

By: Herrero

H.B. No. 960

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 51.969 to read as follows:

8 Sec. 51.969. 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)(2), good cause for  
15 changing the textbook requirements for a section or course includes  
16 ensuring that textbooks and textbook editions reflect significant  
17 advances in knowledge or technology affecting the subject matter of  
18 the 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, 2008, for a period of  
6 one or more academic years beginning with the 2008-2009 academic  
7 year, each governing board of an institution of higher education  
8 shall adopt the policy required by Section 51.969, Education Code,  
9 as added by this Act, for that institution, and not later than  
10 August 1, 2008, shall file a copy of the policy with the Texas  
11 Higher Education Coordinating Board.

12 SECTION 3. This Act takes effect September 1, 2007.