Proposed Revision of UHAP 2.11: Course Materials  http://policy.arizona.edu/employmenthuman-resources/printed-materials

2.11.01 Instructor-Authored Books and Materials Assigned in Classes

At the University of Arizona, there is no prohibition against the assignment of instructor-authored textbooks or other course materials for relevant classes. Instructors have the academic freedom to select the best course materials for their teaching needs. Many instructors invest considerable time and effort into producing the most comprehensive and highest quality materials available in their field, which not only fill important gaps in the textbook and teaching market but also complement their own teaching style and emphases.

Requiring students to purchase instructor-authored textbooks or course materials does present a conflict of interest (COI), however, that needs to be addressed. While instructors are free to use their self-authored materials in courses they teach or oversee, requiring students to purchase these materials must only be done to promote appropriate educational goals. Requiring the use of self-authored instructional materials must not be done for personal gain.

College deans are charged with overseeing the conflicts of interest that arise when instructors create textbooks and other materials and then require their students to purchase them. The most grievous conflicts of interest emerge in, but are not limited to, the following cases:

a. Custom textbooks. Some instructors work with a publisher or vendor to create custom textbooks specifically for sale to their own classes. Such textbooks present a clear conflict of interest insofar as the instructor is financially rewarded for creating a textbook and then requiring students to purchase it. The net costs of custom-published textbooks for students need to be carefully considered. When custom textbooks are assigned, lower-priced used copies and rental versions are often unavailable. Unless the custom textbook is required in the very next semester, students also can’t sell the custom books back to the UA BookStores at the end of the semester.

b. Custom-published anthologies of previously published work. Some instructors create anthologies of readings that could be made available to students at little or no cost online. Colleges should recommend that instructors provide access to the readings using online free or low-cost alternatives whenever anthologies of readings are being custom published by instructors for their own courses. See UHAP Chapter 7 Section 5.XX for information about cost-saving options.

The following policies and guidelines govern the procedures for instructors, departments, and colleges to address the COI present when instructors require the use of self-authored textbooks or other materials:

1a. The course syllabus should disclose the COI to the students enrolled in the course. For transparency’s sake, instructors should inform students how much they earn from the sale of each required course material or new textbook. Instructors should also explain why they selected their own textbooks or materials for the course (e.g., they are a leading scholar in this area; their scholarship contributes to their knowledge in the area; it is the best source of information for students; it improves their teaching ability).

1b. When the estimated revenue for self-authored textbooks or other instructional materials is above $500 per course, instructors must disclose the COI to the dean of their college. This disclosure to the dean must be made in advance of the UA BookStores’ established deadlines for submitting course material adoptions each term. The college must then approve, in writing, the use of the textbook(s) and instructional materials before they are made available to students for purchase.

In addition, deans should work with instructors to minimize the COI. Options for minimizing the COI can include one or more of the following:
The author may donate royalties or profits that exceed $500 per course to a unit or program on campus that benefits students.

b. The author may propose to use royalties or profits that exceed $500 per course to pay for activities that benefit the students enrolled in that course (e.g., field trips, guest speakers, social events).

c. Authors may negotiate with the dean of their college for other ways to minimize the COI that are not listed here. Deans may wish to work with department heads to find acceptable solutions.

Whichever option is chosen to minimize COI when royalties or profits exceed $500 per course, instructors should share their minimization plans with students in the syllabus.

1c. When the estimated revenue for self-authored textbooks or other instructional materials is $500 or less per course, instructors are not required to disclose the COI to the college. Instructors also are not required to donate profits of $500 or less per course or to take other steps listed in 1b to minimize the COI.

These requirements for disclosing and minimizing the COI apply to the sum of all income earned by the instructor from a course they teach or oversee (i.e., from all materials, regardless of type – commercial textbooks, custom-published textbooks, subscription websites, ancillary materials, and all other formats and media) in a single term.

2.11.02 Publications Issued by Colleges and Departments

All printed publications originating from the campus and placed in general circulation are official representations of the University, regardless of funding. Therefore, departmental and college publishing procedures must be followed. Individuals may not arrange private printing of University-funded publications. The author’s college must approve all printed materials originating from campus and dealing with University curriculum and academic matters and registration before production of materials begins.

Departments or other UA units that create course materials and require students to purchase them also should disclose and minimize the COI. Specifically, departments or other UA units should (a) inform students that the materials provide revenue for the department or unit, and (b) state how the revenue will benefit students who take courses in the department or unit.

2.11.03 Sale and Distribution of Books and Materials to Students

Educational material to be copied, in any way, and sold to students for class or laboratory work at the University of Arizona must be cleared for copyright, printed (or produced digitally) through the Student Union’s Fast Copy Center, and made available for sale at the UA BookStores. Neither appointed personnel nor staff members may have any financial interest in or receive compensation from the sale of such materials.

Neither appointed personnel nor staff members may sell, or invite a vendor to sell, or receive any form of compensation from the sale of materials, books, or instructional content or services of any kind directly to students, including through their own websites. Furthermore, no instructor or academic unit shall accept any kind of financial incentive from a publisher or vendor to adopt a specific textbook or course material.

2.11.04 Reproduction of Copyrighted Material

Reproduction of copyrighted material for any use, including classroom use, must conform to federal law. The Main Library and Law Library maintain materials on copyright law. Consult Understanding Copyright (link is external), available online at the University Libraries website.