

EPC Activities for Academic Year '12-'13

Respectfully submitted to Dean Burns on May 23rd, 2013.

The Committee met 3 times during Spring '13 semester (2/27, 3/27 & 4/24). Attending one or all meetings: Charles McCormick (Chair), James Bisogni, Ron Harris-Warrick, John Muckstadt, Paul Sawyer, Yervant Terzian, Robert Thorne and Crystal Lee (student).

Meeting #1 – A number of items on the agenda included 1) grade inflation, 2) updating the Academic Code of conduct 3) joining the MOOC consortium, 4) Faculty textbook offerings and potential conflict of interest and 5) scheduling final exams.

We concluded that there were little or no data to pursue issue #1. After some discussion of #2, we felt the current academic code was broad enough to cover electronic misconduct as was envisioned by some comments from faculty. There was considerable discussion around the broad issue of teaching on-line. In general the committee was very positive about Cornell joining the movement towards MOOCs. The meeting adjourned without addressing items 4 & 5.

Meeting #2 (3/37) – In addition to items #4 & #5 from meeting on 2/27, we were asked to consider the issue of course credit hours and in-class contact hours. Some evidence provided the Dean of Faculty indicates disparate assignment of credit. Below was a summary of our meeting sent to the Dean on 4/3/13).

- 1) We did not develop a policy re: faculty potential conflict of interest. There was some sentiment that this may be a legal issue and/or is only a problem (potentially) in large classes. We all agreed that we should do nothing to discourage faculty from publishing. Rob is going to continue to think about it. We did wonder what/if policies exist at other universities. Do you think that we should try to get this information?
- 2) Most of Laura Brown's concern about final exams (or equivalent) during the last week of class seems anecdotal. Currently the only thing we can do is to REMIND faculty of the existing policy. The committee thought an email from you to both faculty and chairs should be an effective approach.
- 3) We started a discussion of credits and "contact" hours. I guess we need a bit of guidance – scope of the problem, long term impact on the institution, potential solutions and some particularly egregious cases. Someone mentioned the "New York Times" concern, i.e., is there a story about academic credit inequity. There was some discussion of the difficulty in assessing "outside" time spent especially in courses with heavy reading requirements.

Meeting #3 (4/24) – This meeting was devoted to discussing the issue of "conflict of interest" for faculty providing materials in courses over which they have authority. We were surprised that no policy existed at Cornell that covers this issue. The Dean of Faculty provided some examples of policies at other institutions such as Arizona State, Univ. Texas San Antonio, Univ. Conn., and Miami Univ. Ohio (see summary below).

After lengthy discussion the committee decided to table the issue until more information regarding existing policies at other more similar institutions like Brown, Yale, Wisconsin, Penn, Stanford and UC

could be obtain. There was a consensus that we should have some policy and that there was a potential for conflict of interest especially for faculty who published their own work and could benefit financially from the sale of these materials in their courses.

Summary: Rob Thorn brought to the EPC the prospect of faculty-authored-published class materials and the potential for financial gain and/or conflict of interest. The Dean of Faculty's Office solicited information relevant to textbook/materials required by faculty for their classes. Five universities responded with information. Most responses were policies recorded within the university which directly or indirectly stated a policy covering faculty procedures. Two stated that faculty can realize "no personal financial gain" from the use of authored materials in class including royalties. Three permitted faculty-authored materials with permission by the dean and/or provost. Each is shown below. Presently, I can find no policy at Cornell relevant to faculty-authored teaching materials. We have a policy on financial interest from research (Cornell Policy 1.7)
http://www.dfa.cornell.edu/cms/treasurer/policyoffice/policies/volumes/academic/upload/vol1_7.pdf)

Input from brief survey regarding policy on faculty textbooks

1) University of Utah:

a. Faculty financial interest in selection of course materials – 10) "Any faculty member or employee of the University of Utah with authority to assign or recommend course materials for any course offered by the university shall do so based on sound academic values, **without any prospect of personal financial gain.**" (a) Self-authored course materials are encouraged and may be assigned; but, except for reimbursement of out-of-pocket costs, **faculty may not accept or retain royalties or any authored course materials to student in their own classes,** or in any classes in their department ...for which they have authority to assign or recommend course materials."

2) University of Washington, WA – "On Sept 15, 2008, the Washington State Ethics Board released a news item stating that it is a violation of the state Ethics Act for a faculty member who is a state employee to make a profit on the sale of his or her textbooks to student at his or her educational institution. The Ethics Act generally prohibits any state employee from participating in an official decision from which the employee personally profits. The State Ethics Board believes **it is a violation of this principle for a faculty to assign students a book from which the faculty member receives royalties or other compensation"**

3) Arizona State University – Academic Affairs Manual (ACD)

a. ASU encourages and aids faculty members and academic professionals in publishing professional instructional materials, whether in print, electronic, or other media. The university does not claim any portion of the income in the form of royalties at accrue when a publisher of such work has recognized standing and when copyright has been secured for instructional materials. **There is no prohibition against the use of such published material by the author in his or her classes (with the collection of related royalties), provided that the textbook, CD or other material:**

- i. Has been produced and copyrighted by a recognized, independent publisher at its own expense
- ii. Has been made available for open sale and
- iii. Has been approved for such use by the dean of the college concerned or by the university librarian if used by a library employee.

- b. Members of the ASU faculty or academic professionals shall not have any financial interest in or receive compensation from the sale of unpublished material prepared for classes or laboratories.
- c. University faculty and academic professionals shall not make sales directly to students of prepared materials, CDs, books, or publications (in print or electronic media).

4) University of Connecticut – Policies & Procedures

a. Assignment of textbooks and other Intellectual Property – No public official or state employee shall use his/her public office or position or confidential information received through his holding such public office or position to obtain financial gain for himself/herself...” “In a course taught by a faculty member, the assignment of a required textbook s/he authored or of intellectual property s/he prepared may be interpreted as “obtaining financial gain for himself/herself” unless the faculty member receives prior approval for such use or directs any financial gain to a University scholarship fund within 30 days of receipt.” “Approval for use of a textbook or other intellectual property authored by the faculty in a course taught by that individual should be obtained through a departmental or school/college review of the intellectual property in question. A small committee of faculty members, not subordinate to the professor, will complete the review, and a determination report will be filed with the Provost’s office.

5) Miami University – 10.4 Textbook Policy. a. 10.4B – Use of Self Authored Material – “In the event that an instructor wishes to utilize a textbook(s) or other material which is authored by the instructor and the sale of which results in royalty being paid to the instructor, then such textbook/material may only be required by the instructor if: 1) the instructor’s chair or program director and dean have consented to the use of the textbook/material; or 2) the majority of the faculty within the instructor’s department has voted to permit the instructor’s use of the textbook/material in the instructor’s class. Sales of such items cannot be conducted directly between a faculty member and a student.”

6) University of Texas at San Antonio – Handbook of Operating Procedures

a. 2.15 Textbooks and other Materials by UTSA Faculty Prescribed for Student use – 25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the institutional Handbook of Operating Procedures. 1. The University Bookstore cannot print materials or offer for sale any materials or textbooks written or prepared by a member of the faculty for student use without prior approval by the Provost.

Charles McCormick, Chair	2013	Division of Nutritional Sciences, CALS
James Bisogni	2014	Civil & Environmental Engineering, ENGR
Paula Cohen	2014	Biomedical Sciences, VET
Ronald Harris-Warrick	2015	Neurobiology & Behavior, CALS
Cynthia Leifer	2014	Immunology, VET

John (Jack) Muckstadt	2013	Operations Research, Engineering
Paul Sawyer	2014	English; A&S
Yervant Terzian	2015	Astronomy, Arts & Sciences
Robert Thorne	2014	Physics, A&S

The graduate student on the committee is Crystal Lee (through 5/31/13). In addition, a