

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 1434

By: Turner and Virgin of the
House

and

Shortey of the Senate

8 An Act relating to higher education; creating the
9 Modern Student Personal Budgeting Act; amending 70
10 O.S. 2011, Section 3241.1, which relates to the
11 instructional materials policy; expanding legislative
intent; requiring instructional materials policies to
include requirements for course syllabi; providing
for noncodification; and declaring an emergency.

14 AMENDMENT NO. 1. Page 1, strike the title to read enacting clause
and entire bill and insert

16 "[higher education - Modern Student Personal
17 Budgeting Act - requiring instructional materials
policies include requirements for course syllabi -
noncodification -
18 emergency]

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law not to be
22 codified in the Oklahoma Statutes reads as follows:

23 This act shall be known and may be cited as the "Modern Student
24 Personal Budgeting Act".

1 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3241.1, is
2 amended to read as follows:

3 Section 3241.1 A. It is the intent of the Legislature to:

4 1. Give students enrolled in institutions in The Oklahoma State
5 System of Higher Education more choices for purchasing textbooks and
6 instructional materials;

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

10 3. Provide maximum cost savings to students.

11 B. As used in this section:

12 1. "Instructional material" means any textbooks, workbooks, CD-
13 ROMs, and other course-related material that are published with the
14 intent that they be used for or in conjunction with classroom
15 instruction and that are adopted for academic use by the faculty or
16 the person or entity in charge of selecting learning materials at
17 the institution within The Oklahoma State System of Higher
18 Education;

19 2. "Bundled" means a textbook and other supplemental
20 instructional materials that may be packaged together to be sold as
21 course materials for one price but shall not include integrated
22 textbooks that cannot be sold separately due to third-party
23 contractual agreements, custom editions, or special editions;

24 3. "Integrated textbook" means a textbook that:

- a. is combined with materials developed by a third party and that, by third-party contractual agreement, may not be offered by publishers separately from the textbook with which the materials are combined, or
- b. is combined with other materials that are so interrelated with the intent of the textbook that the separation of the textbook from the other materials would render the textbook unusable for its intended purpose; and

4. "Custom edition" means instructional material that is compiled by a publisher at the direction of a faculty member or other person or adopting entity in charge of selecting course materials at an institution, and may include, alone or in combination, items such as selections from original instructor materials, previously copyrighted publisher materials, copyrighted third-party works, and elements unique to a specific institution, such as commemorative editions.

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

1. Bookstores located on campus or bookstores which contract with the institution to provide bookstore services to students to:
 - a. provide students with the option of purchasing instructional materials that are unbundled when

1 possible, disclose to faculty and staff the costs to
2 students of purchasing instructional materials, and
3 disclose publicly how new editions vary from previous
4 editions,

5 b. actively promote and publicize book buy-back programs,
6 and

7 c. disclose retail costs for instructional materials on a
8 per-course basis to faculty and staff and make this
9 information publicly available; ~~and~~

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

16 3. Higher education faculty and staff members when providing
17 students a syllabus for a course to include in the syllabus the
18 course material information which is required to be disclosed by a
19 bookstore pursuant to subparagraph c of paragraph 1 of this
20 subsection and any laboratory fees required for the course. If the
21 syllabus is provided to students electronically, it shall include a
22 hyperlink that will allow students to view the course information
23 required pursuant to this paragraph. The electronic syllabus
24

1 hyperlink shall also be made available to students at the time of
2 electronic enrollment.

3 D. In developing an instructional material policy as required
4 in subsection C of this section, each board of regents shall work
5 with and seek input from bookstores, publishers, students and
6 faculty representatives.

7 E. Each publisher of instructional material used by students
8 enrolled at institutions in The Oklahoma State System of Higher
9 Education shall make available to the faculty and staff of that
10 institution ~~the~~:

11 1. ~~Price~~ The price at which the publisher will make the
12 instructional materials available to bookstores, either those
13 located on campus of the institution or those which have a contract
14 with the institution to provide bookstore services to students; and

15 2. A description of the substantial content revisions made
16 between the current edition of the textbook or supplemental material
17 and the previous edition, if any.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval."

22 and when the title is restored, amend the title to
23 conform

24

1 Passed the Senate the 24th day of April, 2013.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2013.

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8 _____
9 Presiding Officer of the House
10 of Representatives

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2 BILL NO. 1434

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15 codified in the Oklahoma Statutes reads as follows:

16 This act shall be known and may be cited as the "Modern Student
17 Personal Budgeting Act".

18 SECTION 5. AMENDATORY 70 O.S. 2011, Section 3241.1, is
19 amended to read as follows:

20 Section 3241.1 A. It is the intent of the Legislature to:

21 1. Give students enrolled in institutions in The Oklahoma State
22 System of Higher Education information about the textbook,
23 instructional material and other costs associated with each course
24

1 and to give students more choices for purchasing textbooks and
2 instructional materials;

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

6 3. Provide maximum cost savings to students.

7 B. As used in this section:

8 1. "Instructional material" means any textbooks, workbooks, CD-
9 ROMs, and other course-related material that are published with the
10 intent that they be used for or in conjunction with classroom
11 instruction and that are adopted for academic use by the faculty or
12 the person or entity in charge of selecting learning materials at
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14 Education;

15 2. "Bundled" means a textbook and other supplemental
16 instructional materials that may be packaged together to be sold as
17 course materials for one price but shall not include integrated
18 textbooks that cannot be sold separately due to third-party
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21 a. is combined with materials developed by a third party
22 and that, by third-party contractual agreement, may
23 not be offered by publishers separately from the
24 textbook with which the materials are combined, or

1 b. is combined with other materials that are so
2 interrelated with the intent of the textbook that the
3 separation of the textbook from the other materials
4 would render the textbook unusable for its intended
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15 institutions within The Oklahoma State System of Higher Education
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18 with the institution to provide bookstore services to students to:

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5 information publicly available; ~~and~~

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7 least costly practices in assigning instructional materials for a
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13 and the previous edition, if any.

14 SECTION 6. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 5th day of March, 2013.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ___ day of _____, 2013.

6
7 _____
8 Presiding Officer of the Senate