

UNIVERSITY OF CENTRAL ARKANSAS
Textbook and Course Materials Policy

Office of the Executive Vice President and Provost | Updated 2014-10-24

This Textbook and Course Materials Policy (“Policy”) is adopted to comply with the provisions of certain laws enacted by the Arkansas General Assembly, and specifically, Acts 105, 106, and 277 of 2007. In addition to these acts, the General Assembly also enacted Act 175, which provides for deadlines for the adoption of textbooks and course materials. Additionally, the Policy provides guidance on complying with the contract between the University of Central Arkansas (“UCA”) and the UCA Bookstore.

For further information about Arkansas textbook laws and textbook adoption deadlines, see <http://uca.edu/go/textbook-policies>.

Prior to the start of each academic year, the deans of each college and the chairs of each department shall notify members of the faculty of this policy and the procedures set forth herein in order to comply with the acts cited above.

- I. Website Links for Textbooks and Course Materials: Act 277 prohibits certain links to be placed on the university’s website or that of its bookstore. This is set forth in § 6-60-603 of the Arkansas Code Annotated (“ACA”).

The act provides that no state-supported institution of higher education may place, or permit to be placed, on its website, or its bookstore’s website, a link to the website of a retailer of textbooks or other educational materials if (a) the retailer is not required to report and pay Arkansas sales and use taxes and (b) does not obtain a tax permit from Arkansas taxing authorities and report and pay sales and use taxes on sales of those items. However, nothing in the act prevents a faculty member from referring students to any source for required or suggested textbooks or course materials.

- II. Inducements: Act 105 prohibits inducements to require students to purchase a specific textbook for coursework or instruction. This is set forth in ACA § 6-6-602.

Prohibited inducements are gifts, payments, loans, subscriptions, advances, deposits of money, services or any other thing of value.

Not included as an inducement are sample copies, instructor’s copies, instructional materials for a textbook, or royalties or other compensation from the sale or publication of a textbook that includes the employee’s own writing or work.

Violations of this policy are to be reported within ten business days of discovery to the chief academic officer, the legal counsel of the university, and the Arkansas Legislative Council. In addition, a violation may be reported by any other business or consumer to those parties.

- III. Textbook Royalties Guidelines: Act 106 requires each institution to establish guidelines for the use of royalties received by a faculty member from the sale of textbooks and course materials for classes taught by the faculty member. This is set forth in ACA § 6-60-604.

The act requires the guidelines to (a) acknowledge the conflict of interest and (b) specify how the royalties may be used, giving priority consideration to programs that benefit students academically.

The following compliance procedures are established:

- A. Faculty members must disclose, in writing, the conflict of interest. This conflict must be disclosed to, and then approved in writing by, the chair of the department and the dean of the college, before the faculty member may require his/her students to purchase a textbook or other materials for which the faculty member receives any royalty or other compensation. The request must identify the course and include a description of the materials/textbook and the reason(s) why the faculty member desires to use the materials/textbook.
- B. As part of the request, the faculty member must state how the royalties will be used for academic purposes for students of the University of Central Arkansas. All royalties received from the textbook or course materials in the particular course for which the faculty member has a conflict must be used for academic purposes, giving priority to programs that benefit students academically. This request must be approved, in writing, by the chair, the college dean, and the provost.
- C. Prior to the start of the following academic year, each faculty member with a conflict of interest under this provision must account to his/her chair and dean on the revenues received and how the monies received for the materials required for student purchase during the prior academic year were expended for academic purposes.

IV. UCA Bookstore Contract Provisions Guidance

To remain in compliance with the agreement between UCA and the UCA Bookstore, departments must ensure that instructors follow these guidelines:

- A. Do not change a textbook order after submitting it without notifying the bookstore in advance of the start of the term. If an order is changed after the state-established deadline for textbook adoption, the instructor must follow the procedures for late book orders outlined in documents linked at <http://uca.edu/go/textbook-policies> under the heading Textbook Orders after Mandated Deadlines.
- B. Course material listed on the textbook order as required must be listed on the course syllabus as required. No instructor should tell students that they do not need the required material for the course; if that is the case, then the instructor should not list the material as required on the textbook order.
- C. Do not direct students to any specific company or vendor to purchase textbooks. Students are free to purchase their textbooks from any source, but an employee of the university directing a student to purchase course materials from a vendor other than the UCA Bookstore is a violation of the terms of the contract between UCA and the UCA Bookstore.