



Conflict of Interest Advisory Note

Assigning a Self-Authored Textbook

Background

Every faculty member enjoys the rights and privileges entailed by the principle of academic freedom. At UBC, this expressly includes the freedom to teach students unhindered by non-academic constraints. Course instructors are accordingly free to exercise their own discretion in determining what textbooks¹ their students will be expected to learn.

While instructors may exercise discretion over the selection of textbooks, this discretion does not extend to the manner in which textbooks are made available to students, whether for purchase or otherwise. As textbooks often represent a significant portion of the cost that students must pay in order to study at UBC, the university has a compelling interest in ensuring that the cost of instructional materials is kept to a minimum, while also maintaining a high level of quality and academic rigour.

A conflict of interest arises when an instructor requires students to purchase instructional materials in which the instructor has a financial interest, such as the expectation to receive a royalty or other form of payment. This does not mean that an instructor who has authored instructional materials is forbidden to use such materials in their teaching. Rather it means that they must do one of the following: 1) eliminate the financial interest by forgoing any income that would have been received as a result of assigning the book to UBC students, or 2) take appropriate measures as set out below.

UBC Policy and Procedure

UBC's Conflict of Interest Policy (Policy SC3 or the "**COI Policy**") charges all UBC persons with proactively disclosing any circumstances that could give rise to an actual or apparent conflict of interest. If in any doubt as to whether a situation would, from the perspective of a reasonably well-informed, impartial observer, appear to be a conflict of interest, the UBC Person must seek guidance from his or her Initial Reviewer ("**Reviewer**"), which in the case of a faculty member will typically be the person's Division or Department Head. When a UBC Person wishes to engage in an activity that may give rise to a conflict of interest, the activity must be disclosed and authorized in advance by the appropriate Reviewer (COI Policy Sections 2.5 and 4.3).

The COI Policy Procedures state that a Conflict of Interest exists in the following circumstances:

- Where a UBC Person's responsibility to instruct and evaluate students in a fair, unbiased and effective manner is or could be impeded or compromised. The inherent power imbalance that exists between a UBC Person and a student must not be used for personal benefit (Section 3.1.1).
- Where a UBC Person or a Related Party has a Financial Interest in their teaching activities at the University, other than their annual salary from the University (Section 3.1.3).

¹ For the purposes of this Advisory Note, "**textbook**" refers broadly to any printed or electronic instructional materials which students are required to use in a course, or upon which a portion of a student's grade will be assessed, and includes content delivered via digital courseware.

An instructor who wishes to assign a textbook in which they have a financial interest must first seek authorization from the appropriate Reviewer. The instructor should seek authorization via a written communication that sets out the following:

- 1) the details of the proposed textbook;
- 2) the nature of the financial interest in the textbook, i.e. expected revenue per book sold and the number of students who will be required to purchase it;
- 3) the conditions under which students will be able to acquire the textbook. (Will it be sold through the UBC bookstore? Will it be sold only in an electronic or courseware format? Will reserve copies be made available through the UBC Library?);
- 4) the academic rationale for adopting the textbook;
- 5) any other relevant information.

The Reviewer shall review the request, taking into consideration all relevant facts, and determine whether to grant authorization. This determination can be made by the Reviewer personally, or may be delegated to a competent individual or panel of individuals. The decision-maker should consider the following factors:

- 1) the academic rationale for assigning the proposed textbook;
- 2) the extent of the instructor's financial interest in the textbook;
- 3) whether the textbook will be made available to students on terms that support the university's values of intellectual openness and economic inclusivity. (Will students be able to purchase second-hand copies of the book? Will students be required to subscribe to an extra-cost online service in order to access the book?);
- 4) whether requiring students to acquire the textbook could generate a perception of impropriety or otherwise negatively impact the university's institutional reputation.

For more information on the process of reviewing a situation that may constitute a conflict of interest, please see [Advisory Note: Reviewing a Conflict of Interest Disclosure](#).

If the use of the textbook is authorized despite the instructor's financial interest, the instructor should be required to adopt a conflict of interest management plan which takes into account the considerations set out below. For further information on management plans please see [Advisory Note: Managing a Conflict of Interest](#).

Management Plan Considerations

1. If the use of the textbook is authorized despite the instructor's financial interest, the instructor should make every reasonable effort to ensure that students can access the textbook regardless of their financial means. At a minimum, the instructor should be expected to arrange for reserve copies to be made available through the UBC Library at no cost to UBC, and on terms that are appropriate to meet anticipated student demand. This is particularly important in the case of electronic textbooks, as materials in this format are generally not available via the secondary market.
2. The textbook should be made available for purchase independently and should not be bundled together with any other required element of the course (e.g. another textbook, device, courseware subscription, etc.) except in cases where the textbook is only offered for sale in a bundled format by its publisher. Separable parts of a single textbook should be made available individually when possible.
3. In general, purchase of the textbook should not be a necessary pre-condition to full participation in the course and its methods of assessment. For example, a student who decides not to purchase a copy of the textbook should not be prevented from writing quizzes, assignments and exams, or from receiving a full assessment for attendance, participation, and similar matters. An exception may exist in cases where a subscription, device,

or other item necessary to full participation in the course and its methods of assessment is bundled for sale with a textbook by its publisher.

4. Whenever possible, the textbook should be made available for purchase directly from the UBC Bookstore. It is strongly advised that, whenever possible, instructors avoid selling textbooks or other course materials directly to students or, in the case of electronic materials, via third-party platforms which are not associated with UBC.

Additional Assistance

The Office of the University Counsel is the primary source of advisory support for any matter arising under the COI Policy. For additional assistance, including assistance with any matter not addressed by this Advisory Note, please contact us:

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