

**NUMBER: 4.4.15****DATE: 09/08/2011****REVISION: 05/07/2014; 11/06/2017****PAGE: 1 of 3****SECTION: HUMAN RESOURCES****AREA: EMPLOYEE RELATIONS****SUBJECT: TEXTBOOK AND COURSE MATERIALS POLICY – GRADUATE COURSES****PURPOSE**

To comply with Arkansas Code Annotated § 6-60-601 *et seq.* and the Higher Education Opportunity Act.

**SCOPE**

This policy applies to UAMS faculty who teach graduate level courses and the UAMS Bookstore.

**POLICY****I. Adoption of Textbooks and Course Materials.**

To allow for timely ordering and availability of textbooks, faculty members should input their choices of textbooks and course materials on the UAMS Bookstore website by April 1 of each year for the following fall semester and summer sessions, and November 1 of each year for the following spring semester. Textbook choices, and any special instructions, should be entered on the UAMS Bookstore website by the primary faculty person for each course.

**II. Inducements.**

Acceptance of inducements (such as a gift, payment, loan, subscription, advance, deposit of money, or services) to require specific textbooks is prohibited by Arkansas law. The following items are **not** included in this prohibition, and are therefore acceptable:

1. Receipt of sample copies, instructor's copies, or instructional materials for coursework or instruction; or
2. Royalties or other compensation from the sale or publication of a textbook that includes the employee's own writing or work.

Violations of this provision must be reported to the Office of the Provost, General Counsel and Legislative Council within ten (10) business days.

**III. Prohibition of Referrals.**

In accordance with State law, UAMS may not place or permit to be placed on its website or the Bookstore's website a link to the website of a retailer of textbooks or other educational materials if the retailer of textbooks or other educational materials is not required to report and pay Arkansas sales and use taxes and does not obtain a use tax permit

from the Department of Finance and Administration and report and pay Arkansas sales and use taxes on sales of textbooks and other educational materials to residents of this state.

This provision does not prohibit a faculty member from referring students to any source for required or suggested textbooks or course materials.

**IV. Use of Royalties from the Sale of Textbooks and Educational Materials.**

Consistent with the UAMS Conflict of Interest Policy for Academic Staff Members (*UAMS Administrative Guide 4.4.10*), faculty members are required to disclose actual and potential conflicts of interest and conflicts of commitment at least annually. Faculty members are also required to obtain approval from their Department Chair and Dean before engaging in employment or other activities that could interfere in a substantial way with the faculty member's duties to UAMS.

Faculty members who derive direct or indirect financial benefit from materials required to be used by UAMS students have a potential conflict of interest that must be disclosed. Faculty members shall not require that their students purchase materials for which the faculty member has a proprietary interest or receives compensation (such as royalties) unless there is a compelling and documented reason for doing so, and the purchase requirement has been approved by the appropriate Department Chair, Dean, and Conflict of Interest Committee. Faculty members who have a proprietary interest in or receive compensation from educational materials shall recuse themselves from any decisions concerning whether the educational materials shall be used for any particular class.

Any royalties from textbooks, reference works, or other scholarly works produced by faculty members as part of their normal teaching, scholarly, and academic activities at UAMS or an approved off-campus assignment, shall be distributed in accordance with *University of Arkansas Board of Trustees Policy 210.1*.

**V. Bookstore Advertising.**

In the event that advertising information from the UAMS Bookstore is included in any orientation packets or presented to student groups through electronic media services, private local textbook vendors shall also be allowed access to distribute advertising by the same method upon written request.

Upon such request, private vendor advertising will be distributed contemporaneously with the advertising of the UAMS Bookstore. UAMS may request modification of any private vendor advertising if the advertising does not reflect the public interests of the state. The private vendor shall be responsible for all costs related to the preparation and production of its advertising material.

**VI. Compliance.**

At the beginning of each academic year, the Office of the Provost will notify or remind faculty members of the foregoing procedures.

Any questions about this policy should be directed to the UAMS Bookstore administrator or the Office of the Provost.

Signature:  \_\_\_\_\_

Date: November 6, 2017