



Board of Governors Rule

Governance
Educational Materials
Responsible Unit: Provost's Office
Adopted: June 21, 2019
Effective: July 15, 2019
Revision History: Prior BOG Policy 48:
Textbook Affordability (originally effective
February 4, 2011)
Review Date: April 2023

BOG GOVERNANCE RULE 1.12 EDUCATIONAL MATERIALS

SECTION 1: PURPOSE & SCOPE.

- 1.1 The purpose of this Rule is to ensure that appropriate, high quality, and affordable Educational Materials are selected for courses offered by the University. Accordingly, this Rule outlines the guiding principles for the selection, adoption, use, sale, and delivery of Educational Materials.
- 1.2 The Rule applies to West Virginia University, including West Virginia University Institute of Technology and Potomac State College of West Virginia University, (collectively the "University").

SECTION 2: TEXTBOOK AND EDUCATIONAL MATERIALS COMMITTEE; REPORTING.

- 2.1 *Committee.* The President shall appoint an Educational Materials Committee ("Committee") which shall:
 - 2.1.1 Meet periodically, but at least annually.
 - 2.1.2 Advise the President and Board on Educational Materials affordability issues and initiatives.
 - 2.1.3 Consistent with Section 3 of this Rule, establish formal selection guidelines and periodically update the guidelines to address emerging technologies or new strategies which address the affordability of Educational Materials.
 - 2.1.4 Initiate educational opportunities regarding the affordability of Educational Materials and selection, including, but not limited to, open textbooks and open educational resources.

- 2.2 **Reporting.** At least annually, the Board shall be provided with a summary report, for the prior fiscal year, regarding the progress of, and compliance with, the matters outlined in this Rule.
-

SECTION 3: SELECTION GUIDELINE REQUIREMENTS

- 3.1 The guidelines for the selection of Educational Materials shall, at a minimum:
- 3.1.1 Ensure appropriate, high quality course materials are selected by course instructors.
 - 3.1.2 Establish firm deadlines for the selection of Educational Materials so that students have timely access to affordable course materials.
 - 3.1.3 Ensure certain basic Educational Materials will be utilized for a reasonable number of consecutive years without new or updated editions being adopted, or selection of Educational Materials where earlier editions are easily and appropriately utilized in courses.
 - 3.1.4 Encourage and incentivize the use of emerging technologies, such as electronic textbooks, online textbooks, print-on-demand services, and other open source materials.
 - 3.1.5 Prohibit Employees from profiteering by requiring the purchase of one-time use materials (such as worksheets) or receiving payment or other consideration as an inducement for requiring students to purchase particular Education Materials.
-

SECTION 4: BOOKSTORE OPERATIONS AND INFORMATION AVAILABILITY

- 4.1 Each campus of the University shall have a bookstore, which may be operated by a vendor, and all moneys derived from the operation of a campus bookstore shall be handled in accordance with state law.
- 4.2 Campus bookstores should take reasonable steps to minimize the costs to students of purchasing Educational Materials, but in so doing, shall charge prices in accordance with state law.
- 4.3 When the selection process is complete, and Educational Materials are designated for order, the University, or its selected bookstore vendor, shall, in accordance with state and

federal law, provide to students a listing of required or assigned Educational Materials for any course offered at the University.

SECTION 5: DEFINITIONS.

- 5.1 “Educational Materials” means textbooks and other supplementary course materials that come at a cost to the student, regardless of format.
- 5.2 “Employee” means any Faculty and Staff.
- 5.3 “Faculty” is defined in BOG Faculty Rule 4.2 – Appointment, Promotion, Tenure, and Dismissal for Cause.
- 5.4 “President” means President of West Virginia University or his or her designee.
- 5.5 “Staff” means all Classified Employees and Non-Classified Employees.
-

SECTION 6: DELEGATION.

- 6.1 The Board of Governors delegates to the President the authority to adopt additional internal policies and procedures to effectuate the implementation of this Board of Governors Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.
-

SECTION 7: AUTHORITY.

- 7.1 W. Va. Code § 18B-1-6 and § 18B-10-14; Higher Education Opportunity Act, codified at 20 USCS § 1015b.
-

SECTION 8: SUPERSEDING PROVISIONS.

- 8.1 This Rule supersedes and replaces; Higher Education Policy Commission (“HEPC”) Series 51 (W. Va. Code R. §§ 133-51-1 to -7), which was effective May 27, 2010; and any other rule of HEPC which relates to the subject matter contained within this Rule. This Rule also amends and replaces Board of Governors Policy 48: Textbook Affordability, which was effective on February 4, 2011, and any other internal University policy or procedure which relates to the subject matter contained within this Rule.