

System-wide Policy: FI0155 - Minimizing the Cost of Textbooks and Course Materials; Duplication and Distribution of Instructional Materials Prepared by Faculty	
Version: 3	Effective Date: 01/09/2024

SECTION 1. Policy Statement

I. Books and Course Materials Sold Through On-Campus Bookstores

A. On-campus bookstores must:

1. Require faculty members to acknowledge in writing the price of the textbooks and materials during the submission process.
2. Disclose to students and faculty members on a per-title and per-course basis the costs to students of purchasing the required textbooks, and electronic or written course materials, such as workbooks, manuals, etc., through an e-commerce website following activation before the start of each term.
3. When possible, provide students the option of purchasing textbooks and other study products separately from each other if selling textbooks to students as part of a bundled package.
4. Ensure that students have access to information regarding which course materials are required or optional. Each on-campus bookstore must ensure that this information is published on viable channels, including the on-campus bookstore's website. Each on-campus bookstore must publish this information before courses begin and will publish the information as available. This information must include, but is not limited to, the International Standard Book Number (ISBN).
5. When a publisher provides copies of required textbooks to the campus at no charge, the on-campus bookstore must provide copies of required textbooks to the applicable academic department or through the reserve system of the campus library. The academic department or library will provide access to the textbooks at no charge.

B. On-campus bookstores may offer an optional Flat-Fee Access program providing students all required course materials, for a set fee charged to a student's account.

C. Buyback programs: if an on-campus bookstore conducts a book buyback program, the on-campus bookstore must actively publicize and promote the program.

D. Inventory management

1. On-campus bookstores must work with the institution's administration and faculty members to ensure that the faculty submit to the on-campus bookstore lists of required textbooks and course materials in a timely manner to ensure that a sufficient quantity of the textbooks and materials are available for purchase when courses begin.
2. On-campus bookstores must utilize existing bookstore staff levels to manage and monitor textbook inventory.

II. Faculty Requirements: Pursuant to Tennessee Code Annotated § 49-7-141:

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- A. Faculty members must consider the least costly practices in assigning textbooks and course materials, such as adopting the least expensive edition of a textbook available when educational content is equivalent to a more costly edition.
- B. Regarding on-campus bookstores, faculty must:
 - 1. Submit lists of required textbooks and course materials to the on-campus bookstore in a timely manner;
 - 2. Utilize the designated campus bookstore for the distribution of their course materials (the applicable provost may issue an exception for II(B)(2)); and
 - 3. Work closely with the on-campus bookstore (campus bookstore will work directly with publishers) to create bundles and custom materials only if they deliver a cost savings to students and all components are necessary for student success.
- C. Faculty must clearly indicate if titles are “required” (essential/ necessary) or “optional” (not necessary but recommended) so that students purchase only the books or course materials, or both, that will be utilized for the applicable class.

III. Requirement Regarding Campus Bookstores Establishing Process Guidance

- A. The University recognizes the burden of increasing textbook costs on students. Each campus that maintains an on-campus bookstore must develop process guidance for minimizing the cost of textbooks and course materials. The process guidance will provide faculty with information to facilitate compliance with this policy and applicable laws.
- B. Campuses that outsource their bookstore operation are responsible for ensuring that the vendor complies with applicable Tennessee law.

IV. Duplication and Distribution of Instructional Materials Prepared by Faculty

- A. Whenever possible, departments must provide course materials prepared by University faculty (e.g., packets containing handouts, class notes, compilation of articles) free of charge to students.
- B. When it is not possible to provide course materials prepared by faculty to students at no cost, faculty must seek the most cost-effective duplication of materials.
- C. University faculty and staff are responsible for knowing and complying with “fair use” copyright law. See <http://counsel.tennessee.edu/copyright/>.
- D. If departmental funding cannot cover the cost of duplicating and distributing materials, the department must make the materials available to students in the following ways:

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- 1.If orders for course materials are placed with a bookstore or printing facility for students to purchase, access to these materials without charge must be provided at another source, such as the department or University library where students may do any or all of the following with the materials: read, borrow, or copy (if appropriate).
- 2.Course materials may be placed on a website or learning management system where students can access the materials.

E. Digital Resources

- 1.Faculty members must evaluate the use of digital materials—including e-textbooks, supplemental course materials and activities (lab workbooks, readings, quizzes, and exercises)—if the option is available and consistent with the requirements of copyright law for the textbooks and materials chosen by faculty for their courses.
- 2.Faculty members may facilitate digital delivery of textbooks and materials through the use of Open Educational Resources (OER) and Inclusive Access (IA) by working with on-campus bookstores and libraries. Students may also be able to purchase access codes to digital textbooks and materials from the bookstore or online directly from the publisher.
- 3.Faculty and students may access information about open educational resources at <https://www.oercommons.org/hubs/TNopeneducation>

SECTION 2. Reason for the Policy

The purpose of this policy is to establish a uniform policy regarding textbook affordability for the University of Tennessee in accordance with Tennessee Code Annotated § 49-7-141, which specifies that the University “shall develop policies for minimizing the cost of textbooks and course materials used at public institutions of higher education while maintaining quality of education and academic freedom” and to comply with the Federal Higher Education Opportunity Act. Through this policy, the University seeks to address the student success barrier and equity issues caused by continuously increasing textbook costs.

Furthermore, this policy aims to provide policies on copyright compliance and the use, duplication, and distribution of copyrighted materials for instructional purposes.

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SECTION 3. Scope and Application

This policy applies to all University employees.

SECTION 4. Procedures

The University System has not adopted systemwide procedures for this policy. Bookstores may issue process guidance to facilitate compliance with this policy and applicable state laws.

SECTION 5. Definitions

E-textbook, short for electronic textbook, is an educational book in digital form. E-textbooks may also include courseware, with added features to provide enhanced learning.

Open Educational Resources (OER) include openly licensed text, digital materials, and media that are freely accessible to users for the purposes of teaching, learning, and research.

Inclusive Access (IA) is a digital rental model that reduces textbook cost. Students pay a specific fee for access to individual titles for a designated time period or term.

“Bundled” refers to a group of objects joined together by packaging or required to be purchased as an indivisible unit.

Flat-Fee Access refers to a model providing students all course materials for a flat fee/rate charged to their student account.

SECTION 6. Penalties/Disciplinary Action for Non-Compliance

University employees violating portions of this policy may be subject to civil or criminal penalties as set forth by federal law. Noncompliance with this policy may lead to disciplinary action, up to

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and including, termination as either unsatisfactory work performance or work-related behavior, or gross misconduct, under University policy.

SECTION 7. Responsible Official & Additional Contacts

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation			

SECTION 8. Policy History

Revision 3: 12/2023

Revision 2: 07/2018

SECTION 9. Related Policies/Guidance Documents

BT 0017- Process for Submitting Legislative Proposals and Funding Requests to the General Assembly.

BT 0021- Policy Affirming Principles of Free Speech for Students and Faculty.

9.2 Guidance Documents

See Guidance Document – Legislative Activities