techniques such as e-text and bundles that reduce the cost of course materials to students.

E. Faculty are encouraged to provide instructional materials for students to use through their respective departments and/or the ODU Libraries.

F. No funds provided for financial aid from University Village Bookstore revenue shall be counted in the calculation for state appropriations for student financial aid.

G. Faculty should avoid requiring students to purchase materials that will not be used for pedagogical purposes in their courses. For instance, faculty are discouraged from requiring students to purchase technology or software simply to track attendance.

H. Courses with zero- or low-cost educational resources should be advertised to students.

VI. Responsibilities of the Faculty

A. Faculty, departments and/or schools should provide required or assigned OER and non-OER course materials information for each particular course to the University Village Bookstore by the specified due date published by the University Village Bookstore.
   a. Exceptions will be made for faculty who are hired or assigned after the course adoption due dates. Chairs are encouraged to make the appropriate course adoption adjustments as soon as possible in these cases.

B. When using non-OER course materials, faculty shall affirmatively acknowledge the quoted retail price of the selected materials through the textbook adoption process provided by the University Village Bookstore.

C. Faculty members shall affirmatively confirm their intent to use each item in a bundled package when placing an adoption for such a package. If the faculty member does not intend to use all items in the bundle, he/she shall notify the University Village Bookstore of the items required, and the Bookstore shall order the individualized items when the store’s procurement is cost effective for both the institution and students and such items are made available by the publisher.
D. Departments offering courses which have adopted OER course materials should submit an OER course material adoption report to the Assistant Vice President for Auxiliary Services.

E. Instructors of courses adopting OER course materials should post the resources online prior to the beginning of the semester and notify students in the class how to access it.

F. It is recommended that Distance Learning students who reside within a 50-mile radius of the Norfolk Campus order their course materials from the University Village Bookstore. Distance Learning students living further than 50 miles from the Norfolk Campus should use the Follett OnLine store to purchase their course materials.

A. VII. Responsibilities of the University Village Bookstore

The University Village Bookstore Textbook Manager will communicate the requirements and due dates for course adoptions each academic session. Follow-up communications will be sent to the department chairs and the faculty if the requested materials are not available from the publisher or obtained in a timely manner.

a. The University Village Bookstore continuously works directly with instructors and departments to collect adoptions throughout the process.

b. The OER course material adoption report should be submitted prior to the beginning of the semester.

c. Leading up to and after the due date passes, a course material adoption report is sent to the Assistant Vice President for Auxiliary Services and the Provost’s Office to be forwarded to the deans and chairs. This process continues through the beginning of classes each semester.

d. Approximately one month after the start of the fall and spring semesters, the University Village Bookstore alerts the Provost’s Office about textbook submissions. The Provost’s Office sends an email to deans, chairs, and instructors informing them that it is time to submit course material orders (for the next semester?) to the University Village Bookstore.

B. The University Village Bookstore shall provide a convenient course materials adoption process, including a web-based method, to expedite the ordering process for non-OER course materials.

C. The University Village Bookstore shall note courses that utilize OER course materials on the course materials website.

D. Centralized listings of course materials required or assigned for particular courses shall be available from the University Village Bookstore’s website.
after the relevant instructor or academic department notifies the University Village Bookstore. The University Village Bookstore shall post the relevant information received from the faculty in a timely manner. The listings shall be in a standard format and include the International Standard Book Number (ISBN), when applicable, along with other relevant information.

VI. Responsibilities of the OER Committee

The OER Committee reports to the Provost and Vice President for Academic Affairs on the development and enforcement of the University’s Course Materials Adoption Policy. The Provost appoints Committee members, to include representatives from the faculty, University Libraries, Information Technology Services (ITS), University Bookstore, Institutional Effectiveness and Assessment, SEES representative (and/or student), CHIP representative, CLT, Center for Faculty Development, and senior University management. The Provost will solicit recommendations from the Deans for the faculty representatives, who will comprise the majority of the committee. The OER Committee may create subcommittees and task forces as needed to carry out its responsibilities.

Other Committee responsibilities include:

A. Guiding updates to this policy.
B. Developing strategies and actions, setting timelines, and determining outcomes that will advance the University’s efforts to facilitate adoption of OER.
C. Tracking local, national, and international developments within the area of OER.
D. Implementing and coordinating a training program available to faculty on OER. Stimulating discussion, generating supporting material and developing venues for communication and education.
E. Seeking collaborative ventures internally and with other institutions.
F. Exploring and identifying possible high impact initiatives that the University could either launch or support, such as pilot projects that promote creation and/or adoption of OER.
G. Consulting broadly with individuals, groups, and units as needed.

Contacts:
The Office of the Provost and Vice President for Academic Affairs officially interprets this policy. The President may revise or eliminate any or all parts as necessary to meet the changing needs of Old Dominion University and the Commonwealth of Virginia.
- Approved by the president

February 2, 2017
Course Materials Adoption Policy

I. Policy Statement and Purpose

In accordance with the Code of Virginia § 23.1-1038, it is the policy of Old Dominion University to encourage efforts to minimize the cost of course materials for students while maintaining the quality of education and academic freedom. In addition, pursuant to § 23.1-1038, Old Dominion University shall implement guidelines for the adoption and use of low-cost and no-cost open educational resources in courses offered at the university.

II. University Compliance

To the maximum extent practicable, each institution of higher education receiving Federal financial assistance shall disclose, on the institution’s Internet course schedule and in a manner of the institution’s choosing, the International Standard Book Number (ISBN) and retail price information of required and recommended college textbooks and supplemental materials for each course listed in the institution’s course schedule used for preregistration and registration purposes.

Pursuant to § 23.1-1038.3:1 of the Code of Virginia, no employee at Old Dominion University shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, as an inducement for requiring students to purchase a specific textbook required for coursework or instruction, with the exception that the employee may receive:

i. sample copies, instructor's copies, or instructional material, not to be sold, and
ii. royalties or other compensation from sales of textbooks that include such instructor's own writing or work.

Faculty members may require course materials they have authored or co-authored for classes they teach. However, the selection of one’s own course material should be communicated to the department chair (or the Dean if the faculty member teaching the course is the chair) prior to adoption. The chair should determine that the course materials are appropriate for that class and keep a copy of the communication in the department file.

III. Definitions

A. Course Materials - For the purpose of this policy, course materials include but are not limited to textbooks, articles, videos, streaming media, software applications, and/or media bundles designed to be used in a course to introduce students to a subject or continue basic instruction at the intermediate or advanced level. Commonly, although not always, course materials include study questions, discussion topics, study guides, or exercises at the end of each chapter and may be published in subsequent editions in order to update information in previous editions. Textbooks may be designed for use in undergraduate courses, graduate courses, or for use in professional programs.

B. Open Education Resources - For the purposes of this policy, the definition of the U.S. Department of Education is followed. Open education resources (OER) are openly licensed educational resources as teaching, learning, and research resources that reside in the public domain or have been released under a license that permits their free use, reuse, modification, and sharing with others.

C. Open Education Resources Committee - The university-level committee that establishes overall policy and guidelines for implementation and expansion of OER course materials in accordance with existing University policies.

D. 

IV. Open Educational Resource (OER) Adoption Practices

A. To reduce costs and provide access to course materials, faculty and departments are encouraged to use open educational materials in their courses to minimize the costs of course materials for students.

B. Faculty are encouraged to adopt or adapt existing, or create new OER, including open textbooks.

C. Faculty and departments who develop OER can have those resources digitally stored at Old Dominion University.
D. The Libraries and Academic Affairs, where feasible, will provide resources and training for faculty to identify and use open education resources in their courses.

E. A University OER Committee will be responsible for coordinating the expansion of OER materials across the university.

V. Additional Actions to Minimize the Cost of Course Materials for Students

A. Course materials and related class supplies shall be part of the financial aid Cost of Attendance budget used to award financial aid to students.

B. Faculty are encouraged to utilize the ODU Libraries’ collection and electronic books, journals, image databases, audio and video materials, and other supplemental items available.

C. Faculty are encouraged to limit their use of new edition non-OER textbooks when previous editions do not significantly differ in a substantive way. The appropriate faculty and the University Village Bookstore should ensure adequate supply of the older edition. Faculty members are also encouraged to adopt the best practice of using the same non-OER textbooks for consecutive semesters. Except in unusual circumstances, non-OER textbooks used in sequential courses (e.g., PHYS 101N and PHYS 102N) should not be changed after the first semester.

D. Faculty are encouraged to use new technologies and packaging techniques such as e-text and bundles that reduce the cost of course materials to students.

E. Faculty are encouraged to provide instructional materials for students to use through their respective departments and/or the ODU Libraries.

F. No funds provided for financial aid from University Village Bookstore revenue shall be counted in the calculation for state appropriations for student financial aid.

G. Faculty should avoid requiring students to purchase materials that will not be used for pedagogical purposes in their courses. For instance, faculty are discouraged from requiring students to purchase technology or software simply to track attendance.

H. Courses with zero- or low-cost educational resources should be advertised to students.

VI. Responsibilities of the Faculty

A. Faculty, departments and/or schools should provide required or assigned OER and non-OER course materials information for each particular course to the University Village Bookstore by the specified due date published by the University Village Bookstore. Exceptions will be made for faculty who are hired or assigned after the course adoption due dates. Faculty are encouraged to make the appropriate course adoption adjustments as soon as possible in these cases.

B. When using non-OER course materials, faculty shall affirmatively acknowledge the quoted retail price of the selected materials through the textbook adoption process provided by the University Village Bookstore.

C. Faculty members shall affirmatively confirm their intent to use each item in a bundled package when placing an adoption for such a package. If the faculty member does not intend to use all items in the bundle, he/she shall notify the University Village Bookstore of the items required, and the Bookstore shall order the individualized items when the store’s procurement is cost effective for both the institution and students and such items are made available by the publisher.

D. Departments offering courses which have adopted OER course materials should submit an OER course material adoption report to the Assistant Vice President for Auxiliary Services.

E. Instructors of courses adopting OER course materials should post the resources online and notify students in the class how to access it.

VII. Responsibilities of the University Village Bookstore
The University Village Bookstore Textbook Manager will communicate the requirements and due dates for course adoptions each academic session. Follow-up communications will be sent to the department chairs and the faculty if the requested materials are not available from the publisher or obtained in a timely manner. The University Village Bookstore continuously works directly with instructors and departments to collect adoptions throughout the process.

The OER course material adoption report should be submitted prior to the beginning of the semester. Leading up to and after the due date passes, a course material adoption report is sent to the Assistant Vice President for Auxiliary Services and the Provost’s Office to be forwarded to the deans and chairs. This process continues throughout the beginning of classes each semester.

Approximately one month after the start of the fall and spring semesters, the University Village Bookstore alerts the Provost’s Office about textbook submissions. The Provost’s Office sends an email to deans, chairs, and instructors informing them that it is time to submit course material orders (for the next semester?) to the University Village Bookstore.

The University Village Bookstore shall provide a convenient course materials adoption process, including a web-based method, to expedite the ordering process for non-OER course materials.

The University Village Bookstore shall note courses that utilize OER course materials on the course materials website.

Centralized listings of course materials required or assigned for particular courses shall be available from the University Village Bookstore’s website after the relevant instructor or academic department notifies the University Village Bookstore. The University Village Bookstore shall post the relevant information received from the faculty in a timely manner. The listings shall be in a standard format and include the International Standard Book Number (ISBN), when applicable, along with other relevant information.

Responsibilities of the OER Committee

The OER Committee reports to the Provost and Vice President for Academic Affairs on the development and enforcement of the University’s Course Materials Adoption Policy. The Provost appoints Committee members, to include representatives from the faculty, University Libraries, Information Technology Services (ITS), University Bookstore, Institutional Effectiveness and Assessment, SEES representative (and/or student), CHIP representative, CLT, Center for Faculty Development, and senior University management. The Provost will solicit recommendations from the Deans for the faculty representatives, who will constitute the majority of the committee. The OER Committee may create subcommittees and task forces as needed to carry out its responsibilities.

Other Committee responsibilities include:

A. Guiding updates to this policy.
B. Developing strategies and actions, setting timelines, and determining outcomes that will advance the University’s efforts to facilitate adoption of OER.
C. Tracking local, national, and international developments within the area of OER.
D. Implementing and coordinating a training program available to faculty on OER. Stimulating discussion, generating supporting material and developing venues for communication and education.
E. Seeking collaborative ventures internally and with other institutions.
F. Exploring and identifying possible high impact initiatives that the University could either launch or support, such as pilot projects that promote creation and/or adoption of OER.
G. Consulting broadly with individuals, groups, and units as needed.

Contacts:

The Office of the Provost and Vice President for Academic Affairs officially interprets this policy. The President may revise or eliminate any or all parts as necessary to meet the changing needs of Old Dominion University and the Commonwealth of Virginia.

- Approved by the president
February 2, 2017
Original Policy

Textbook Adoption and Sales Policy

X. Policy Statement and Purpose
In accordance with the Code of Virginia §23-4.3:1, it is the policy of Old Dominion University to encourage efforts to minimize the cost of textbooks for students while maintaining the quality of education and academic freedom.

Pursuant to Chapter 561, 2006 Acts of Assembly, an act to amend and reenact § 23-4.3:1 of the Code of Virginia, no employee at Old Dominion University shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, as an inducement for requiring students to purchase a specific textbook required for coursework or instruction, with the exception that the employee may receive (i) sample copies, instructor’s copies, or instructional material, not to be sold, and (ii) royalties or other compensation from sales of textbooks that include such instructor’s own writing or work.

Faculty members may require a book they have authored or co-authored for classes they teach. However, the selection of one’s own book should be communicated to the department chair (or the Dean if the faculty member teaching the course is the chair) prior to adoption. The chair should determine that the book is an appropriate selection for that class and keep a copy of the communication in the department file.

XI. Definitions
A. University Village Bookstore – Follett-operated retail unit on Monarch Way
B. Textbook - For the purpose of this policy, a textbook may be described as a book, software application and/or media bundle designed to be used in a course to introduce students to a subject or continue basic instruction at the intermediate or advanced level. Commonly, although not always, textbooks include study questions, discussion topics, study guides or exercises at the end of each chapter and may be published in subsequent editions in order to update information in previous editions. Textbooks may be designed for use in undergraduate courses, graduate courses, or for use in professional programs.

XII. Responsibilities of the Faculty and the University Village Bookstore
A. Faculty, departments and/or schools should provide required or assigned textbook information for each particular course to the University Village Bookstore by the specified due date published by the University Village Bookstore.
B. Centralized listings of textbooks required or assigned for particular courses shall be available from the University Village Bookstore’s website after the relevant instructor or academic department notifies the University Village Bookstore. The University Village Bookstore shall post the relevant information received from the faculty in a timely manner. The listings shall be in a standard format and include the International Standard Book Number (ISBN), when applicable, along with other relevant information.
C. The University Village Bookstore shall provide a convenient textbook and course materials adoption process, including a web-based method, to expedite the textbook order process.
D. Faculty members shall affirmatively acknowledge the quoted retail price of the selected textbook through the textbook adoption process provided by the University Village Bookstore. Faculty members shall affirmatively confirm their intent to use each item in a bundled package when placing an adoption for such a package. If the faculty member does not intend to use all items in the bundle, he/she shall notify the University Village Bookstore of the items required, and the Bookstore shall order the individualized items when the store’s procurement is cost effective for both the institution and students and such items are made available by the publisher.
E. The University Village Bookstore Textbook Manager will communicate the requirements and due dates for course adoptions each academic session. Follow-up communications will be sent to the department chairs and the faculty member if the requested materials are not available from the publisher or obtained in a timely manner.
F. Exceptions will be made for faculty who are hired after the course adoption due dates. Chairs are encouraged to make the appropriate course adoption adjustments as soon as possible in these cases.

XIII. University Village Bookstore Textbook Adoption Process
A. Due dates: Textbook adoptions are due no later than two months prior to the start of the semester needed.

B. Approximately one month after the start of the fall and spring semesters, the University Village Bookstore alerts the Provost’s Office about textbook submissions. The Provost’s Office sends an email to deans, chairs, and instructors informing them that it is time to submit textbook orders to the University Village Bookstore.

C. Leading up to and after the due date passes, a textbook adoption report is sent to the Assistant Vice President for Auxiliary Services and the Provost’s Office to be forwarded to the deans and chairs. This process continues through the beginning of classes each semester.

D. The University Village Bookstore continuously works directly with instructors and departments to collect adoptions throughout the process.

XIV. Actions to Minimize the Cost of Textbooks and Course Materials for Students

A. Textbooks and related class supplies shall be part of the financial aid Cost of Attendance budget used to award financial aid to students.

B. Faculty are encouraged to adopt existing, and create new, open educational resources (OER), including open textbooks. OER are free, openly licensed educational resources that legally can be modified by faculty.

C. Faculty are encouraged to utilize the ODU Libraries’ collection and electronic books, journals, image databases, audio and video materials, and other supplemental items available.

D. Faculty members are encouraged to limit their use of new edition textbooks when previous editions do not significantly differ in a substantive way. The appropriate faculty and the University Village Bookstore can ensure adequate supply of the older edition. Faculty members are also encouraged to adopt the best practice of using the same textbooks four consecutive semesters. Except in unusual circumstances, textbooks used in sequential courses (e.g., PHYS 101N and PHYS 102N) should not be changed after the first semester. Additionally, faculty members are encouraged to use new technologies and packaging techniques such as e-text and bundles that reduce the cost of course materials to students.

E. Faculty are encouraged to provide instructional materials for students to use through their respective departments and/or the ODU Libraries.

F. No funds provided for financial aid from University Village Bookstore revenue shall be counted in the calculation for state appropriations for student financial aid.

XV. Distance Learning Students

It is recommended that Distance Learning students who reside within a 50-mile radius of the Norfolk Campus order their course materials from the University Village Bookstore. Distance Learning students living further than 50 miles from the Norfolk Campus should use the Follett OnLine store to purchase their course materials.

XVI. University Compliance

To the maximum extent practicable, each institution of higher education receiving Federal financial assistance shall disclose, on the institution’s Internet course schedule and in a manner of the institution’s choosing, the International Standard Book Number and retail price information of required and recommended college textbooks and supplemental materials for each course listed in the institution’s course schedule used for preregistration and registration purposes.

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February 2, 2017
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