

# OHIO UNIVERSITY TEXTBOOK AFFORDABILITY AND AUTO ADOPTION

## RESOLUTION 2022 –

**WHEREAS** Section 133 of the federal "Higher Education Opportunity Act of 2008" requires that institutions of higher education receiving federal financial aid disclose, to the maximum extent practicable, required and recommended textbooks and supplemental materials not later than the time at which students can first begin to register for a course; and

**WHEREAS** Section 733.20 of HB 110 requires consideration of a textbook auto adoption policy by the Board of Trustees of each public institution; and

**WHEREAS** Section 733.20 of HB 110 furthers the State of Ohio's intent to improve affordability in higher education and recognizes the positive achievements of the Ohio Faculty Council's October 2017 resolution supporting textbook affordability initiatives; and

**WHEREAS** Section 733.20 of HB 110 requires the administration of each state institution of higher education to work collaboratively with the institution's faculty senate to consider adopting a formally recognized textbook auto-adoption policy, and the Ohio University Faculty Senate has worked collaboratively with the Provost's office and the Registrar to develop such a policy, the "Ohio University Textbook Auto Adoption Policy"; and

**WHEREAS** the proposed policy affirms Ohio University's commitment to textbook affordability, including the University's innovative development of inclusive access and open educational resources, increases opportunities for faculty training related to features in the textbook system such as default options, and provides a mechanism to adopt default or previously used textbooks and/or to provide anticipated materials costs to students if required information is not available by the applicable deadline; and

**WHEREAS** the Ohio University Faculty Senate voted to pass a Sense of the Senate Resolution proposing the Ohio University Textbook Auto Adoption Policy in May of 2022.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby affirms the policy passed by the Faculty Senate to further support textbook affordability.

**BE IT FURTHER RESOLVED** that, in accordance with Section 733.20 of HB 110, the Provost formally transmit a copy of this resolution to the Chancellor of Higher Education.



## **Interoffice Communication**

**Date:** August 1, 2022

**To:** The President and Board of Trustees

**From:** Elizabeth Sayrs, Executive Vice President and Provost

**Re: Ohio University Textbook Affordability and Auto Adoption Resolution**

Section 133 of the federal "Higher Education Opportunity Act of 2008" requires that institutions of higher education receiving federal financial aid disclose, to the maximum extent practicable, required and recommended textbooks and supplemental materials not later than the time at which students can first begin to register for a course. This allows students to understand the full cost of a course beyond tuition and other fees and provides time for a student to identify suppliers of lower cost textbooks. In response, Ohio University implemented a system (TEXTBOOK) that displays required and optional textbooks as well as other required materials alongside other course information that is available to students as they register for classes.

In 2021, HB 110 (Section 733.20) required consideration of a textbook auto adoption policy by the Board of Trustees of each public institution in Ohio prior to academic year 2022-2023. "Auto adoption" means that previously used textbooks or other materials are automatically assigned to a class if new information is not available by the required deadline. HB 110 (Section 733.20) requires that the administration of each state institution of higher education, work collaboratively with the institution's faculty senate, to consider adopting a formally recognized textbook auto-adoption policy. This collaboration led to the development of the Ohio University Textbook Auto Adoption Policy, which was supported by vote of the Ohio University Faculty Senate in May 2022 (Faculty Senate Sense of the Senate resolution is attached). This policy provides a mechanism to automatically adopt default or previously used textbooks and/or to provide anticipated materials costs to students if required information is not available by the applicable deadline, while being careful to ensure that successful textbook affordability initiatives like inclusive access and open educational resources are accounted for.

The Ohio University Textbook Affordability and Auto Adoption Resolution affirms the Ohio University Textbook Auto Adoption Policy; if passed, per HB 110 (Section 733.20), a copy of the resolution will be transmitted to the Chancellor of Higher Education.

Sense of the Senate Resolution: Ohio University Textbook Auto Adoption Policy  
Educational Policy and Student Affairs (EPSA) Committee  
Faculty Senate  
**Passed**

Whereas, pursuant to section 133 of the Higher Education Opportunity Act, Ohio University is required to disclose, on the institution's Internet course schedule, 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 by the time that registration begins, and

Whereas, to comply with federal law, facilitate the timely adoption of textbooks, and provide students an opportunity to obtain those materials at a reasonable cost, faculty should identify the textbooks and other teaching materials they intend to use for a course prior to the federally-mandated adoption deadline, and

Whereas, faculty members retain full authority in selecting textbook(s) and materials appropriate for their classes, and they have the right to adopt new textbooks or other materials determined to be more appropriate for their courses. In all circumstances, faculty are also encouraged to carefully consider means of reducing costs to students (e.g. choose textbooks and course materials that might be available at little or no cost and/or are suitable for use in multiple courses and finalize the selection of required textbooks that students must purchase before the mandated deadline), and

Whereas, the University is obligated to notify faculty of the adoption deadline, and faculty should submit textbook information as soon as possible. All faculty should be reminded that they must enter textbook and/or required material by the first day of registration,

Be it resolved that the following policy be presented to the Board of Trustees.

- The Registrar will email all Instructors of Record when the TEXTBOOK system is available for entering information for the next semester reminding them to update their textbook selections in TEXTBOOK prior to the first day of registration. The Registrar will also provide training for using TEXTBOOK if necessary.
- This material will be entered into TEXTBOOK by the Faculty Member or Instructor of Record/OR prior to the first day of registration.
- Instructors who use the same textbook or similar materials are encouraged to use the default option in TEXTBOOK, provided the textbook is not part of an Inclusive Access plan.
- Departments that require that all sections of certain classes use the same textbook are encouraged to use the default option in TEXTBOOK OR arrange for Inclusive Access texts for these courses.

- Faculty members who have been recently assigned to a new class and are still deciding on the material for the class should indicate that information using the Note option in TEXTBOOK, and include the approximate range of costs based on the textbooks under review.
- Faculty who require materials rather than a textbook should indicate materials needed and cost by selecting the option to enter materials.
- Faculty who do not use a standard textbook should use the notes option in TEXTBOOK to indicate the following categories:
  - Individualized Materials as Assigned
  - No Textbook Required. Students will need to print materials posted on Blackboard.
  - No Textbook or materials required for purchase.
  - Required Resources available electronically.
  - This section utilizes open educational resources. There will be no required purchases for textbooks or materials.
  - IT will add the following note for Inclusive Access. IT will also add the details on each book, as well as give students the opportunity to opt out.  
 The University has negotiated a special price for a digital copy of this course's required materials through a program with the publisher. The digital copy of the material is listed as Required for this course. You will receive access to digital copies of the materials on the first day of the class. The cost of the materials will be billed automatically to your student account. After you register, you will receive more information about this program, including an option to opt out of participation. If you would like to print copies of the required materials in addition to or instead of the digital copies that will be automatically provided for you, please refer to the Optional material. If you have already purchased the optional textbook for this course, please contact the IT Service Desk, [servicedesk@ohio.edu](mailto:servicedesk@ohio.edu), to discuss your options. ORC (Ohio Revised Code) 5739.01 (B)(12) was added to Ohio law 1/1/2014 and dictates that digital delivery of textbooks is subject to Ohio sales tax. The sale of digital textbooks is subject to a 7% sales tax charge.
- In the event a faculty member has not selected textbooks and/or other teaching materials such as OER or Inclusive Access by the adoption deadline, **or** in the event that a course does not yet have an Instructor of Record, the following will take place.
  - If the requirements of the course and the major are such that the use of a standard textbook is necessary, the department chair, administrator, or designee will enter the most recent edition of a textbook that has been used in the past for this course or the default option, provided that an Inclusive Access Textbook is not already in place.
  - If the requirements of the course and the major are such that the instructor has the freedom to select the material and/or no textbook is required and/or the material for the course is a combination of printed material from Blackboard and/or OER, the department chair, administrator, or designee will enter into

TEXTBOOK that the material is not finalized so that students are informed. The office administrator should set defaults for these courses so that the chair or designee is not overly burdened.