

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA

POLICY NO: 1210

CONFLICT OF INTEREST IN ASSIGNMENT OF COURSE MATERIALS

1.0 Purpose

Cal Poly, Pomona, University encourages the scholarly activities of the faculty members including publication of text books and preparation of self-authored course materials. Inherent to these scholarly activities is the faculty's desire to use the self-authored or self-prepared course materials in their own classes. The University recognizes that there is nothing fundamentally wrong with faculty requiring their students to purchase the textbooks or other course material authored and/or prepared by the faculty member. However, when a faculty member receives financial benefits from the assignment of course materials there is a potential for real or perceived conflict of interest.

It is the purpose of this policy to assist both the administrators and the faculty in reaching decisions regarding the adoption of course material at Cal Poly, Pomona that observe the copyright laws and address the conflict of interest concerns.

The term "Course Materials" refers to any collection of instructional tools in any format that is developed or prepared by any employee of Cal Poly Pomona, University and is intended for sale to students and use in a classroom at Cal Poly, Pomona.

This policy only applies to sale or adoption of course materials that are authored/prepared solely for use in a classroom at Cal Poly, Pomona, except for those published for a wider market where the level of royalties is set by the terms of a publishing contract.

2.0 Reproduction of the Course Materials

- 2.1 It is the responsibility of each faculty member to comply with all existing and applicable copyright laws in preparation of their course materials.
- 2.2 The Campus bookstore shall assure that all course materials which it agrees to reproduce for sale to students comply with existing copyright laws.
- 2.3 Each faculty member is individually responsible for claims of copyright infringement resulting from the off-campus copying of course materials and regardless of the venue chosen for sale of such materials to the students.

2.4 When copyright holders require payment of royalties or fees before granting permission to reproduce a document which is part of course materials used in classroom, the cost of such royalties or fees may be passed to the students who purchase the course materials.

3.0 Adoption and Sale of the Course Materials.

3.1 Course materials authored or prepared by any faculty member of the University may be adopted for use in a classroom only after approval by a peer review committee. The peer review committee is appointed the chair of the department offering the course and in consultation with the department faculty. For evaluation purposes, in addition to the proposed course materials, the faculty member shall submit an expanded course outline as well as a statement in which the merits of the proposed course materials are judged against those of standard or comparable products. The peer review committee shall review the adoption request for academic quality of the course materials and its cost to the students. The committee shall ensure that the adoption does not result in any unjustified cost burden to the students.

3.2 Faculty may choose any venue for sale of course materials to the students, provided that they also submit information about those materials to Bronco Bookstore so that it can be listed in their database in compliance with federal government regulations. However, to avoid appearance of conflict of interest that the faculty has selected a particular off-campus shop or publisher on the basis of personal profit, he/she shall hold no financial interest in the off-campus shop or publishing company and should disclose to his/her department chair and college dean any surcharge or royalty paid by that venue.

3.3 The price for the course materials developed or prepared by a faculty may at the discretion of the department offering the course and approval of the peer review committee, described under 3.1 above, include a reasonable mark-up or surcharge earmarked for developing, revising, and enhancing the course materials. The mark-up or surcharge may not exceed 15% of the total cost of the course materials under any circumstances.

3.4 The markup, surcharge, royalty, and fee collected by or donated to the department or the faculty members shall be deposited in an account established at the University Foundation. All expenditures from the account shall be approved by the department faculty, college dean, and shall conform to the University Policy on Intellectual/Creative Property.

3.5 When course materials include course conduct policies and evaluative information (i.e. syllabus, quizzes, extra credit exercises, etc.) these materials shall be provided to the students free of charge.

3.6 Faculty shall never sell course materials directly to the students regardless of whether the faculty member financially benefits from the sale or not.