

<b>University of Prince Edward Island Policy</b>		<b>Policy No.</b> admfingnl0003	<b>Revision No.</b> 0
<b>Policy Title</b> Fair Access to Course Materials Policy			<b>Page 1 of 1</b>
<b>Creation Date</b> February 6, 2002		<b>Version Date</b> April 23, 2025	
<b>Authority</b> Board of Governors		<b>Review Date</b> April 23, 2028	
<b>Responsibility</b> Vice-President, Academic and Research			<b>Access</b> W

## 1. Purpose

1.1 The purposes of this policy are to:

- (a) ensure that students have fair, reasonable and appropriate access to course materials and grading materials;
- (b) establish rules respecting the acquisition of course materials by students; and
- (c) establish rules that promote openness, transparency and accountability in circumstances where instructors are involved in the creation of course materials.

## 2. Definitions

2.1 In this Policy:

- (a) **Closely Associated Person** has the same meaning as defined in the University's Conflict of Interest Policy;
- (b) **Conflicts Officer** has the same meaning as defined in the University's Conflict of Interest Policy;
- (c) **Course materials** means reference materials, physical or digital, that students are encouraged or required to use in a course, and include:
  - (i) textbooks;
  - (ii) other published materials;
  - (iii) compiled manuals;
  - (iv) subscriptions;
  - (v) software; and
  - (vi) access to online websites or courseware.
- (d) **Grading materials** means materials, physical or digital, that are used to evaluate students' performance in a course, and include:
  - (i) assessments;

- (ii) assignments;
  - (iii) tests and quizzes;
  - (iv) laboratory assignments; and
  - (v) examinations.
- (e) **Instructor** includes Faculty Members, sessional instructors, librarians, and anyone who teaches a course at the University.
- (f) **Open Educational Resources (OER)** means learning, teaching and research materials in any format or medium that reside in the public domain, or under copyright, that have been released under an open license, and that permit no-cost access, re-use, re-purpose, adaptation and redistribution by others.
- (g) **Third party publisher** means a publisher or other supplier of course materials in which an instructor, or a Closely Associated Person of the instructor, does not have a personal, business, financial, or other interest, whether direct or indirect

### 3. Scope

This policy applies to everyone who acts as an instructor at the University.

### 4. Authority and Responsibility

- 4.1 The University's Board of Governors has authorized this Policy pursuant to clauses 14. (1) (h) and (i) of the *University Act*, and the Board of Governors is responsible for establishment and amendment of this policy.

### 5. Administration

- 5.1 The Vice-President, Academic and Research is responsible for the administration of this policy.

### 6. Principles

- 6.1 Instructors have academic freedom pursuant to the Faculty Collective Agreement. Instructors have discretion, within the boundaries of academic freedom, to:
- (a) select course materials that their students will be assigned or recommended; and
  - (b) assign grading materials.
- 6.2 The University affirms the significant and valued contributions represented by editing or publishing a textbook or other course materials in the area of one's scholarly expertise. The University encourages and supports instructors in these scholarly endeavours.
- 6.3 While instructors are encouraged to create course materials, and have academic freedom to select course materials and assign grading materials, they may not:

- (a) determine or manage the ways in which course materials are made available to students, whether for purchase, rental, or otherwise; or
  - (b) impose any costs upon students to access grading materials.
- 6.4 The University encourages the creation and adoption of Open Educational Resources where possible and reasonable.
- 6.5 Because course materials can represent a significant cost to students, the University has a responsibility to ensure that the cost of course materials is not a barrier to students.
- 7. Course Materials**
- 7.1 All assigned or recommended course materials must:
  - (a) identify all (co-)authors by name;
  - (b) cite all sources and contributions;
  - (c) acknowledge the work of others;
  - (d) identify all copyright holders; and
  - (e) comply with copyright laws in all respects.
- 8. Access to Course Materials and Grading Materials**
- 8.1 Instructors are encouraged to place course materials on reserve with the Library, or to make course materials available to students through the University's online learning platform.
- 8.2 Instructors must ensure that assigned or recommended course materials are available at the University Bookstore, and shall direct students to the University Bookstore to acquire course materials. This requirement does not limit students' choices to acquire course materials elsewhere.
- 8.3 Instructors may not sell or rent course materials to students directly, or collect any fees from students in relation to course materials.
- 8.4 Instructors may recover incidental out of pocket costs in relation to course materials, for example actual photocopying or printing costs, subject to obtaining prior approval from the Dean, and providing verifying receipts. Incidental out of pocket costs do not include an instructor's development time.
- 8.5 Instructors may not refer students to third-party vendors (for example websites or publishers) for the purpose of acquiring course materials.
- 8.6 If sale and rental options are available, both shall be made available to students.
- 8.7 In general, purchase or rental of course materials should not be a necessary pre-condition to full participation in the course and its methods of assessment. For example, a student who decides not to purchase or rent course materials should not be prevented from writing

quizzes, assignments and exams, or from receiving a full assessment for attendance, participation, and similar matters.

- 8.8 An exception under Section 8.7 may exist in cases where a subscription, device, or other item necessary to full participation in the course and its methods of assessment is bundled for sale with a textbook by its publisher. Any exceptions must be identified, with their necessity explained in a letter to the Dean, approved by the Dean, and listed in the course outline.
- 8.9 If course materials (print or digital) come bundled with grading materials that instructors may choose to use in assessment, an instructor may list such a bundle as a “required text” provided that the grading materials to be used for assessment are available to students separately and the cost of the grading materials portion of the bundle is below a stated limit. If the grading materials are not available separately, the entire bundle should be within a cost limit of \$50.
- 8.10 Instructors must clearly communicate, in their course outlines or syllabi, details, including cost, respecting the use of third-party digital course materials and grading materials.

## **9. Course Materials and Grading**

- 9.1 Subject to the above provisions, an instructor shall not:
  - (a) require a student to purchase, rent, or license course materials as a condition for receiving a grade in, or passing, a course; or
  - (b) impact a student’s grade in a course on the basis of whether or not the student has acquired assigned or recommended course materials.

## **10. Conflicts of Interest**

- 10.1 The University has a responsibility to address conflicts of interest that may arise in relation to course materials.
- 10.2 When an instructor or a Closely Associated Person of an instructor:
  - (a) is an author, co-author, contributor, member of an authorial or publishing collective, or consultant to the production of assigned or recommended course materials;
  - (b) has a personal, ownership, business, financial, or other interest, direct or indirect, in a publisher, or authorial or publishing collective, of assigned or recommended course materials; or
  - (c) might benefit financially from the assignment or recommendation of course materials;

the University’s Conflict of Interest Policy applies, and a conflict of interest within the meaning of the Conflict of Interest Policy exists.

- 10.3 For greater certainty, a conflict of interest does not exist where an instructor has co-authored or authored course materials produced by an arm's length publisher and receives royalties from the publisher.
- 10.4 An instructor shall declare, in writing, a conflict of interest to the applicable Conflicts Officer.
- 10.5 An instructor's declaration shall include the following information and supporting materials:
- (a) a copy of the course materials to be recommended or assigned;
  - (b) details of the nature and extent of the instructor's, or the Closely Associated Person's, role in the creation or production of assigned or recommended course materials;
  - (c) details of the instructor's, or the Closely Associated Person's, interest in the publisher, or authorial or publishing collective;
  - (d) details of the instructor's, or the Closely Associated Person's, financial interest arising from the assignment or recommendation of course materials: for example, financial benefit per unit sold or rented, the number of students who will be required to acquire the course materials, and any consulting or other fees received in relation to the course materials.
- 10.6 In accordance with the Conflict of Interest Policy, the Conflicts Officer shall investigate and make a determination on the manner in which the situation ought to be addressed.

## **11. Review**

- 11.1 The Vice-President, Academic and Research is responsible for initiating a review of this policy at least once every five years.