GENERAL INFORMATION

1. It is a common practice on many campuses for faculty members to prepare some of their own required textbooks, laboratory manuals, workbooks, reference materials, etc. It is mandatory that a clear policy be formulated and stated with regard to the author's responsibilities and the author's rights to royalties earned on such materials at Texas State.

2. Specifically, the purpose of this PPS is to:
   a. state the policy of Texas State regarding royalties for publications sold to students of Texas State or sold on other campuses;
   b. describe the procedure for faculty to obtain approval for the use of textbooks, notebooks, manuals or other materials written or prepared by a member of the faculty of the University which are to be sold to students;
   c. provide a mechanism for investigating and responding to possible violations of this policy;
   d. set up a mechanism by which this institution may protect itself and its students and faculty from abuses and the effect of abuses.

INSTITUTIONAL POLICY ON ROYALTIES

3. Any Texas State that any faculty member who prepares teaching materials that result in a publication is entitled to require the material for his/her own courses, and is entitled to royalties resulting from there However the faculty member must:
   a. adhere to Regents Rules, Chapter III, Section 11.1 regarding intellectual property;
   b. require only such materials as are relevant to the course.
   c. provide quality material at or below competitive prices;
   d. require only materials that have been approved by the procedure described in 5 through 10 below which enforces the Board of Regents Rules, Chapter V, paragraph 4.84;
   e. discontinue the requirement of that textbook, notebook, manual or other materials when the period of approval has expired;
   f. conform strictly to all laws pertaining to copyrights of materials involved.

4. A faculty member who has prepared any type of teaching material that is sold only on other campuses or to the public is entitled to royalties following the disposition of intellectual property as prescribed per Regents Rules, Chapter III, Section 11.1. Nevertheless, faculty members preparing materials for these uses
should ensure that their doing so does not conflict with their other work as faculty.

PROCEDURE FOR OBTAINING ADMINISTRATIVE APPROVAL

5. A notice from the Provost via email will be sent to all faculty giving the deadlines for submitting a request for faculty authored books.

6. A faculty member who wishes to prescribe for use in classes he/she teaches, any textbook, notebook, manual or other materials, written or prepared by a member of the faculty of the University and for which a charge is to be made must obtain authorization to do so.

7. A request for authorization to be submitted to the department chair/school director will include:
   a. request for Authorization to Prescribe Materials Authored by Faculty Members of Texas State for Class Use. (Appendix A)
   b. a copy of the materials to be approved.

8. The deadline for the submission of requests for materials to be used during the Fall Semester will be July 1, for materials to be used during the Spring Semester, November 1, and for materials to be used during the summer sessions, April 1.

9. Authorization to use materials will be for one fiscal year, September 1 to August 31, only an approval must be renewed.

10. Following action by the department chair/school director, the request and accompanying materials will be forwarded through the dean to the Provost.

11. Following action by the dean and the Provost, the faculty member will be furnished a copy of the request form indicating approval or disapproval, and the materials will be returned to the faculty member.

MECHANISM FOR INVESTIGATING ALLEGED VIOLATIONS

12. The deans will be responsible for insuring that this mechanism is applied routinely, and when otherwise required by circumstances, to prevent the violation of the rights of both students and faculty.

13. The deans will receive, via the chair/director, and investigate any and all complaints alleging violations of the policies, to determine the accuracy of the allegations and whether or not any subjective judgment must be made.

14. If subjective judgments are required, the Dean of the College will appoint an ad hoc committee chosen as follows. The dean will appoint:

   a. one senior faculty member within the department/school acceptable to both the author(s) and the department chair/school director in which the
course is taught. If possible, the senior faculty member should hold the rank of associate professor or professor.

b. one tenured associate professor or professor, from another department/school of the same college at Texas State.

c. another tenured associate professor or professor, from a department/school outside same college.

15. Duties of the ad hoc committee are as follows:

a. The ad hoc committee will ascertain all facts connected with the allegations and determine whether or not a provision of paragraph 3 and/or 4 is being violated.

b. The ad hoc committee will submit a complete report to the dean of their findings, including documentation, when appropriate, and recommend a course of action.

c. The dean will decide whether to let the matter drop after an explanation is forwarded to the complaining party, or may direct through appropriate channels the faculty member involved to cease and desist from any further action deemed to be in violation of paragraph 3 and/or 4.

d. The dean will keep the Provost and Vice President for Academic Affairs fully informed.

CERTIFICATION STATEMENT

16. This PPS has been approved by the reviewer listed below and represents Texas State's Division of Academic Affairs policy and procedure from the date of this document until superseded.

Review Cycle: _______________________ Review Date: _______________________

Reviewer: __________________________ Date: _____________________________

Approved: __________________________ Date: _____________________________

Gene Bourgeois
Provost and Vice President for Academic Affairs

Texas State University
Vice President for Academic Affairs
Last Updated: March 6, 2015
Send comments and questions to: tg12@txstate.edu