

**STRIKETHROUGHS AND ALL-CAPS REPRESENT CHANGES MADE AFTER FIRST READING OF THIS ITEM.**

**Governing Board  
Governance Policies**

**POLICY TYPE: BOARD AUXILIARY**

**POLICY TITLE: COLLEGE COURSE MATERIALS [PROPOSED NEW POLICY]**

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In accordance with A.R.S. §15-1891, the MCCCCD Governing Board establishes the parameters for employees when ordering course materials from publishers and working with book dealers:

A. No faculty member or employee shall demand or receive any payment, loan, advance, good or deposit of money present or promised for selecting or purchasing specific course materials received for coursework or instruction, except that the faculty member or employee may receive:

1. free review copies, complimentary teacher editions or instructional materials that are not intended to be sold by any faculty, staff or bookstore.
2. royalties or other compensation from the sale of course materials that include the faculty member's own writing or work.
3. honoraria for academic peer review of course materials.
4. training in the use of course materials and learning technologies.

B. A faculty member or any other employee who is in charge of selecting or adopting course materials shall, prior to selection or adoption of any course materials, make a request for the following written information from the publisher of the course materials:

1. A listing of relevant course materials offered by the publisher and whether each of the course materials are offered in a bundled package or sold separately;
2. The suggested retail price, the estimated wholesale price or the price that the publisher makes available to the public for the course materials. The publisher may include the time period during which the pricing is available.
3. The copyright dates of the previous edition if the copyright dates do not appear in the course materials.
4. A summary of the substantive content differences between the current edition of the course materials and the immediate previous edition.

~~C. A faculty member or any other employee who is in charge of selecting or adopting course materials shall place orders for such course materials with sufficient lead time to enable the college or District bookstore or contract managed bookstore to confirm the availability of the requested materials. It is the responsibility of the faculty member or other employee in charge of selecting or adopting course materials to ascertain in advance from the college or District bookstore or contract managed bookstore what constitutes sufficient lead time.~~

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**C. A FACULTY MEMBER OR ANY OTHER EMPLOYEE WHO IS IN CHARGE OF SELECTING OR ADOPTING COURSE MATERIALS SHALL PLACE ORDERS FOR SUCH COURSE MATERIALS BY THE DATE SPECIFIED AND COMMUNICATED BY THE COLLEGE OR DISTRICT BOOKSTORE TO ENABLE THE COLLEGE OR DISTRICT BOOKSTORE OR CONTRACT MANAGED BOOKSTORE TO CONFIRM THE AVAILABILITY OF THE REQUESTED MATERIALS.**

~~D. No faculty member or other employee may sell or trade to a book buyer or vendor a free sample copy or complimentary teacher edition provided at no charge by a publisher to the faculty member or other employee.~~

**D. AN UNSOLICITED FREE REVIEW COPY, SAMPLE COPY, OR COMPLIMENTARY TEACHER EDITION OF COURSE MATERIALS PROVIDED BY A PUBLISHER AT NO CHARGE AND DELIVERED TO THE ATTENTION OF AN EMPLOYEE AT A COLLEGE OR DISTRICT LOCATION IS PRESUMED TO BE THE PROPERTY OF THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT. HOWEVER, THE EMPLOYEE MAY NEVERTHELESS ASSUME OWNERSHIP OF SUCH MATERIALS IF THE FOLLOWING CONDITIONS ARE MET:**

- 1. THE MATERIALS ARE, IN THE JUDGMENT OF THE EMPLOYEE, PERTINENT TO THE EMPLOYEE'S ACADEMIC DISCIPLINE OR PROFESSIONAL RESPONSIBILITIES;**
- 2. THE EMPLOYEE KEEPS THE MATERIALS IN HIS OR HER POSSESSION FOR PROFESSIONAL ACADEMIC USE OVER A PERIOD OF NO LESS THAN ONE YEAR.**

**AS THESE MATERIALS ARE PROVIDED FOR PROFESSIONAL ACADEMIC USE AND ARE NOT INTENDED BY THE PUBLISHER FOR SALE, AN EMPLOYEE SHOULD AT NO TIME SELL OR TRADE THEM TO ANY PERSON OR OTHER ENTITY FOR PERSONAL PROFIT. APPROPRIATE DISPOSITION OF THE MATERIALS INCLUDES DONATION TO A STUDENT OR LIBRARY OR OTHER NON-PROFIT OR CHARITABLE ORGANIZATION.**

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E. This policy shall not be construed in a manner that violates academic freedom.

F. For purposes of this policy:

1. “Book buyer” means any person or entity, including a university or community college district bookstore, engaged in the purchase or sale of course materials.
2. “Bundled” means one or more course materials that are packaged together to be sold as course materials for a single price.
3. “Complimentary teacher edition” means a book with information that is meant for the exclusive use of faculty members, commonly labeled as an “instructor edition” or “instructor manual” and that contains answers and solutions, test questions and pedagogical techniques.
4. “Course materials” means any textbook or other instructional tool published for the purpose of classroom instruction and used for or in conjunction with a course in a university under the jurisdiction of the Arizona board of regents or a community college under the jurisdiction of an Arizona community college district.
5. “Publisher” means any publishing house, firm or company that produces course materials.
6. “Sample copy” means any book that is the same as the regular student edition.
7. “Substantive content” means portions of a college textbook, including new chapters, additional eras of time, new themes or new subject matter.
8. “Written information” means information provided on print material. Written information includes electronic communication or publication on a website.