

## COMMUNITY COLLEGE OF DENVER

Title: Receiving/Reselling Instructional Materials

Guideline #: INST – 18

Approved: November 17, 2014  
July 13, 2015  
August 9, 2017

References: Colorado Independent Ethics Commission (IEC)

Approved By: Dr. Everette J. Freeman, President

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### 1. PURPOSE

To provide guidance to Community College of Denver (College or CCD) faculty (full- and part-time) regarding the ownership, receipt and disposal of free instructional material faculty may receive from any source during the course of their employment with the College.

### 2. APPLICABILITY

These guidelines apply to all full-time and part-time College faculty, to instructional material purchased by the faculty member's respective Center using College funds and to instructional materials given to faculty or a Center. These guideline do not apply to instructional material purchased by faculty using their personal funds.

### 3. DEFINITIONS

- a. Colorado Independent Ethics Commission (IEC) – Is a constitutionally created independent commission charged with the implementation of Article XXIX of the Colorado Constitution. The purpose of the IEC is to give advice and guidance on ethics issues arising under Article 29 of the Colorado Constitution and any other standards of conduct or reporting requirements as provided by law, and to hear complaints, issue findings, and assess penalties and sanctions where appropriate. The IEC has jurisdiction over all State executive and legislative branch elected officials and employees, and local officials and employees, unless the county or municipality is a home-rule entity with its own ethics code. The IEC does not have jurisdiction over judges or employees of the judicial branch.
- b. Examination Copy – Any instructional material received as part of the work of CCD including materials given in preparation for a class, by vendors at a conference attended within the auspices of CCD work, sent by mail or delivered by hand from a vendor, or given by a colleague.
- c. Instructional Materials – Refers to all textbooks, electronic books, DVDs, supplemental items and other instructional work given to instructors at CCD as part of their work.

#### 4. GUIDELINES

College instructors have the right to accept instructional materials as examination copies. This right is critical for instructors to find new resources that are relevant to their field and to choose high quality materials. Because these instructional materials are given to faculty in their role at the college, they are considered a gift to the College and not a gift to an individual instructor. As such, these instructional materials are not the property of the individual instructor, even though

the instructor may have the right to utilize the materials heavily in the course of their duties.

The IEC opined through Advisory Opinion 09-01 that instructors who receives instructional materials, including examination copies, whether solicited or not, cannot resell those materials to any person or entity. This includes, but is not limited to, a student, another professor or a book buyer. These guidelines are in place to avoid any possible conflict of interest or appearance of impropriety.

Instructional materials are considered property of the State of Colorado (State) and the selling of State property for personal gain is tantamount to theft, which may result in disciplinary action up to and including termination.