**Faculty-Authored Teaching AA/PPS No. 02.03.30**

**and Instructional Material Issue No. 3**

**Effective Date: 05/26/2023**

**Next Review Date: 04/01/2028 (E5Y)**

**Sr. Reviewer: Provost and Executive Vice President for Academic Affairs**

**POLICY STATEMENT**

*Texas State University is committed to implementing a process to authorize teaching and instructional materials prepared by Texas State faculty that are required for Texas State courses and for which students purchase or pay a fee.*

**01. PURPOSE**

01.01 It is a common practice at Texas State University for faculty members to prepare some of their own required teaching and instructional materials for use in the classroom. Faculty members may also elect to require teaching and instructional materials prepared by other faculty at Texas State. Instructional materials may include textbooks, laboratory manuals, workbooks, readings, and other items of academic and pedagogical value. 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.

01.02 The purpose of this document 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, required on course syllabi, and which are to be sold to students;

c. provide a mechanism for investigating and responding to possible violations of this policy; and

d. set up a mechanism by which the university may protect itself and its students and faculty from abuses and the effect of abuses.

**02. PROCEDURES ON ROYALTIES**

02.01 Any Texas State faculty member who prepares teaching and instructional materials that result in a publication is entitled to require the material for their own courses and is entitled to any resulting royalties. However, the faculty member must:

a. adhere to [The Texas State University System (TSUS) Rules and Regulations, Chapter III, Section 11.1](https://www.tsus.edu/about-tsus/policies.html), regarding intellectual property;

b. require only materials that meet instructional goals and student learning outcomes of the course;

c. provide these materials at or below competitive prices;

d. require only materials that have been approved by the procedures described in Section 03. of this policy, which enforces [TSUS Rules and Regulations, Chapter V, Paragraph 4.84](https://www.tsus.edu/about-tsus/policies.html);

e. discontinue the requirement of a textbook, notebook, manual, or other materials when the period of approval has expired; and

f. conform strictly to all laws pertaining to copyright of materials involved.

02.02 A faculty member who has prepared any type of teaching or instructional 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 [TSUS Rules and Regulations, Chapter III, Section 11.1](https://www.tsus.edu/about-tsus/policies.html). Faculty members preparing materials for these uses should ensure that this work does not conflict with the fulfillment of their responsibilities at Texas State.

**03. PROCEDURE FOR OBTAINING ADMINISTRATIVE APPROVAL**

 **03.01 Each academic year, an email notice from the provost and executive vice president for Academic Affairs will be sent to all faculty regarding this policy and the deadlines for submitting a request for faculty-authored teaching and instructional material.**

03.02 Textbooks, notebooks, manuals, or other materials for the use of Texas State students written or prepared by a member of the faculty of Texas State, shall not be prescribed for the use of Texas State students or sold to Texas State students until such books, notes, manuals, or materials shall have been approved (i.e., students purchase or pay a fee). Materials provided free of charge do not require approval.

03.03 A request for authorization to be submitted to the department chair or school director will include:

a. a completed [Request for Authorization to Prescribe Materials Authored by Faculty Members of Texas State for Class Use form;](https://facultyresources.provost.txst.edu/forms.html) and

b. a copy of the materials to be approved.

03.04 Each request for authorization must be submitted by the appropriate deadline.

1. Materials to be used in a fall semester – July 1;
2. Materials to be used in a spring semester – November 1; and
3. Materials to be used in the summer sessions – April 1.

03.05 Authorization to use materials will be for one fiscal year, September 1 to August 31. Subsequent use of the materials must be approved.

03.06 Following action by the department chair or school director, the request will be forwarded through the dean to Faculty and Academic Resources.

03.07 Following action by the dean and the provost **and executive vice president for Academic Affairs, or** designee, 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.

03.08 After approval, the faculty member may require the instructional materials on their course syllabus and other course information.

**04. PROCEDURES FOR INVESTIGATING ALLEGED VIOLATIONS OF THIS POLICY**

04.01 The deans will receive, via the chair or director, and investigate any and all written complaints alleging violations of this policy, to determine the accuracy of the allegations and whether or not any further investigation is recommended.

04.02 If further investigation is recommended, the dean will appoint an ad hoc committee chosen as follows:

a. one senior faculty member within the department or school, acceptable to both the authors and the department chair or 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 or school of the same college at Texas State; and

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

04.03 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 any provision of this policy was 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.

04.04 The dean will review the committee’s recommendations, make a decision regarding any further action, and keep the provost **and executive vice president for Academic Affairs** informed of these proceedings.

05. REVIEWERS OF THIS PPS

05.01 Reviewers of this PPS include the following:

Position Date

Associate Provost April 1 E5Y

Provost and Executive Vice April 1 E5Y

President for Academic Affairs

06. CERIFICATION STATEMENT

 This PPS has been approved by the following individual in their official capacity and represents Texas State Academic Affairs policy and procedure from the date of this document until superseded.

Provost and Executive Vice President for Academic Affairs; senior reviewer of this PPS