

## ARKANSAS TECH UNIVERSITY BOARD POLICY

Policy Number: 303

Subject: Textbook Royalty Policy

Date Adopted: 09/08

Revised: \_\_\_\_\_

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Arkansas Code 6-60-602 (a) prohibits a department or employee of a state-supported institution of higher education from demanding or receiving any inducement for requiring students to purchase a specific textbook for coursework or instruction. The code further stipulates that the section does not prevent an employee from receiving royalties or other compensation from the sale or publication of a textbook that includes the employee's own writing or work.

However, to assure there is not a conflict of interest, according to A.C.A. § 6-60-604, "A state supported institution of higher education shall establish guidelines for the use of royalties received by a faculty member from the sale of textbooks and course materials for classes taught by the faculty member". Arkansas Tech University has already published a policy related to class materials which is located in the Faculty Handbook but the issue of textbooks was not clearly addressed within that policy.

In keeping with the spirit of the Jaw referenced above, Arkansas Tech University proposes the following policy related to a faculty member requiring a textbook in which the instructor is listed as either an author or co-author and for which he or she may be entitled to royalties:

If a faculty member intends to require the use of a textbook in one or more of his/her classes, and the faculty member is either an author or co-author of the textbook from which the faculty member is entitled to royalties, he/she must notify the appropriate department head. The department head will then notify the Office of Academic Affairs and supply any additional information associated with the textbook selection (specific information regarding the book and the faculty member's explanation regarding why that particular book is the most appropriate choice). Academic Affairs will submit the request, along-with any additional pertinent information regarding the selection, to the Faculty Salary, Benefits and Awards Committee.

The Faculty Salary, Benefits and Awards Committee will review the request with the purpose of determining whether-the faculty-member is requiring the specific textbook based on academically - defensible reasons or whether the requirement is an attempt to profit from the purchases by the students in violation of AR Code 6-60-602. The committee will ask the faculty member to provide a rationale for selecting the textbook. If the committee is unable to justify the use of the textbook based on the information provided, or is undecided, the committee will solicit an opinion from a specialist in the field. If the committee determines that the selection is academically defensible, no further action is necessary. The committee will inform Academic Affairs and the appropriate Department Head of the decision. The faculty member may use the textbook and will be entitled to any royalties to which he/she may be entitled. If the committee-determines that selection of the textbook violates Arkansas Code 6-60-602, the committee will recommend to the Vice President for Academic Affairs

that the faculty member be directed to either withdraw his/her request to use the textbook or, if the faculty member decides to use the textbook in his/her course, to relinquish any compensation that is in violation of AR Code 6-60-602. The committee will inform Academic Affairs and the appropriate Department Head of the decision, and inform the faculty member regarding his/her right to appeal the decision to the Vice President for Academic Affairs whose decision will be final.