

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1738, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Schulz

Schulz-KM-FA2-SB1738

3/6/2008 4:43 PM

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 FLOOR SUBSTITUTE

4 FOR

5 SENATE BILL NO. 1738

By: Schulz of the Senate

and

Covey of the House

6
7
8 FLOOR SUBSTITUTE

9 [higher education - instructional materials - effective
10 date]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 2, Chapter 368, O.S.L. 2007
14 (70 O.S. Supp. 2007, Section 3241.1), is amended to read as follows:

15 Section 3241.1 A. The Legislature finds that:

16 1. The bundling of higher education textbooks, workbooks, CD-
17 ROMs, and other course-related instructional materials can be
18 unnecessary since many students do not use all of the materials
19 included and may realize cost savings if materials are also offered
20 separately; ~~and~~

21 2. Many higher education faculty and staff select textbooks and
22 instructional materials uninformed of the retail costs and
23 differences between versions;
24

1 3. Textbooks and course materials are often purchased at higher
2 prices than necessary or not at all due to a lack of competitive
3 advertising; and

4 4. Students sometimes do not purchase needed textbooks and
5 course materials due to a lack of funds.

6 B. It is the intent of the Legislature to:

7 1. Give students enrolled in institutions in The Oklahoma State
8 System of Higher Education more choices for purchasing textbooks and
9 instructional materials;

10 2. Encourage higher education faculty and staff to work closely
11 with bookstores and publishers to implement the least costly option
12 without sacrificing educational content; and

13 3. Provide maximum cost savings to students.

14 C. As used in this section:

15 1. "Instructional material" means any textbooks, workbooks, CD-
16 ROMs, and other course-related material ~~required or recommended by~~
17 ~~the higher education faculty or staff for a given course~~ that are
18 published with the intent that they be used for or in conjunction
19 with classroom instruction and that are adopted for academic use by
20 faculty or the person or entity in charge of selecting learning
21 materials at the public institution of higher education; and

22 2. "Bundled" means a textbook and other supplemental
23 instructional materials that may be packaged together to be sold as
24 course materials for one price but shall not include ~~instructional~~
~~materials that are designed solely for sale as an integrated~~

1 ~~combination of two or more units or~~ integrated textbooks, materials
2 that cannot be sold separately due to third-party contractual
3 agreements, custom editions, or special editions-;

4 3. "Integrated textbook" means a college textbook that:

- 5 a. is combined with materials developed by a third party
6 and that, by third-party contractual agreement, may not
7 be offered by publishers separately from the college
8 textbook with which the materials are combined, or
9 b. includes functionally interdependent course materials
10 designed to be used solely as a single unit and whose
11 separation would substantially degrade the academic
12 content so that its components would not be useful to
13 the student; and

14 4. "Custom textbook" means a college textbook that is compiled
15 at the direction of a faculty member or any other person or entity in
16 charge of selecting course materials at a university, including
17 selections from original instructor materials, previously copyrighted
18 publisher materials, copyrighted third-party works and elements that
19 are unique to a specific educational institution such as
20 commemorative editions.

21 D. Each board of regents of an institution or group of
22 institutions within The Oklahoma State System of Higher Education
23 shall adopt an instructional material policy that requires:

24 1. Bookstores located on campus or bookstores which contract
with the institution to provide bookstore services to students that:

- 1 a. provide students with the option of purchasing
2 instructional materials that are unbundled when
3 possible, disclose to faculty and staff the costs to
4 students of purchasing instructional materials, and
5 disclose publicly how new editions vary from previous
6 editions,
7 b. actively promote and publicize book buy-back programs,
8 and
9 c. disclose retail costs for instructional materials on a
10 per-course basis to faculty and staff and make this
11 information publicly available; ~~and~~

12 2. Higher education faculty and staff members to consider the
13 least costly practices in assigning instructional materials for a
14 course, such as adopting the least expensive edition available when
15 educational content is comparable as determined by the faculty and
16 working closely with publishers and bookstores to create bundles and
17 packages if they deliver cost savings to students; and

18 3. Each institution to provide information to students during
19 freshman orientation on options available for purchasing
20 instructional materials.

21 E. In developing an instructional material policy as required in
22 subsection D of this section, each board of regents shall work with
23 and seek input from bookstores, publishers, students and faculty
24 representatives.

1 F. Each publisher of instructional material used by students
2 enrolled at institutions in The Oklahoma State System of Higher
3 Education shall make available to the faculty and staff of that
4 institution the:

5 1. ~~Price~~ Suggested retail price, or the price at which the
6 publisher will make the instructional materials available to
7 ~~bookstores, either those located on campus of the institution or~~
8 ~~those which have a contract with the institution to provide bookstore~~
9 ~~services to students~~ the public; and

10 2. A list of the substantial revisions for the instructional
11 materials since the last published edition, if any.

12 SECTION 2. This act shall become effective November 1, 2008.

13 51-2-3668 KM 3/6/2008 4:43:29 PM

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