

1004.084 College affordability.—

(1) The Board of Governors and the State Board of Education shall annually identify strategies to promote college affordability for all Floridians by evaluating, at a minimum, the impact of:

(a) Tuition and fees on undergraduate, graduate, and professional students at public colleges and universities and graduate assistants employed by public universities.

(b) Federal, state, and institutional financial aid policies on the actual cost of attendance for students and their families.

(c) The costs of textbooks and instructional materials.

(2) By December 31 of each year, beginning in 2016, the Board of Governors and the State Board of Education shall submit a report on their respective college affordability initiatives to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

History.—s. 2, ch. 2016-236.

1004.085 Textbook and instructional materials affordability and transparency.—

(1) As used in this section, the term “instructional materials” means educational materials for use within a course which may be available in printed or digital format.

(2) An employee of a Florida College System institution or state university may not demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to purchase a specific textbook or instructional material for coursework or instruction.

(3) An employee may receive:

(a) Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.

(b) Royalties or other compensation from sales of textbooks or instructional materials that include the instructor’s own writing or work.

(c) Honoraria for academic peer review of course materials.

(d) Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks or instructional materials pursuant to guidelines adopted by the State Board of Education or the Board of Governors.

(e) Training in the use of course materials and learning technologies.

(4) Each Florida College System institution and state university board of trustees is authorized to adopt policies in consultation with providers, including bookstores, which allow for the use of innovative pricing techniques and payment options for textbooks and instructional materials. Such policies may include bulk pricing arrangements that enable students to purchase course materials or texts that are delivered digitally; delivered through other technologies that are, or the licenses of which are, required for use within a course; or delivered in a print format. Innovative pricing techniques and payment options must include an opt-in or opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of textbooks and instructional materials for students taking a course.

(5)(a) Each Florida College System institution and state university shall post prominently in the course registration system and on its website a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the institution during the upcoming term. The lists must include the International Standard Book Number (ISBN) for each required and recommended textbook and instructional material or other identifying information, which must include, at a minimum, all of the following: the title, all authors listed, publishers, edition number, copyright date, published date, and other relevant information necessary to identify the specific textbooks or instructional materials required and recommended for each course. The

State Board of Education and the Board of Governors shall include in the policies, procedures, and guidelines adopted under subsection (6) certain limited exceptions to this notification requirement for classes added after the notification deadline.

(b) The lists of required and recommended textbooks and instructional materials required in paragraph (a) must:

1. Be posted as early as is feasible but at least 45 days before the first day of class for each term.
2. Remain posted for at least 5 academic years.
3. Be searchable by the course subject, the course number, the course title, the name of the instructor of the course, the title of each assigned textbook or instructional material, and each author of an assigned textbook or instructional material.
4. Be easily downloadable by current and prospective students.

(c) If a course subject to paragraphs (a) and (b) is a general education core course option identified pursuant to s. 1007.25, course syllabi information containing sufficient detail to inform students of all of the following must be included:

1. The course curriculum.
2. The goals, objectives, and student expectations of the course.
3. How student performance will be measured.

(6) After receiving input from students, faculty, bookstores, and publishers, the State Board of Education and the Board of Governors each shall adopt textbook and instructional materials affordability policies, procedures, and guidelines for implementation by Florida College System institutions and state universities, respectively, that further efforts to minimize the cost of textbooks and instructional materials for students attending such institutions while maintaining the quality of education and academic freedom. The policies, procedures, and guidelines shall address:

(a) The establishment of deadlines for an instructor or department to notify the bookstore of required and recommended textbooks and instructional materials so that the bookstore may verify availability, source lower cost options when practicable, explore alternatives with faculty when academically appropriate, and maximize the availability of used textbooks and instructional materials.

(b) Confirmation by the course instructor or academic department offering the course, before the textbook or instructional materials adoption is finalized, of the intent to use all items ordered, particularly each individual item sold as part of a bundled package.

(c) Determination by a course instructor or the academic department offering the course, before a textbook or instructional material is adopted, of the extent to which a new edition differs significantly and substantively from earlier versions and the value to the student of changing to a new edition or the extent to which an open-access textbook or instructional material is available.

(d) The availability of required and recommended textbooks and instructional materials to students otherwise unable to afford the cost, including consideration of the extent to which an open-access textbook or instructional material may be used.

(e) Participation by course instructors and academic departments in the development, adaptation, and review of open-access textbooks and instructional materials and, in particular, open-access textbooks and instructional materials for high-demand general education courses.

(f) Consultation with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to school districts, including, but not limited to, the length of time that textbooks and instructional materials remain in use.

(g) Selection of textbooks and instructional materials through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price, by considering:

1. Purchasing digital textbooks in bulk.
2. Expanding the use of open-access textbooks and instructional materials.
3. Providing rental options for textbooks and instructional materials.
4. Increasing the availability and use of affordable digital textbooks and learning objects.
5. Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials.
6. The length of time that textbooks and instructional materials remain in use.
7. An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of the materials.

(7) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (5); the number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, each chancellor shall provide a summary of the information provided by institutions to the State Board of Education and the Board of Governors, as applicable.

History.—s. 1, ch. 2008-78; s. 4, ch. 2010-155; s. 45, ch. 2011-5; s. 3, ch. 2016-236; s. 119, ch. 2019-3; s. 15, ch. 2019-4; s. 5, ch. 2020-117; s. 2, ch. 2022-70.