

University of Massachusetts Boston

STATE ETHICS COMMISSION TEXTBOOK RULING

In a case involving a faculty member at a state college or university, the Massachusetts State Ethics Commission has issued an opinion that a faculty member who wishes to assign her or his own textbook or other instructional materials to students, and will thereby benefit financially, must first disclose this potential conflict of interest to the provost and receive written permission from the provost to proceed. Copies of the disclosure and the provost's written decision must be forwarded to the Commission. A faculty member who does not follow this procedure might be deemed to be in violation of the state conflict of interest law and subject to sanctions. The State Ethics Commission recognizes that faculty members have the right to decide which textbooks to assign, but points out that state law prohibits them, as state employees, from gaining personal financial benefit from their own written or other work.

Effective immediately, prior to assigning to students any material from which a faculty member will benefit financially, that faculty member must: 1) submit the attached disclosure form to the provost; 2) receive written authorization from the provost; and 3) forward a copy of the disclosure form with the provost's approval to the State Ethics Commission. If she or he chooses to donate all of his or her earnings derived from the assignment of her or his works to a student scholarship fund and forego any tax benefit from that donation, she or he will not have to go through this process of getting permission and notifying the State Ethics Commission, since she or he will not be realizing any financial benefit and there will, therefore, be no conflict of interest.