

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

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| Part 1 September 1, 2022 | Part 2 August 14, 2023 |
| Pages 1-9 Numbers 1-27 | Pages 9-12 Number 28 |

Part 1
Implementation Questions and Answers
September 1, 2022

Impact to Colleges and Students

1. What new statutory requirements per Senate Bill (SB) 7044 does Rule 6A-14.092, Florida Administrative Code (F.A.C.), implement?
 - SB 7044 provides additional requirements related to the list of required and recommended textbooks and instructional materials that colleges are required to post pursuant to section (s.) 1004.085, Florida Statutes (F.S.). SB 7044 requires the lists of textbooks and instructional materials to:
 - Remain posted for at least five academic years,
 - Be searchable by the course subject, course number, 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, and
 - Be easily downloadable by current and prospective students.
 - SB 7044 also includes syllabi posting requirements for general education core courses and limited exceptions to those posting requirements. Additionally, the amendment modifies syllabi requirements for general education core courses. For the syllabi of general education core course options identified in Rule 6A-14.0303, F.A.C., the following information is required:
 - Course curriculum,
 - Goals, objectives, and student expectations, and
 - Assessment of student performance.
2. What new statutory requirements per SB 2524 does Rule 6A-14.092, F.A.C., implement?
 - SB 2524 specifies that an icon must be used to indicate course sections that have no cost for textbooks or use no cost Open Educational Resources (OER) and specifies that the Zero Cost Indicator developed by the Florida Postsecondary Academic Library Network (FPALN) may be used as the required icon to indicate the status of a zero-cost textbook or instructional material.
3. When are colleges expected to implement the new provisions of SB 7044 and SB 2524?
 - SB 2524 became effective July 1, 2022, and the State Board of Education (SBOE) adopted the rule amendment at the August 17, 2022, meeting. The rule will go into effect roughly 3 to 4 weeks after that. The Division of Florida Colleges (Division) recognizes implementing these new requirements may require some lead time; however, Florida College System (FCS) institutions should start to implement the provisions as specified below.

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

As soon as possible after effective with an aim to meet the requirements no later than Spring 2023:

- Making the list of recommended and required textbooks and instructional materials searchable.
- Making the list of recommended and required textbooks and instructional materials easily downloadable by current and prospective students.
- Ensuring general education core course syllabi include the required components and making general education core course syllabi available for each course section.
- Using an icon to indicate course sections that have no cost for textbooks or use no cost OER.

By May 1, 2023:

- By May 1, 2023, FCS institutions must publish the preceding five-year list of required textbooks and instructional materials.

This table summarizes all components of the requirements.

| | 45-Day Posting Requirement for list of Textbook and Instructional Materials | 45-Day Posting Requirement for Syllabi | Five-Year Posting Requirement for Historical Textbooks |
|------------------------------|---|--|---|
| Deadline for Posting | At least 45 days prior to the start of the term for at least 95 percent of all scheduled course sections. | At least 45 days prior to the start of each term for each general education core course. | By May 1, 2023 for academic years 2017-18 through 2021-22. For academic year 2022-23 and thereafter, the five-year list must be updated annually by September 1 to include the preceding Fall, Spring, and Summer Terms. |
| Reasonable Exceptions | <ol style="list-style-type: none"> 1. The originally adopted textbook or instructional material is no longer available. 2. A faculty member is hired or assigned to teach the course section after the forty-five (45) day notification deadline. 3. The course section is added after the forty-five (45) day notification deadline. 4. The instructional modality of the course section | <ol style="list-style-type: none"> 1. A faculty member has not yet been assigned to teach the course section before the forty-five (45) day notification deadline. 2. The course section is added after the forty-five (45) day notification deadline. | N/A |

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

| | 45-Day Posting Requirement for list of Textbook and Instructional Materials | 45-Day Posting Requirement for Syllabi | Five-Year Posting Requirement for Historical Textbooks |
|---|---|--|---|
| | <p>changes after the forty-five (45) day notification deadline.</p> <p>6. The course is continuing workforce education.</p> | | |
| Location of Posting | Hyperlink on website and course registration system. | Hyperlink on website and course registration system. | Institution's consumer information website. |
| In Event Material Is Not Available | Post as soon as possible. | Master course syllabi, where available, may be posted. Master course syllabi include course content, learning outcomes, and requirements that must be followed by all instructors who teach the course. Master course syllabi must be replaced immediately as soon as final course section syllabi become available. | Post as soon as possible. |
| Format | Searchable. Downloadable. | At discretion of institution. | Easily accessible. |
| Requirements | <p>The list of required and recommended textbook and instructional materials must meet the requirements of Section 1004.085(5)(a), F.S., and must be searchable by:</p> <ol style="list-style-type: none"> 1. Course subject 2. Course number 3. Course title 4. Name of the instructor of the course 5. Title of each assigned textbook or instructional material | <p>Minimally, all general education core course syllabi must include:</p> <ol style="list-style-type: none"> 1. Curriculum 2. Goals 3. Objectives 4. Student expectations of the course 5. How student performance will be measured | <p>The five-year (5) list must be inclusive of the components required under subsection (2)(a):</p> <ol style="list-style-type: none"> 1. Course subject 2. Course number 3. Course title 4. Name of the instructor of the course 5. Title of each assigned textbook or instructional material |

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

| | 45-Day Posting Requirement for list of Textbook and Instructional Materials | 45-Day Posting Requirement for Syllabi | Five-Year Posting Requirement for Historical Textbooks |
|--|--|---|--|
| | 6. Each author of an assigned textbook or instructional material | | 6. Each author of an assigned textbook or instructional material |

Textbook and Instructional Materials List – “Five-Year” Posting Requirement

4. Will the textbook and instructional materials five year posting requirement start with this year (2022) and go forward as opposed to requiring institutions to post the previous five years starting with 2017?
 - No, the five-year posting requirement does not start with 2022. To accomplish that, posting lists from the preceding five years is required. Because we recognize that it will take institutions time to meet this requirement, May 1, 2023, has been designated as the date by which colleges must publish the lists in order to give institutions time to collect and compile the information.

5. Regarding the five-year posting requirement for lists of required and recommended textbooks and instructional materials, what should colleges do if the bookstore vendor does not capture certain identifying information specified in s. 1004.085(5)(a), F.S., for example, the “published date” of textbooks and instructional materials? Can the copyright date be used in that case, or is it acceptable to specify N/A?
 - Colleges should do what is reasonably possible to obtain the information required pursuant to the statute. If the college is unable to obtain certain criteria as outlined in statute due to vendor limitations, the Division of Florida Colleges suggests documenting the attempt to obtain the information and indicating N/A for that requirement on the five-year posted list of required and recommended textbooks and instructional materials. For the prospective lists posted for the 45-day requirement, institutions may consider adding provisions to vendor contracts to ensure the statutory requirements are met.

Textbook and Instructional Materials List – “Searchable” Requirement

6. Does the list of required and recommended textbooks for the preceding five academic years have to be searchable?
 - The requirement is that it be accessible; however, we recommend the five-year list to be searchable by the same criteria pursuant to s. 1004.085(5)(b)(3), F.S. Recognizing institutions may have limited access to historical information, institutions should include as much identifying information as reasonably possible.

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

7. Should colleges continue to maintain a hyperlink as indicated by s. 1004.085(5), F.S., in addition to the searchable lists?
 - Yes, the hyperlink is where the list is to be housed on an institution’s website, and the list should now be searchable per the new criteria specified in s. 1004.085(5)(b)(3), F.S., and in Rule 6A-14.092(3)(a)(1-6), F.A.C., which include the course subject, course number, 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.
8. The textbook list that is posted on the website must be searchable by several items. To what do these items link – the bookstore, the publisher? How does this look? Should each of these items have a link, or will just one link be acceptable for the text?
 - The list itself must be searchable by the following criteria: course subject, course number, 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. Those items are search criteria and are not required to be linked anywhere; that is a local decision.
 - Below is an example of how Daytona State College (DSC) houses its links to the lists of recommended and required textbooks and instructional materials.
 - <https://www.daytonastate.edu/student-resources/bookstore/textbook-affordability.html>
9. Is ‘publisher’ included in the list of searchable items?
 - No, although the lists of required and recommended textbooks and instructional materials must include “publishers” for each required and recommended textbook and instructional material per s. 1004.085(5)(a), F.S., “publishers” is not a specified search criterion included in s. 1004.085(5)(b)(3), F.S., and in rule 6A-14.092(3)(a)(1-6), F.A.C. However, locally, institutions can choose to add search criteria in addition to what is specified in statute and rule.
10. Would a searchable PDF be considered an acceptable format to meet this requirement?
 - Neither s. 1004.085 F.S., nor Rule 6A-14.092 F.A.C., specified requirements regarding the format; it is at the college’s discretion to determine the appropriate means to make content searchable.
11. Are colleges required to include all the authors (and all the other criteria) of ALL OER items in the “searchable” fields for the list of required and recommended textbooks and instructional materials?
 - No, there is a distinction between courses that use OER as the course textbook and courses that have OER built into the course shell as a learning object. If an OER is the textbook of the course, then it has to be searchable by the criteria listed in rule, but if the

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

OER is built into the course shell as a learning object, then no, it does not have to be searchable.

- For courses that use OER as the course textbook, the statute does not identify exceptions to the searchable posting requirement for textbook or instructional materials that are required or recommended, so it is advisable to include as much identifying information as possible.

Textbook and Instructional Materials List – “Syllabi” Requirement

12. Is every section of every general education core course required to have its syllabus posted at least forty-five days before the first day of class each term?

- Pursuant to Rule 6A-14.092(5), F.A.C., *“Each Florida College System institution is required to publish course syllabi for each section of a general education core course identified in Rule 6A-14.0303 as early as feasible but at least forty-five (45) days before the first day of class for each term.”* The usage of master course syllabi is permissible if a syllabus for the specific course section is not yet available. In those cases, the master course syllabi must be replaced by the course section syllabi as soon as it becomes available.

13. Will the “course description” be an acceptable substitution for “curriculum” in rule 6A-14.092 (5)(a)(1), F.A.C.?

- Each institution may operationalize syllabi headers differently. Recognizing there may be variation in how components are titled, we would advise that the section used to describe “curriculum” include how the instructor plans to cover content that aligns to statewide or institutional learning outcomes for the course.

This table provides examples related to the syllabus requirements pursuant to rule 6A-14.092(5)(a).

| Syllabi Requirements | Definitions | Examples |
|-----------------------------|---|--|
| Curriculum | How the instructor plans to cover content that aligns to statewide or institutional learning outcomes for the course. | <ul style="list-style-type: none"> • Pedagogical practices. • Academic content. • Types of lessons. • Types of assignments. • Types of assessments. |
| Goals | What broad learning outcomes an instructor plans to achieve for the course. | <ul style="list-style-type: none"> • Students will gain an understanding of the laws of gravity. • Students will develop an appreciation of the different genres of classical art. • Students will know how to communicate in oral and written formats. • To introduce students to basic concepts and methods of sociocultural anthropology. |

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

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| | | <ul style="list-style-type: none"> To understand and apply basic physics concepts to problems in astronomy. |
| Objectives | What specific, measurable competencies students must complete to achieve the overall goals of the course. | <ul style="list-style-type: none"> Form a hypothesis. Define variables and write variable expressions. Identify and explain the various financing and investing opportunities. Demonstrate the ability to think critically about the nature vs. nurture debate. Develop a research question for a specific audience. |
| Student Expectations | What experiences students might expect to have as part of the course. | <ul style="list-style-type: none"> Clear instructor expectations of course. Knowledgeable instructor. Instructor availability outside of class. Be challenged. Be proficient in course content. |
| Measurement of Student Performance | How the instructor plans to measure student performance. | <ul style="list-style-type: none"> Class participation, e.g., discussions and groupwork. In-class assignments, e.g., practices and exercises. Out-of-class assignments, e.g., homework and lab assignments. Assessments (formative/summative), e.g., projects, presentations, reports, essays, quizzes, tests, and exams. |

14. Will “learning outcomes” be an acceptable substitution for “goals” or “objectives” in Rule 6A-14.092(5)(a)(2)-(3), F.A.C.?

- Each institution may operationalize syllabi headers differently. Recognizing there may be variation in how components are titled, we have included examples as guidance. See the reference table in #13.

15. Does the list of required and recommended textbooks and instructional materials and the syllabi need to be posted together?

- No, there is no requirement that the list of required textbooks and instructional materials and the syllabi be posted together.

16. Should the syllabi also be searchable?

- This is at the institution’s discretion.

17. Are syllabi considered “course material?”

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

- Yes, in the context of the rule, syllabi are considered “course material.”
18. If syllabi are considered course material, does that mean the previous five years of syllabi must also be published by May 1, 2023?
- No, the posting requirement applies to “Textbooks and Instructional Materials,” not “Course Material.”
19. Is it acceptable to have the required syllabi information (course curriculum, goals, objectives, student expectations, and assessment of student performance) on a Basic Course Information sheet that is available on the college’s website instead of having the required information on the syllabus?
- No, SB 7044 specifies that the information must be included in the course “syllabi” of general education core courses. This is reiterated in the rule as well.
20. Does SB 7044 require that all course syllabi contain course curriculum, goals, objectives, and student expectations, and assessment of student performance, or does it only pertain to general education core courses?
- SB 7044 did not establish requirements for the syllabi of all courses. The bill requires that only general education core courses have syllabi posted 45 days in advance of the term that include course curriculum, goals, objectives, and student expectations, and assessment of student performance. Note the rule requires that entire course syllabi be posted.

Textbook and Instructional Materials List – “Zero Cost Icon” Requirement

21. Where can colleges access the Florida Virtual Campus (FLVC) icon for the zero textbook cost indicator?
- Information regarding Florida’s Zero Textbook Cost (ZTC) course indicator can be found at <https://dlss.flvc.org/faqs>. The Division will be hosting a rule implementation webinar with the FLVC to inform institutions about using the indicator.
22. Can colleges use their own icons to indicate which courses utilize OER and have zero textbook costs instead of using the FLVC icon?
- Yes, colleges can choose to implement their own icons for the purpose of complying with rule 6A-14.092, F.A.C. There is no requirement that colleges use the FLVC icon.
23. Is there an advantage to using the FLVC icon?
- Yes, since the icon is already in place and all FCS institutions have access to FLVC, it will facilitate the process for colleges that choose to use it because they will not have to create their own icon.

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

24. For the required zero cost icon, there can be courses that use OER that are not zero cost. Do institutions need to identify all courses taught using OER or only those courses taught using OER that are also zero cost?
- The zero cost icon is to indicate courses that have no textbook or instructional material fees associated with them. That could be courses that utilize zero cost open educational resources or courses where no textbook is required.
25. Is it expected that colleges have the required icons in place for the fall 2022 courses, or is there a grace period until guidance is released from the FLDOE?
- SB 2524 became effective July 1, 2022, so Florida College System (FCS) institutions should start to implement the provisions as soon as possible. (See #3)

State Reporting

26. Section 6 of the amendment to rule 6A-14.092 F.A.C., does not address reporting of the icon requirement for courses that utilize no-cost OER and have zero textbook costs as specified in SB 2524. Will the reporting of the icon be addressed separately?
- Yes, we anticipate the annual reporting template will include a component related to the zero-cost icon requirement.

Other

27. Please explain sub-paragraph(2)(b)(2). of Rule 6A-14.092, F.A.C., “Course-wide adoption, specifically for general education courses”
- Pursuant to Rule 6A-14.092(1)(c) F.A.C., this subparagraph refers to components addressed in the cost-benefit analysis, such that, the cost-benefit analysis must include consideration of course-wide adoption, specifically for general education courses.

Part 2 Implementation Questions and Answers August 14, 2023

State Reporting

28. For the 2023 reporting cycle, there have been several changes to the textbook affordability portion of the reporting template resulting from:
- Modifications to [Rule 6A-14.092, Florida Administrative Code \(F.A.C.\), in March 2022](#) in response to the 2019 Inspector General’s (IG) Report;
 - Changes to s. 1004.085, F.S., that were made in 2022 through Senate Bill (SB) 7044 (Chapter No. 2022-70, Laws of Florida);
 - Changes to s. 1006.73, F.S., that were made in 2022 through SB 2524 (Chapter No. 2022-154, Laws of Florida); and
 - A subsequent revision to [Rule 6A-14.092, F.A.C., in August 2022](#) to conform with statutory changes.

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

This table provides a summary of how the changes from 2022 will impact reporting.

| Topic | Previous Requirement | New Requirement | Impact on Reporting |
|--|---|--|--|
| Seventy-Five (75) Day Notification to Bookstores | Institutions were required to adopt textbooks and instructional materials no later than seventy-five (75) days prior to the first day of classes for 95% of sections. | The March 2022 rule amendment eliminated the Seventy-Five (75) Day Requirement; however, technical assistance specified that institutions should establish policies providing adequate notice to bookstores on required and recommended textbooks and instructional materials. | A new question (question 8) was added for the institution to provide a narrative description of institutional policy. |
| Open Educational Resources (OER) and No-Cost Sections* and the Forty-Five (45) Day Posting Requirement | No explicit guidance previously existed as it relates to the inclusion of OER and no-cost sections. | The March 2022 rule amendment required course sections where no textbook is required or no-cost OER are used to be included in annual textbook affordability reports. | The question regarding the forty-five (45) day requirement (question 12) was modified to explicitly state to include OER and no-cost sections. |
| Reasonable Exceptions to the Forty-Five (45) Day Posting Requirement | No reasonable exceptions were previously identified. | The March 2022 rule amendment identifies reasonable exceptions to the forty-five (45) day posting requirement, specifically: <ul style="list-style-type: none"> • The originally adopted textbook or instructional material is no longer available; • A faculty member is hired or assigned to teach the course section after the deadline; • The course section is added after the deadline; • The instructional modality of the course section changes after the deadline; and • The course is continuing workforce education. <p>Institutions should also report the number of course sections not meeting the posting requirement for which a reasonable exception applies.</p> | The question regarding the 45-day requirement (question 12) was modified to allow institutions to differentiate the number of course sections that did not meet the posting requirement that had a reasonable exception. |
| Selection Process | Institutions were required to report the textbook and | The March 2022 rule amendment simplified the requirement and institutions will | The question regarding the selection process (question 9) was |

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

| Topic | Previous Requirement | New Requirement | Impact on Reporting |
|---|--|---|---|
| | instructional materials selection process for general education courses with a wide cost variance and high-enrollment courses. | only need to report the textbook and instructional materials selection process for high-enrollment courses. DFC defined high enrollment courses as the top 10 courses with the highest course enrollments. | modified to specify the question only applies to high- enrollment courses. |
| Searchable Textbooks and Instructional Materials List | There was no previous requirement to be searchable. | SB 7044 required that textbooks and instructional materials be searchable by: <ul style="list-style-type: none"> • Course subject; • Course number; • Course title; • Name of the instructor of the course; • Title of each assigned textbook or instructional material; and • Each author of an assigned textbook or instructional material. | A new question was added (question 13) to capture the requirement to be searchable. |
| Downloadable Textbooks and Instructional Materials List | There was no previous requirement to be downloadable. | SB 7044 required the list of required and recommended textbook and instructional materials be easily downloadable by current and prospective students. | A new question was added (question 14) to capture the requirement to be downloadable. |
| Icon for No-Cost OER and No-Textbook Course Sections | There was no previous requirement to have an icon specify no textbook or no-cost OER. | SB 2524 required that course sections where no textbook is required or no-cost OER are used must have an icon to indicate their status as zero cost. The Zero Textbook Cost Indicator developed by the Florida Postsecondary Academic Library Network may be used for this purpose pursuant to Section 1006.73(4), F.S. | A new question was added (question 15) to capture the requirement to have an icon for no-textbook and no-cost OER sections. |
| General Education Core Course Forty-Five (45) Day Syllabi Posting Requirement | There was no previous requirement to post general education core course syllabi. | SB 7044 required that colleges post general education core course syllabi for at least 95% of all courses and course sections forty-five (45) days before the first day of class. Minimally, all general education core course syllabi must include: <ul style="list-style-type: none"> • Curriculum; | New questions were added (questions 16-18) to capture the requirement to post general education core course syllabi. |

Rule 6A-14.092, Florida Administrative Code, Textbook and Course Material Affordability and Transparency

| Topic | Previous Requirement | New Requirement | Impact on Reporting |
|---|---|---|---|
| | | <ul style="list-style-type: none"> • Goals; • Objectives; • Student expectations of the course; and • How student performance will be measured. | |
| Textbook and Instructional Materials List Five-Year (5) Posting Requirement | There was no previous requirement to post the historical five-year (5) list of textbooks and instructional materials. | <p>SB 7044 required the list of textbooks and instructional materials to remain published for at least five academic years.</p> <p>The March 2022 rule amendment required colleges to publish the preceding five-year (5) list of required textbooks and instructional materials by May 1, 2023.</p> <p>The five-year (5) list must be inclusive of the following components:</p> <ul style="list-style-type: none"> • Course subject; • Course number; • Course title; • Name of the instructor of the course; • Title of each assigned textbook or instructional material; and • Each author of an assigned textbook or instructional material. | A new question was added (question 19) to capture the requirement to post the historical five-year list of textbooks and instructional materials. |

*A “No-Cost Section” could be a section that does not require textbooks or instructional materials or a section that utilizes no-cost OER.