

STATE OF NEW YORK

4165

2019-2020 Regular Sessions

IN ASSEMBLY

February 1, 2019

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the provision of information relating to courses offered by institutions of higher education and the instructional material required therefor

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 article 128 to read as follows:

ARTICLE 128

COURSE AND INSTRUCTIONAL MATERIAL INFORMATION

Section 6370. Course catalog.

6371. Bookstores.

6372. Compliance.

6373. Violations.

§ 6370. Course catalog. 1. Every institution of higher education shall, not less than sixty days prior to the commencement of each semester or trimester, in which courses of instruction are offered by such institution, issue and make available a list of all courses to be offered during the semester or trimester which shall include for each course:

(a) the name of the course;

(b) the name of the person or persons providing instruction in the course;

(c) a description and listing of all instructional materials required or recommended for students enrolled in the course; and

(d) the number of students reasonably expected to be enrolled in the course.

2. The listing of courses required pursuant to subdivision one of this section shall be provided to all students and prospective students of

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

LBD08495-01-9

1 the institution of higher education, and to any other person submitting
2 a request therefor within one business day of such request.

3 3. In addition to the information required to be provided by subdivi-
4 sion one of this section, upon submission of a request by any person and
5 within one business day thereof, every institution of higher education
6 shall provide every such person with all information relating to
7 instructional materials that is provided to the store or stores operated
8 by such institution and engaged in the sale of instructional materials.

9 4. All information required pursuant to this section shall be provided
10 without a fee or charge.

11 § 6371. Bookstores. 1. It shall be the policy of this state to allow
12 all persons engaged in the sale of instructional materials for courses
13 provided at institutions of higher education, to compete on an equal
14 basis for the sale of such materials to students. To fulfill such poli-
15 cy, every institution of higher education shall:

16 (a) permit any person regularly engaged in the sale of instructional
17 materials and who submits a request therefor to participate in any
18 program providing information on the purchase of instructional materials
19 by students, including used materials;

20 (b) provide any person regularly engaged in the sale of instructional
21 materials and who submits a request therefor to receive a list of the
22 names and addresses of all students of such institution not less than
23 sixty days prior to the commencement of each semester or trimester;

24 (c) authorize any person regularly engaged in the sale of instruc-
25 tional materials to advertise the sale of such materials in any publica-
26 tion or other public medium operated by such institution in which the
27 sale of instructional materials is advertised by such institution; and

28 (d) subject to the rules and regulations of the commissioner and in
29 cooperation with persons regularly engaged in the sale of instructional
30 materials, provide access to means established by such institution for
31 the provision of credit to and billing of students for the purchase of
32 instructional materials sold by such persons on the same basis as the
33 sale of such materials when made by such institution.

34 2. No institution of higher education shall impose a fee upon any
35 person regularly engaged in the sale of instructional materials, for the
36 utilization of any of the requirements of subdivision one of this
37 section, which is higher than the fee imposed upon the entity operated
38 by such institution that is engaged in the sale of educational materi-
39 als.

40 § 6372. Compliance. Every institution of higher education shall estab-
41 lish and publish a written policy providing the means by which such
42 institution shall comply with the provisions of this article. Such poli-
43 cy shall provide for the appointment of a compliance officer, who shall
44 be responsible for such institution's compliance with the provisions of
45 this article.

46 § 6373. Violations. Any institution of higher education which violates
47 the provisions of this article shall be subject to a civil fine of not
48 more than one thousand dollars for each such violation.

49 § 2. This act shall take effect on the first of July next succeeding
50 the date on which it shall have become a law. Effective immediately the
51 addition, amendment and/or repeal of any rule or regulation necessary
52 for the implementation of this act on its effective date are authorized
53 to be made and completed on or before such date.