

R465, Learning Materials Affordability¹

R465-1 Purpose: To establish minimum guidelines for Utah System of Higher Education (“USHE”) institutions to (1) prioritize affordability of required learning materials for students; (2) ensure that prices for learning materials are provided during the course selection process and made available to students purchasing learning materials from institutional sources (e.g., university-or college-run bookstores or other institution-affiliated suppliers); and (3) regulate remuneration for instructors who author learning materials and require students to purchase these materials for courses taught by the author.²

R465-2 References

- 2.1 [Utah Code § 53H-3-305](#), Technical College Presidents
- 2.2 [Utah Code § 53H-3-303](#), Duties of Degree-granting Presidents
- 2.3 [Higher Education Opportunity Act](#), 20 U.S.C. § 1015b Section 112, Textbook Information

R465-3 Definitions

3.1 “Affordable” for the purpose of course marking means a consistent total pre-tax cost of forty dollars or less for all required learning materials in a USHE institution course or course section for one term. Affordable learning materials are sometimes referred to as “no-cost/low-cost” learning materials. The affordability of learning materials may be calculated at the program or multi-course level when the same learning materials are used for multiple courses.

3.2 “Automatic Charge Programs” provide students with first day, course-long, or perpetual access to learning materials in one or more institution courses using a contractually negotiated cost or other arrangement with a learning material provider. Automatic charges may apply at the course, program, or institutional level.

3.3 “Course Marking” means assigning specific attributes (e.g., letters, numbers, graphic symbols, colors, etc.) to institution course sections that help students quickly identify important information about the course and make informed decisions during registration.

3.4 “Learning Materials” mean print or digital media used to support access to knowledge in a USHE institution course or course section. Common examples of learning materials include but are not limited to textbooks, books, articles, lab manuals, study guides, software, courseware,

¹ *Adopted November 18, 2011; amended July 9, 2026.*

² *Technical edits November 1, 2024; and December 1, 2025.*

subscriptions, modules, multimedia, and assessments. Learning materials may be required or optional. Required learning materials are materials that are required to complete course assignments. Optional learning materials are materials that are not required to complete course assignments. Occupational tool kits, personal protective equipment, consumable supplies, industry-related examination fees, and proprietary training systems are not considered learning materials for the purposes of this policy.

3.5 “Open Educational Resources” are teaching, learning, and research materials that reside in the public domain or have been released under an intellectual property license that permits free use and repurposing.

R465-4 Policy

4.1 Learning Material Prices and Affordability: Institutions shall develop, implement, and annually update an institutional plan to minimize the cost of learning materials for students while maintaining the quality of education and academic freedom. This policy does not set a general standard or limit on learning materials costs for any course or course section, recognizing that affordable learning materials may not be available for all courses. Institutional plans shall include the following elements:

4.1.1 Strategies, procedures, or guidelines that account for the cost of learning materials while protecting academic freedom;

4.1.2 Professional development opportunities and other strategies to support and promote faculty in the discovery, adoption, and use of affordable learning materials, including open educational resources (“OER”);

4.1.3 Programs, incentive structures, or other strategies to encourage and support faculty to adopt, adapt, create, and share OER. Scholarly practices related to OER may be considered as part of tenure and promotion or other instructor evaluation processes;

4.1.4 Strategies to implement course marking that indicates the price, delivery, and any automatic charges related to required learning materials; and

4.1.5 A list of existing courses and programs that utilize automatic charges for learning materials, including a description of the practices in place to ensure costs associated with automatic charges, as well as opt-out and *a la carte* options, that are communicated to students clearly and in a timely manner each term.

4.2 Posting of Learning Material Prices: Institutions shall require the institutional bookstore and/or institution-affiliated suppliers to post a list of required, recommended, and

optional learning materials that have a cost and the prices of each item in a timely manner and in a conspicuous place. The postings shall clearly label learning materials as “required,” “recommended,” or “optional.” The institution shall note in the institutional course schedule the place where students can access the learning materials information, including the International Standard Book Number (“ISBN”), and retail price.

4.3 Automatic Charge Programs: Institutions with automatic charge programs for learning materials shall administer the program in a manner that prioritizes benefits to students over financial or other benefits to the institution.

4.3.1 Institutions shall clearly communicate the costs associated with automatic charges for learning materials to students in a timely manner. To the maximum extent practicable, information about opting in or out of automatic charge programs must be available to students for at least two full weeks before and after the beginning of each course or course section.

4.3.2 Institutions shall work to minimize the impact of automatic charge programs on faculty members’ incentive and motivation to adopt affordable learning materials, including OER.

4.3.3 Institutions that have adopted flat-rate or all-inclusive automatic charge programs shall ensure that students are provided an *a la carte* option for selecting learning materials for their courses during a term.

4.3.4 Institutions shall base cost-savings to students through automatic charge programs on the per-term or comparable product retail terms price, if available, of the learning materials.

4.3.5 Contracts for learning materials that share personally identifiable student data shall comply with requirements under [Board Policy R1011, Contractual Standards for Use of Personally Identifiable Student Data](#) and other applicable laws and policies.

4.4 Instructor-Authored Materials, Compensation, Honoraria, and Fees Related to Learning Materials: Institutions shall comply with the following minimum guidelines:

4.4.1 Institutional employees, when in a position to decide or influence issues that would result in personal gain, 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 other learning materials (other than

recovering the direct cost of the learning materials) unless the requirement has been subjected to an appropriate level of institutional review and approval.

4.4.2 Subject to the policies, procedures, or guidelines of the USHE institution, an institution employee may receive:

4.4.2.1 Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are marked as free samples/not for resale;

4.4.2.2 Royalties or other compensation from the sale of textbooks and other learning materials that include the instructor's own writing or work;

4.4.2.3 Honoraria for academic peer review of learning materials;

4.4.2.4 Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks and other learning materials; or

4.4.2.5 Compensation to provide for instructor training in the use of textbooks and learning materials.

4.5 Reporting: Institutions shall submit to the Office of the Commissioner of Higher Education an annual report on the implementation and outcomes of their plans to minimize the costs of learning materials. The reports shall be in a format and on a timeline determined by the Commissioner of Higher Education or their designee.