

3104

2009-2010 Regular Sessions

I N S E N A T E

March 10, 2009

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to authorize the trustees of the state university of New York and of the city university of New York to create academic review boards for the review of textbooks sold, purchased or used for academic purposes at all institutions of higher education

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The trustees of the state university of New York are hereby
2 authorized and directed to immediately take all actions to create an
3 academic review board, to consist of twelve members of the full-time
4 faculty of the various institutions of higher education, whose goals
5 shall be to serve as an interface between the publishing industry and
6 the management of the independent bookstores and to explore the issue of
7 textbook costs at all institutions of higher education providing a
8 course of study leading to the granting of a post-secondary degree,
9 certificate or diploma. Such trustees working in conjunction with the
10 academic review board shall establish all necessary rules and regu-
11 lations, not later than October 1, 2009, to implement the provisions of
12 this act which shall include, but not be limited to:

13 1. establishing guidelines for the academic review board in which such
14 board will create and mandate cost control policies for the sale and
15 purchase of all textbooks in independent bookstores on all campuses of
16 institutions of higher education. Such guidelines shall include, but not
17 be limited to recommendations:

18 (a) from the trustees of the state university of New York determining
19 the disciplines under the jurisdiction of the academic review board;

20 (b) from questionnaires, created by the academic review board, which
21 are circulated by such board within institutions of higher education;
22 and

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (c) from members of the publishing industry advising alternative less
2 expensive ways of producing textbooks;

3 2. authorizing the academic review board to require that all publish-
4 ing companies planning to introduce a new edition of an existing text-
5 book shall first justify, based on academic review board criteria, the
6 necessity of a new edition prior to such new textbook edition being
7 sold, purchased, or used for academic purposes by any institution of
8 higher education;

9 3. authorizing the academic review board to establish a ceiling for an
10 acceptable percentage increase on the cost of the same edition of a
11 textbook which is being reprinted with no changes to the actual text;
12 and

13 4. requiring that all publishers selling textbooks to be used for
14 academic purposes at all institutions of higher education mail marketing
15 brochures promoting such textbooks to instructors or professors at all
16 institutions of higher education. Complimentary copies of actual text-
17 books, including but not limited to instructor's editions or review
18 copies, shall not, under any circumstances, be sent to any such instruc-
19 tor or professor unless such instructor or professor has specifically
20 made such a request.

21 S 2. The trustees of the city university of New York are hereby
22 authorized and directed to immediately take all actions to create an
23 academic review board, to consist of twelve members of the full-time
24 faculty of the various institutions of higher education, whose goals
25 shall be to serve as an interface between the publishing industry and
26 the management of the independent bookstores and to explore the issue of
27 textbook costs at all institutions of higher education providing a
28 course of study leading to the granting of a post-secondary degree,
29 certificate or diploma. Such trustees working in conjunction with the
30 academic review board shall establish all necessary rules and regu-
31 lations, not later than October 1, 2009, to implement the provisions of
32 this act which shall include, but not be limited to:

33 1. establishing guidelines for the academic review board in which such
34 board will create and mandate cost control policies for the sale and
35 purchase of all textbooks in independent bookstores on all centers of
36 instruction of institutions of higher education. Such guidelines shall
37 include, but not be limited to recommendations:

38 (a) from the trustees of the city university of New York determining
39 the disciplines under the jurisdiction of the academic review board;

40 (b) from questionnaires, created by the academic review board, which
41 are circulated by such board within institutions of higher education;
42 and

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44 expensive ways of producing textbooks;

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48 necessity of a new edition prior to such new textbook edition being
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50 higher education;

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52 acceptable percentage increase on the cost of the same edition of a
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2 institutions of higher education. Complimentary copies of actual text-
3 books, including but not limited to instructor's editions or review
4 copies, shall not, under any circumstances, be sent to any such instruc-
5 tor or professor unless such instructor or professor has specifically
6 made such a request.

7 S 3. This act shall take effect immediately.