

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1434

6 By: Turner

7 COMMITTEE SUBSTITUTE

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  
12 intent; requiring instructional materials policies to  
13 include requirement for course syllabi to list  
14 certain costs; specifying certain costs; providing  
15 for noncodification; and declaring an emergency.

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

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

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

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

23 Section 3241.1 A. It is the intent of the Legislature to:  
24

1           1. Give students enrolled in institutions in The Oklahoma State  
2 System of Higher Education information about the textbook,  
3 instructional material and other costs associated with each course  
4 and to give students more choices for purchasing textbooks and  
5 instructional materials;

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

9           3. Provide maximum cost savings to students.

10          B. As used in this section:

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

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

23           3. "Integrated textbook" means a textbook that:  
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- 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 developing a  
17 syllabus for a course to include in the syllabus or make available  
18 at the time of electronic enrollment the cost of:

19 a. all instructional materials required for the course,

20 b. any license which the student may be required to  
21 acquire in order to access on-line or supplemental  
22 course-specific material, and

23 c. any laboratory fees required for the course.

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

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

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

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

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

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