

COMMITTEE ON HIGHER EDUCATION

SENATE AMENDMENTS TO S.B. 1175

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 15, chapter 14, Arizona Revised Statutes, is amended
3 by adding article 9, to read:

4 ARTICLE 9. COLLEGE COURSE MATERIALS INFORMATION

5 15-1891. College course materials: information: definitions

6 A. THE PUBLISHER OF COURSE MATERIALS SHALL PROVIDE, ON REQUEST, THE
7 FOLLOWING WRITTEN INFORMATION TO FACULTY MEMBERS AND ANY OTHER EMPLOYEES WHO
8 ARE IN CHARGE OF SELECTING OR PURCHASING COURSE MATERIALS FOR A UNIVERSITY
9 UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE
10 UNDER THE JURISDICTION OF A COMMUNITY COLLEGE DISTRICT IN THIS STATE WHENEVER
11 THE PUBLISHER PROVIDES A FACULTY MEMBER OR EMPLOYEE WITH INFORMATION ABOUT
12 COURSE MATERIALS:

13 1. A LISTING OF ALL COURSE MATERIALS OFFERED BY THE PUBLISHER AND
14 WHETHER EACH OF THE COURSE MATERIALS ARE OFFERED IN A BUNDLED PACKAGE OR SOLD
15 SEPARATELY.

16 2. THE SUGGESTED RETAIL PRICE, THE ESTIMATED WHOLESALE PRICE OR THE
17 PRICE THAT THE PUBLISHER MAKES AVAILABLE TO THE PUBLIC FOR THE COURSE
18 MATERIALS.

19 3. THE COPYRIGHT DATES OF THE PREVIOUS EDITIONS IF THE COPYRIGHT DATES
20 DO NOT APPEAR IN THE COURSE MATERIALS.

21 4. A SUMMARY OF THE SUBSTANTIVE CONTENT DIFFERENCES BETWEEN THE
22 CURRENT EDITION OF THE COURSE MATERIALS AND THE IMMEDIATE PREVIOUS EDITION.

23 B. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS
24 OR A COMMUNITY COLLEGE UNDER THE JURISDICTION OF A COMMUNITY COLLEGE DISTRICT
25 IN THIS STATE SHALL NOTIFY FACULTY MEMBERS AND EMPLOYEES OF THE REQUIREMENTS
26 PURSUANT TO SUBSECTION A AND ADOPT POLICIES THAT ENCOURAGE A FACULTY MEMBER
27 OR EMPLOYEE WHO IS IN CHARGE OF SELECTING OR PURCHASING COURSE MATERIALS TO
28 PLACE ORDERS WITH SUFFICIENT LEAD TIME TO ENABLE THE UNIVERSITY OR COMMUNITY

1 COLLEGE DISTRICT BOOKSTORE OR CONTRACT MANAGED BOOKSTORE TO CONFIRM THE
2 AVAILABILITY OF THE REQUESTED MATERIALS.

3 C. NO FACULTY MEMBER OR EMPLOYEE OF A UNIVERSITY UNDER THE
4 JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE UNDER THE
5 JURISDICTION OF A COMMUNITY COLLEGE DISTRICT IN THIS STATE SHALL DEMAND OR
6 RECEIVE ANY PAYMENT, LOAN, ADVANCE, GOOD OR DEPOSIT OF MONEY PRESENT OR
7 PROMISED FOR SELECTING OR PURCHASING SPECIFIC COURSE MATERIALS REQUIRED FOR
8 COURSEWORK OR INSTRUCTION, EXCEPT THAT THE FACULTY MEMBER OR EMPLOYEE MAY
9 RECEIVE:

10 1. FREE REVIEW COPIES, COMPLIMENTARY TEACHER EDITIONS OR INSTRUCTIONAL
11 MATERIALS THAT ARE NOT SOLD BY ANY FACULTY, STAFF OR BOOKSTORE.

12 2. ROYALTIES OR OTHER COMPENSATION FROM THE SALE OF COURSE MATERIALS
13 THAT INCLUDE THE FACULTY MEMBER'S OWN WRITING OR WORK.

14 3. HONORARIA FOR ACADEMIC PEER REVIEW OF COURSE MATERIALS.

15 4. TRAINING IN THE USE OF COURSE MATERIALS AND LEARNING TECHNOLOGIES.

16 D. A BOOK BUYER OR VENDOR OF COURSE MATERIALS SHALL NOT SOLICIT A
17 FACULTY MEMBER OR EMPLOYEE OF A UNIVERSITY UNDER THE JURISDICTION OF THE
18 ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE UNDER THE JURISDICTION OF A
19 COMMUNITY COLLEGE DISTRICT IN THIS STATE FOR THE PURPOSE OF SELLING OR
20 TRADING A FREE SAMPLE COPY OR COMPLIMENTARY TEACHER EDITIONS PROVIDED AT NO
21 CHARGE BY A PUBLISHER TO A FACULTY MEMBER OR EMPLOYEE.

22 E. THIS SECTION SHALL NOT BE CONSTRUED IN A MANNER THAT VIOLATES
23 ACADEMIC FREEDOM.

24 F. FOR THE PURPOSES OF THIS SECTION:

25 1. "BUNDLED" MEANS ONE OR MORE COURSE MATERIALS THAT ARE PACKAGED
26 TOGETHER TO BE SOLD AS COURSE MATERIALS FOR A SINGLE PRICE.

27 2. "BOOK BUYER" MEANS ANY PERSON OR ENTITY, INCLUDING A UNIVERSITY OR
28 COMMUNITY COLLEGE DISTRICT BOOKSTORE, ENGAGED IN THE PURCHASE OR SALE OF
29 COURSE MATERIALS.

30 3. "COURSE MATERIALS" MEANS ANY TEXTBOOK OR OTHER INSTRUCTIONAL TOOL
31 PUBLISHED FOR THE PURPOSE OF CLASSROOM INSTRUCTION AND USED FOR OR IN
32 CONJUNCTION WITH A COURSE IN A UNIVERSITY UNDER THE JURISDICTION OF THE

1 ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE UNDER THE JURISDICTION OF A
2 COMMUNITY COLLEGE DISTRICT IN THIS STATE.

3 4. "COMPLIMENTARY TEACHER EDITIONS" MEANS A BOOK WITH INFORMATION THAT
4 IS MEANT FOR THE EXCLUSIVE USE OF FACULTY MEMBERS, COMMONLY LABELED AS AN
5 "INSTRUCTOR EDITION" OR "INSTRUCTOR MANUAL" AND THAT CONTAINS ANSWERS AND
6 SOLUTIONS, TEST QUESTIONS AND PEDAGOGICAL TECHNIQUES.

7 5. "PUBLISHER" MEANS ANY PUBLISHING HOUSE, FIRM OR COMPANY THAT
8 PRODUCES COURSE MATERIALS.

9 6. "SAMPLE COPY" MEANS ANY BOOK THAT IS THE SAME AS THE REGULAR
10 STUDENT EDITION.

11 7. "SUBSTANTIVE CONTENT" MEANS PORTIONS OF A COLLEGE TEXTBOOK,
12 INCLUDING NEW CHAPTERS, ADDITIONAL ERAS OF TIME, NEW THEMES OR NEW SUBJECT
13 MATTER."

14 Amend title to conform

2/15/08
9:38 AM
S: DW/jas