

By: Herrero, et al.

H.B. No. 1184

Substitute the following for H.B. No. 1184:

By: Goolsby

C.S.H.B. No. 1184

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a policy regulating the use of the textbooks required
3 for certain courses offered by public institutions of higher
4 education.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter Z, Chapter 51, Education Code, is
7 amended by adding Section 51.968 to read as follows:

8 Sec. 51.968. POLICY REGULATING USE OF TEXTBOOKS REQUIRED
9 FOR CORE CURRICULUM COURSES. (a) In this section:

10 (1) "Core curriculum" has the meaning assigned by
11 Section 61.821.

12 (2) "Governing board" and "institution of higher
13 education" have the meanings assigned by Section 61.003.

14 (b) The governing board of each institution of higher
15 education that offers courses in the core curriculum shall adopt a
16 policy that regulates the use of the textbooks required for the core
17 curriculum courses at that institution. The policy:

18 (1) must encourage a faculty member to teach a core
19 curriculum course using the same required textbooks and the same
20 editions of those textbooks to the extent practicable from one
21 academic year to the next;

22 (2) must require that, absent good cause for a change
23 as determined by the governing board on application of the
24 appropriate faculty member, department, or school, the same

1 required textbook and textbook edition, or required textbooks and
2 editions, as applicable, be used for a period of at least three
3 academic years in a specific section of a core curriculum course or
4 in a specific core curriculum course that does not have sections,
5 regardless of how frequently the institution offers the section or
6 course during that period; and

7 (3) may provide that, as applied to any specific
8 section or course, the period described by Subdivision (2) may
9 include one or more academic years occurring immediately before the
10 policy takes effect.

11 (c) Subsection (b)(2) does not apply to a textbook
12 recommended but not required by the faculty member for a core
13 curriculum course.

14 (d) For purposes of Subsection (b), good cause for changing
15 the textbook requirements for a section or course includes ensuring
16 that textbooks and textbook editions reflect significant advances
17 in knowledge or technology affecting the subject matter of the
18 section or course.

19 (e) The governing board must determine whether good cause
20 exists for changing a textbook requirement not later than the 90th
21 day after the date the application for the change is submitted to
22 the board by a faculty member, department, or school.

23 (f) The governing board shall seek advice and comment from
24 faculty and students at the institution before adopting a policy
25 under this section.

26 (g) The governing board shall make the policy available to
27 the public by publishing the policy in the institution's catalog

1 and by any other method the board considers appropriate.

2 (h) The governing board shall file a copy of the policy
3 adopted under this section, and any amendments to that policy, with
4 the Texas Higher Education Coordinating Board.

5 SECTION 2. Not later than January 1, 2006, for one or more
6 academic years beginning with the 2006-2007 academic year, each
7 governing board of an institution of higher education shall adopt
8 the policy required by Section 51.968, Education Code, as added by
9 this Act, for that institution, and not later than August 1, 2006,
10 shall file a copy of the policy with the Texas Higher Education
11 Coordinating Board.

12 SECTION 3. This Act takes effect September 1, 2005.