S T A T E O F N E W Y O R K

1178

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. KELLNER, MILLER, MAISEL, GUNTHER, CAMARA, MILLMAN, JACOBS, ROBINSON, LAVINE, DenDEKKER, ROBERTS, GIBSON, HOOPER -- Multi-Sponsored by -- M. of A. ARROYO, McLAUGHLIN, MONTESANO, TEDISCO -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to authorizing the regents of the university of the state of New York to create a task force to review the issues of textbooks' cost and ways to enhance the academic role and delivery of course materials, ensuring student affordability through such approaches as used books, textbook rentals, custom materials, the use of open access textbooks, digital textbooks, print on demand technologies, and through greater collaboration between faculty, publishers, college bookstores and libraries

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

Section 1. The education law is amended by adding a new section 725 to read as follows:

S 725. FORMATION OF TASK FORCE. 1. THE REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK ARE HEREBY AUTHORIZED AND DIRECTED TO IMMEDIATELY TAKE ALL ACTIONS TO CREATE A TASK FORCE TO REVIEW THE ISSUES OF TEXTBOOKS' COST AND DELIVERY METHODS. THE TASK FORCE WILL CONSIST OF THIRTEEN REPRESENTATIVES WHO SHALL BE SELECTED AMONG FACULTY AND REPRESENTATIVES FROM THE STATE UNIVERSITY OF NEW YORK, CITY UNIVERSITY OF NEW YORK, PRIVATE COLLEGES WITHIN NEW YORK STATE, AND CAMPUS BOOKSTORES. APPOINTMENTS TO THE TASK FORCE SHALL BE MADE BY THE COMMISSIONER OF THE NEW YORK STATE EDUCATION DEPARTMENT AFTER CONSULTATION WITH THE STATE UNIVERSITY OF NEW YORK, CITY UNIVERSITY OF NEW YORK, PRIVATE COLLEGES AND CAMPUS BOOKSTORES WITHIN NEW YORK STATE. REPRESENTATIVES SERVING ON THE TASK FORCE FROM THE COLLEGES SHALL INCLUDE PROFESSIONAL STAFF PERSON KNOWLEDGEABLE ABOUT TEXTBOOK INITIATIVES CURRENTLY BEING PURSUED BY THE UNIVERSITY AND FACULTY MEMBERS. THE GOALS OF THE REPRESENTATIVES WILL BE

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

LBD01887-01-3

TO ADVISE ON AND EXPLORE ISSUES OF COURSE MATERIAL COSTS AND WAY TO ENHANCE THE ACADEMIC ROLE AND SERVICES OF COLLEGE BOOKSTORES TO HELP MAKE COURSE MATERIALS MORE AFFORDABLE THROUGH SUCH APPROACHES AS USED BOOKS, TEXTBOOK RENTALS, CUSTOM MATERIALS, THE USE OF OPEN ACCESS TEXTBOOKS, DIGITAL TEXTBOOKS, PRINT ON DEMAND TECHNOLOGIES, AND THROUGH GREATER COLLABORATION BETWEEN COLLEGE BOOKSTORES AND LIBRARIES.

2. THE TASK FORCE SHALL REPORT NOT LATER THAN JANUARY FIRST, TWO THOUSAND FOURTEEN TO THE BOARD OF REGENTS, THE GOVERNOR AND THE LEGISLATURE, ON THEIR RECOMMENDATIONS ON ENHANCING ACCESS TO TEXTBOOKS AND THEIR COSTS AND METHOD OF DELIVERY, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO:

A. SUPPORTING EFFICIENT USED BOOK, BUYBACK AND STUDENT PEER TO PEER SALES;

B. WAYS TO EXPAND AND ENHANCE TEXTBOOK RENTAL PROGRAMS;

C. WAYS TO PROMOTE THE GREATER DEVELOPMENT, ADOPTION, DEPLOYMENT, AND USE OF OPEN ACCESS TEXTBOOKS IN BOTH DIGITAL AND PRINT FORMATS FOR STUDENTS AND FACULTY IN FISCALLY SUSTAINABLE WAYS;

D. HOW TO INCREASE THE AVAILABILITY AND USE OF DIGITAL TEXTBOOKS AND LEARNING OBJECTS FOR FACULTY AND STUDENTS;

E. HOW THE USE OF ADVANCE PRINT ON DEMAND TECHNOLOGIES CAN PROVIDE STUDENTS MORE CHOICES AND LOWER THE COST OF COURSE MATERIALS;

F. WAYS IN WHICH THE COST OF COMMERCIAL DIGITAL CONTENT COULD BE MADE MORE AFFORDABLE;

G. HOW COLLABORATION BETWEEN TEXTBOOK PUBLISHERS, COLLEGE BOOKSTORES AND LIBRARIES CAN INCREASE CONTENT CHOICES FOR FACULTY AND ENHANCE COST SAVINGS FOR STUDENTS, WHILE IMPROVING EFFICIENCIES AND REDUCING DUPLICATION AT LIBRARIES AND BOOKSTORES THROUGH THE REVIEW OF PRIMARY SOURCE CONTENT COLLECTIONS, SUBSCRIPTIONS, COURSE PACKAGES, E-RESERVES, AND COPYRIGHT;

H. WHAT GUIDELINES SHOULD EXIST, IF ANY, FOR FACULTY WHO MAY WISH TO EXPLORE ALTERNATIVES TO TRADITIONAL TEXTBOOKS THROUGH THE USE OF OPEN ACCESS, PRINT ON DEMAND, DIGITAL, AND OTHER CONTENT AND FORMATS;

I. OTHER APPROACHES TO MAKE COURSE MATERIALS MORE AFFORDABLE FOR STUDENTS; AND

J. AN EVALUATION OF EACH RECOMMENDATION AS IT RELATES TO THE LEGAL MANDATE OF PROVIDING FULL AND EQUAL ACCESS TO STUDENTS WITH DISABILITIES.

3. THE TRUSTEES SHALL MAKE AVAILABLE TO THE ADVISORY COMMITTEE SUCH INFORMATION AND ASSISTANCE AS MAY BE NECESSARY TO ENABLE THE ADVISORY COMMITTEE TO CARRY OUT ITS FUNCTIONS.

S 2. This act shall take effect immediately.