## ACADEMIC SENATE
### of
## CALIFORNIA POLYTECHNIC STATE UNIVERSITY
### San Luis Obispo, CA

### AS-781-14

### RESOLUTION ON CONFLICT OF INTEREST IN THE ASSIGNMENT OF COURSE MATERIALS

1 WHEREAS, Cal Poly supports innovative and creative activities that encourage faculty to find
2 new ways to distribute responsibly intellectual materials for their courses through
3 emergent technologies and information distribution systems; and
4

5 WHEREAS, Section 244 (F) in the Campus Administrative Manual (CAM) allows faculty
6 members to accept a royalty of up to 10 percent of the local sale price of "faculty
7 nonpublished text material sold through the Bookstore" because it is "developed
8 by a faculty member on personal time and utilize[ed] private resources"; and
9

10 WHEREAS, CAM Section 244 (F) addresses print-based duplication and distribution of course
11 materials through the University bookstore rather than online production, sales,
12 and distribution of course materials through third-party vendors and other
13 electronic outlets; and
14

15 WHEREAS, Publishing course materials may include third-party vendors that distribute print
16 and electronic course materials; and
17

18 WHEREAS, Third-party vendors allow authors to determine the net amount of royalties
19 collected from the sale of these course materials because authors have the ability
20 to determine their final retail cost; and
21

22 WHEREAS, When a faculty member personally receives a financial benefit from the
23 assignment of such course materials, there is potential for a real or perceived
24 conflict of interest; and
25

26 WHEREAS, Cal Poly is in the process of creating a new set of Campus Administrative Policies
27 (CAP) and phasing out the current CAM; therefore be it
28

29 RESOLVED: That the Campus Administrative Policies (CAP) address conflicts of interest in
30 the assignment of self-authored course materials by including the following policy
31 in the appropriate section:
32

33 "Unless approved by the department chair in advance, faculty who assign self-
34 authored course materials may receive no more than a royalty of up to 10 percent

| 35 | of the final retail price.  These materials include but are not limited to the |
| 36 | following: coursepacks, study guides, lab manuals, lab materials, and online or |
| 37 | electronic instructional materials.  Where the author determines the final retail |
| 38 | price of self-authored course materials, the final retail price cannot exceed by |
| 39 | more than 10 percent of the minimum production and distribution price threshold |
| 40 | set by a third-party vendor.  This policy does not apply to course materials that |
| 41 | have been subject to external peer and/or editorial review and where the author |
| 42 | does not determine the final retail price." |
| 43 | |
| 44 | |
| 45 | |
| 46 | Proposed by:  Academic Senate Instruction Committee |
| 47 | Date:          January 8, 2014 |
| 48 | Revised:       March 11, 2014 |

**State of California**
**M e m o r a n d u m**

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**ACADEMIC SENATE**

**CAL POLY**
SAN LUIS OBISPO

| **To:** | Steven Rein | | **Date:** | March 28, 2014 |
| --- | --- | --- | --- | --- |
| | Chair, Academic Senate | | | |

| **From:** | Jeffrey D. Armstrong | **Copies:** | K. Enz Finken |
| --- | --- | --- | --- |
| | President | | S. Nosek |
| | | | CAP Administration |

**Subject:** Supplemental Response to Academic Senate Resolution AS-781-14
Resolution on Conflict of Interest in the Assignment of Course Materials

In addition to acknowledging receipt of the above-entitled Academic Senate resolution, I hereby approve the resolution and am forwarding it for inclusion in the Campus Administrative Policies (CAP).

Please express my appreciation to the Academic Senate Instruction Committee for proactively addressing this change from the Campus Administrative Manual (CAM) to Campus Administrative Policies. (CAP).

**State of California**
**Memorandum**

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**CAL POLY**
SAN LUIS OBISPO

**To:**     Steven Rein
           Chair, Academic Senate **ACADEMIC SENATE**

**Date:**   March 24, 2014

**From:**   Jeffrey D. Armstrong
           President

**Copies:**  K. Enz Finken

**Subject:** Response to Academic Senate Resolution AS-781-14
           Resolution on Conflict of Interest in the Assignment of Course Materials

This memo formally acknowledges receipt of the above-entitled Academic Senate resolution.