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Policy Information

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UHAP 2.11
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Policy

2.11.1 Instructor-Authored Books and Materials Assigned in Classes

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

While instructors are encouraged and welcome to use their instructor-authored materials in courses they teach or oversee, **a conflict of interest (COI) may arise when instructors earn profits on the sale of instructor-authored materials in these courses.** College deans are charged with overseeing the conflicts of interest that may arise when instructors create textbooks and other materials and then require their students to purchase them. The following policies and guidelines govern the procedures for instructors, departments, and colleges to address the potential COI present when instructors require the purchase of instructor-authored textbooks or other materials:

1. **The course syllabus should disclose the required purchase of instructor-authored materials to students enrolled in the course**. For transparency's sake, instructors should

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). When a profit is expected from the sale of the materials, instructors should inform students how much they earn from the sale of each required course material or new textbook.

2. **When the estimated profit for instructor-authored textbooks or other instructional materials is $500 or less per course, no further action is necessary.**
3. **When the estimated profit for instructor-authored textbooks or other instructional materials is above $500 per course, instructors must disclose the COI to the dean of their college.** The disclosure to the dean must be made in advance of the UA BookStores' established deadlines [2] 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.

Deans will work with instructors to minimize the COI. Options can include one or more of the following:

a. The author may waive royalties.
b. The author may donate profits that exceed $500 per course to a unit or program on campus that benefits students.
c. The author may propose to use 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).
d. 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.

Regardless of the option chosen for minimization of the COI when profits exceed $500 per course, instructors should share their minimization plans with students in the syllabus.

Instructors can estimate the profit by consulting the relevant contract with their publisher, which will disclose the percentage earned on each unit sold. This figure can be multiplied by the planned enrollment for the course to generate an estimate for the maximum expected profit from the sale of materials for the course.

When calculating the estimated profit, authors should also identify, and adjust for, out-of-pocket costs for production (e.g., copyediting, proofreading, and indexing costs; permissions to use copyrighted content) and any income taxes they expect to owe from the sale of the materials to students in the class. Instructors and deans may also adjust the minimization plan if the actual profits earned after the term are less than the estimate.

The 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. Cross-listed courses, and multiple sections taught by the same instructor (including combined sections), are considered a single course. In cases where multiple instructors are co-authors of a book that students are required to buy for the course, profits are calculated on an individual basis (not for the authors as a group).

2.11.2 Sale and Distribution of Books and Materials to Students

In assessing the conflicts of interest that may arise when an instructor requires students to purchase a textbook from which he or she profits, college deans should consider the most grievous conflicts of

interest that emerge in cases such as these:

1. **Custom textbooks**. Some instructors work with a publisher or vendor to create custom textbooks specifically for sale in their own courses. 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.
2. **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.

Educational material to be copied, in any way, and sold to students for use in class or laboratory work at the University of Arizona must be cleared for copyright, printed (or produced digitally) through the Student Union 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.

In addition, neither appointed personnel nor staff members may 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 other course material.

In order for the University of Arizona to comply with the Higher Education Opportunity Act [3], specific information about required course materials must be provided to the UA BookStores in a timely fashion each term. Purchasing course materials through the UA BookStores enables students to charge the materials to their Bursar's account and use financial aid to pay for them.

2.11.3 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 profit for the department or unit, and (b) state how the profit will benefit students who take courses in the department or unit.

2.11.4 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 [4], available online at the University Libraries website.

Frequently Asked Questions*

See FAQs on the Conflict of Interest that Arises when Faculty Profit from Requiring Their Class to Buy Their Books [5] on the Faculty Affairs website.

Revision History*

Substantive revisions September 14, 2018; policy retitled from "Printed Materials"

Section 2.11.03 recommended for repeal, July 2015

Section 2.11.04 revised September 2002

Source URL: http://policy.web.arizona.edu/employment-human-resources/course-materials

Links
[1] mailto:facultyaffairs@email.arizona.edu
[2] http://shop.uabookstore.arizona.edu/faculty
[3] https://www2.ed.gov/policy/highered/leg/hea08/index.html
[4] https://new.library.arizona.edu/research/copyright
[5] https://facultyaffairs.arizona.edu/content/instructor-authored-textbooks-and-materials-assigned-classes