

West Virginia Northern Community College

Bookstore and Textbook Rule

Rule Number: NC-4008

Effective Date: February 1, 2011

Date Approved by WVNCC Board of Governors: January 27, 2011

Authority Reference: WV Code §18B-10-14; Higher Education Opportunity Act of 2008 (Public Law 110-315), West Virginia Council for Community and Technical College Education Title 135, Procedural Rule Series 51

Replaces previous rule dated: June 1, 2008

Rule:

The purpose of this rule is to establish a process for the selection, adoption, use, and sale of textbooks and other supplementary course materials in compliance with the Higher Education Opportunity Act (“HEOA”), West Virginia Code §18B-10-14, and West Virginia Community and Technical College Education Title 135, Series 51.

The Higher Education Opportunity Act of 2008 (Public Law 110-315) requires that textbook publishers soliciting any employee of the institution to select textbooks or supplemental course materials provide that employee in writing: the price of the textbook and supplemental materials; the copyright dates of the three previous editions, if any; a description of substantial content revisions from the previous editions; whether the textbook is available in other lower cost formats and, if so, the price to the institution and the general public; the price of textbooks unbundled from supplemental material; and the same information, to the extent practical, for custom textbooks.

The College shall provide, on its electronic course schedule, or through a link to its bookstore’s website, prior to course enrollment each semester, for all required or recommended textbooks and supplemental material: The ISBN number and retail price, or if the ISBN number is not available then the author, title, publisher and copyright date.

The College will include on its website or through a link to its bookstore’s website and electronic course schedule any of its policies or provisions for: rental of textbooks, purchase of used textbooks, textbook repurchase or buy backs, and alternative content delivery programs.

The College President shall establish a Textbook Affordability Committee consisting of the Vice President of Academic Affairs (Chair), five faculty (one from each academic division), the student Board of Governors representative, the three campus deans or designee (one from each

campus), one classified staff member, the bookstore manager or designee, and the Financial Aid Director or designee and Vice President of Administrative Services who shall both serve as ex-officio members. The faculty members who shall be nominated by the Faculty Assembly and classified staff member who shall be nominated by the classified staff shall serve a two (2) year term while the other members will be permanent. The committee shall meet periodically, but no less than annually, to advise the faculty assembly, student government, administration, and the institutional Board of Governors on affordability issues and initiatives, textbook selection guidelines and strategies, and educational opportunities. The Board of Governors shall meet annually with the Textbook Affordability Committee to receive any recommendations or reports it may have generated and copies of any such recommendations and reports shall be transmitted to the Chancellor of the Council.

The Board of Governors shall adopt the following guidelines to be used in the selection of textbooks and supplemental course materials which ensure appropriate, high quality course materials are selected and provide students timely access to the most affordable materials.

- Require faculty to consider more than one textbook publisher and compare prices for textbooks and course materials;
- Require all new textbook selections, submitted to the chair for approval, be accompanied by a simple form for the faculty member to state whether or not the written information required from the publisher was provided;
- Discourage selection of textbooks in which less than 50 percent of the content will be used in the course unless the same textbook will be utilized by the student in other courses;
- Encourage selection of textbooks that have low cost alternative editions available;
- Encourage selection of textbooks which is believed will not be revised by the publisher in the near future;
- Consider the utilization of consortiums which make available open source textbooks or course materials to faculty and students free or at low cost;
- Consider an examination of the feasibility of operating a textbook rental program;
- Require the College to conduct training for all faculty, at the time of hire and periodically thereafter, on textbook selection and strategies that guarantee high quality course materials at the most affordable cost;
- Require at least one administrator be designated as a liaison with textbook publishers, to be responsible for dissemination of relevant information to faculty on textbook strategies and education and training opportunities regarding textbook selection, and to enforce the policies the Board of Governors adopts;
- Consider, to the maximum extent practicable, placing a copy of required textbooks on reserve in the institutional library;
- Address the issue of providing financial aid to students prior to the start of classes, but no later than the seventh day of the payment period, that will allow students to purchase course materials;
- Consider, based on availability, cost and demand, utilizing various 21st Century technology innovations for the provision of textbooks and course materials, such as electronic textbooks, on-line textbooks, print-on-demand services, open source materials and institution produced textbooks;

- Periodically updating the Board of Governors rule to address emerging technologies or new strategies which address textbook affordability.

The College will develop procedures for book voucher processes and payment of institutional charges incurred through a third party agreement.

In the event the College determines that it may be more cost effective and would result in better service to the students, faculty and staff to outsource the bookstore operations, the President or designee shall enter into negotiations with third party providers in compliance with all State of West Virginia purchasing rules and guidelines.

The bookstore will provide books, stationery and other school and office supplies generally carried in college bookstores.

The prices charged may not be less than the prices fixed by any fair trade agreement, and shall in all cases, include in addition to the purchase price paid by the bookstore, a sufficient handling charge to cover all expenses incurred for personnel and other services, supplies and equipment, storage and other operating expenses.

The College will attempt, to the maximum extent practicable, to minimize the costs and availability for students purchasing textbooks and course materials by:

- Maintaining a textbook repurchase and resale program which requires students to present a student ID in order to participate in the program.
- Using required textbooks for a minimum period of at least two years except for instances where editions have changed and prior ones are no longer available or under special circumstances approved by the Vice President of Academic Affairs.
- Providing firm deadlines for faculty to be assigned to courses and textbooks and course material to be selected prior to each semester. The default selection of certain textbooks should include, but is not limited to continuing to use the previous textbook, or having a chair select the textbook.

By November 1, the College shall report to the Chancellor of the Council, for the prior fiscal year, the deadlines established for faculty to be assigned to courses; the deadlines for textbooks and course materials to be selected; the percentages of those deadlines met; and the dates the listing of assigned textbooks and course materials were posted.

Any employee of the College may not:

- Receive a loan, subscription, advance, deposit of money, service, benefit or thing of value, present or promised, as an inducement for requiring students to purchase a specific textbook for coursework or instruction; or

- Require for any course a textbook that includes his or her writing or work if the textbook incorporates either detachable worksheets or workbook-style pages intended to be written on or removed from the textbook. This provision does not prohibit an employee from requiring as a supplement to a textbook any workbook or similar material which is published independently from the textbook;
- Any employee of the College may:
 - Receive instructor's copies and instructional material for texts which have been adopted for use or sample copies and instructional material which are being considered for adoption. According to State regulations, these materials are not to be sold.
 - Receive royalties or other compensation from sales of textbooks that include the employee's own writing or work. Provided, textbooks that are authored by an employee and used at Northern must be available for use at other colleges and must be approved by the Division Chairperson or other faculty in the discipline before being adopted for use at Northern.

The College will require the bookstore to provide to students a listing of textbooks required or assigned for any course offerings prominently posted at each bookstore location, on the College website and at the student service centers on all campuses. The list will include for each textbook the International Standard Book Number (ISBN), the edition number and other relevant information. The list will be maintained and updated after the adoption process is complete whenever a textbook is designated as a required textbook.

In the event that the College enters into an agreement with a third party vendor for the bookstore operations, the monies derived for the operation of the bookstore after all costs have been covered shall be used for non-athletic scholarships.

The President of the College or his/her designee will define procedures and processes that will be maintained to comply with federal and state requirements. Methods of meeting the requirements will be based on available resources.