

Income from Textbooks and Materials Authored by Faculty

Summary / Purpose: To provide a structure for ethically dealing with the assignment of textbooks or other class materials by a faculty member where that faculty member may benefit financially from that assignment, either directly or because the assignment will benefit a relative or a business with which the faculty member is associated.

The University of Mississippi encourages its faculty members to publish in their fields of expertise, including textbooks and other classroom materials. The university further recognizes that it is often beneficial to students for faculty members to teach from textbooks or other materials that they have authored, co-authored or edited.

Under Mississippi ethics laws, however, a faculty member may not use his or her position to obtain a pecuniary benefit for himself or herself, for a relative, or for an associated business. This policy ensures that a faculty member will not obtain any pecuniary benefit from a decision to assign a textbook or other classroom materials authored, edited, or compiled by the faculty member by removing the possibility that pecuniary benefit would result from the assignment. Where that possibility cannot be effectively eliminated by this policy, then the policy provides that others will make the final decision about assigned materials.

Definitions:

Business Association – A faculty member or relative has a Business Association with any business entity if the faculty member or Relative has received more than \$2,500.00 in income from that business entity during any of the previous three years or if the faculty member or Relative owns at least 10% of the fair market value of the business entity.

Relative – the spouse, child, parent or sibling of a faculty member, or the spouse of any of these individuals.

Publishing Company – A business entity that publishes textbooks.

Textbook – In this policy, “Textbook” (with a capital “T”) refers to a book or other class materials assigned by a faculty member that either was authored, co-authored, or edited by a faculty member or a Relative of the assigning faculty member.

Policy:

This policy is not intended to prevent faculty members from assigning materials that are best suited to support the course, even if this includes a Textbook as defined in this policy. Instead, this policy manages the potential conflicts and removes any appearance of impropriety.

Textbooks for multiple classes: If a textbook or other class materials are being selected for use in multiple classes, either within a department or across departments, and a faculty-authored Textbook is among the course materials being considered, then any faculty member who may

benefit from the assignment or who has a Relative or Business Association that may benefit from the assignment may not participate in the selection process.

Textbooks for a class taught by the faculty member: When a faculty member is selecting a textbook or other class materials for his or her own class and the faculty member wishes to select a Textbook as defined by this policy, then the faculty member must submit a written request to his or her department chair. The application must state:

- a. The name of the Textbook being considered;
- b. Alternate textbooks or materials considered;
- c. Why use of the Textbook would be more beneficial for students than other texts or materials that could have been selected.
- d. The identity of the Publishing Company;
- e. Information necessary to determine whether the faculty member has a Business Association with the Publishing Company, including:
 - i. The percentage of the fair market value of the Publishing Company owned by the faculty member or relative; or
 - ii. The amount of income that the faculty member or relative has received from the Publishing Company in each of the past three years;
- f. The maximum number of students who may enroll in the class that would be using the Textbook if selected during the term at issue;
- g. The expected income to be received by the faculty member or his or her Relative for each Textbook sold;
- h. A statement that, upon written approval to use the Textbook, the faculty member will make a contribution to The University of Mississippi Foundation for the expected income per Textbook multiplied by the number of students who will be using the text.

If the faculty member does not have a Business Association with the Publishing Company for the Textbook and the assignment of the Textbook would not benefit a Relative, then the chair of the faculty member's department will review the application and make a final decision in writing concerning its assignment by the faculty member. This information will be forwarded to the Office of the Provost to be kept as a record of the decision.

If the faculty member has a Business Association with the Publishing Company for the Textbook or if the assignment of the Textbook would benefit a Relative, the application should be sent to the Office of the Provost where it will be reviewed and a final decision will be made.

Textbooks should not be approved for classroom use if a reasonable faculty member in the field of study would not believe that the use of the Textbook is in the best interest of the students.

Faculty members who have not followed this procedure may be required to refrain from using their own Textbooks in future classes and may face other repercussions under Mississippi ethics laws.

Income from Textbooks and Materials Authored by Faculty Compliance Form

Under Mississippi ethics laws, a university faculty member may not use his or her position to obtain a pecuniary benefit for himself or herself, for a relative, or for an associated business. To comply with the law and the University "Income from Textbooks and Materials Authored by Faculty" Policy, faculty must submit a written request to their department chair with information prescribed in the Policy. They must also self-report expected income from self-authored instructional materials at the point of the course material selection. To self-report, this form must be completed and submitted to your Department Chair along with receipt of payment for the expected income from assigning the course materials. Make your payment to the UM Foundation's "Royalty Reimbursement Fund." The Department Chair should send a copy of the form and receipt to the Office of the Provost.

Faculty/Course Information

Faculty Name _____ Date _____

Faculty Member's Department and School _____

Course Name and Number _____

Book or Material Title _____

Author / Relationship _____

Publishing Company Disclosure *

The percent of the fair market value of the Publishing Company owned by the faculty member or relative _____%

If not 0%, the amount of income that the faculty member or relative has received from the Publishing Company in the last three years _____

*This information is required to determine whether a faculty member has a business association with the publishing company. If income received from the publishing company exceeds \$2,500 over three years or if the Faculty member or relative owns 10% of the fair market value of the Company, the faculty member must consult with their Chair and Dean before making course material assignment to comply.

Payment Calculation

Step 1: Maximum # Course Students _____ **x**

Step 2: Percent of students anticipated to purchase course materials that generate royalties _____% **x**
(NOTE: Barnes & Noble reports that 40% of students purchase news books on average when used copies are available for purchase and when course materials are required texts.)

Step 3: Royalty Payment per student _____ =

Total Payment to UM Foundation _____ [Attach a receipt of UM Foundation payment.]

By signing below, I certify that all of the information listed above is correct to the extent of my knowledge:

Faculty Signature

Department Chair Approval