

**MICHIGAN STATE**  
**UNIVERSITY**

MEMORANDUM

TO: Tyler Silvestri  
Secretary for Academic Governance

FROM: Richard M. Fulton, D.V.M., Ph.D.   
Chair, University Committee on Faculty Affairs

SUBJECT: Faculty Authored Works.

Date: 10 Jan 2022



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The document titled “On faculty-authored works assigned to students and perceived conflicts of interest” sent to you via email on 9 Dec 2021 was supported and approved by electronic vote. This document was authored by the Provost with the assistance of the head of the Michigan State University Libraries and members of the University Committee on Faculty Affairs. The document’s purpose is to unify guidelines across the university as they relate to faculty-authored works.

## **On faculty-authored works assigned to students and perceived conflicts of interest**

Faculty and academic staff members at Michigan State University are experts in their fields and encouraged to publish their knowledge and research. Faculty acting in their role as instructors may assign their published work for reading to students in their classes. In 2004, the American Association of University Professors published a statement that professors have the right under principles of academic freedom to select their own instructional materials.<sup>1</sup> Nevertheless, the statement acknowledged that there can be a real or perceived conflict of interest if instructors gain monetarily through assigning their own publications to a “captive audience” of students. To guard against even the appearance of impropriety, Michigan State University joins many other universities in stating that instructors should avoid personally profiting from the assignment of their own texts to their own students.

### **1. Authored works for which instructors do not receive publisher royalties**

For many types of publications, authors do not profit financially. These include journal articles and chapters published in edited books. Any profits made on these types of publications solely go to the publisher or to both the editor(s) of the book and the publisher. In many such cases, authors have signed over copyright to the publisher and no longer own copyright in their own work.

Per copyright law, these articles or chapters, if included in a coursepack, for instance, are subject to payment of royalty fees which are paid directly to the publisher. The authors do not profit, so assigning these texts does not pose ethical concerns, even if students must pay royalties through the costs of the course pack. Instructors are encouraged to educate their students on this point. Student awareness that faculty do not typically profit from coursepacks could help alleviate concerns.

Instructors are encouraged to pursue avenues to lower costs of materials for students. For example, publishing contracts may allow faculty to post their own articles and book chapters to an institutional repository from which students can access these materials for free. In other cases, posting of a chapter from a book or an article in the course management system may be allowed by copyright agreements or under fair use. Consultation with the Office of Copyright in the MSU Libraries is recommended to see if either of these options is possible.

In no case should instructors at Michigan State University charge fees to students for access to their own informally published materials, such as self-published materials, notes, laboratory manuals, or the like.

### **2. Authored works for which instructors receive publisher royalties**

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<sup>1</sup> American Association of University Professors, 2004. On professors assigning their own texts to students. Available at:

<https://www.aaup.org/report/professors-assigning-their-own-texts-students>

The most common case in which instructors profit financially from publication is from the sale of a book written or edited by the instructor, but some other types of course materials may also generate royalties, including coursepacks made available through third-party vendors, and courseware, or software that supports course participation.

Several Michigan State University faculty have published leading textbooks in their field. Michigan State University does not want to discourage faculty from pursuing textbook publishing or prohibit their profiting from textbook sales to students at other institutions.

Nevertheless, to avoid any real or perceived conflict of interest, instructors are expected to forego any royalties or payments they derive from the sales of textbooks or other course materials to their own students and are encouraged to donate to a charity or fund that would benefit students. A good-faith estimate of the amount of royalties that the instructor expects to make based on the number of students in the class they teach, coordinate, or supervise, and the royalties received per book will suffice. Instructors are expected to discuss this plan with their department chair/school director and students to alleviate any concerns and educate them.<sup>2</sup>

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<sup>2</sup> There are a growing number of options for publishing textbooks that lower costs for students. Publishing a textbook or other course material as an Open Educational Resource (OER) is an option for which there is support for instructors through the MSU Libraries. Exploring this option is encouraged, although it may not be right for everyone or every subject area.