

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2709

03/07/2012 Authored by Morrow and Banaian

The bill was read for the first time and referred to the Committee on Higher Education Policy and Finance

1.1 A bill for an act
1.2 relating to higher education; modifying information requirements for course
1.3 materials; amending Minnesota Statutes 2010, sections 135A.25, subdivision 2;
1.4 136F.58, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 135A.25, subdivision 2, is amended to
1.7 read:

1.8 Subd. 2. **Course material disclosures required.** (a) Beginning January 1, 2009,
1.9 any publisher that sells or distributes course material for classroom use in a postsecondary
1.10 institution must make the following available in an easily accessible manner to students,
1.11 faculty, bookstores, and postsecondary institutions in Minnesota:

1.12 (1) the title, edition, author, and International Standard Book Number (ISBN) or
1.13 other easily identifiable information for all course materials;

1.14 (2) the undiscounted price at which the course materials are available to a bookstore;

1.15 (3) the formats, including bundled and unbundled, in which those course materials
1.16 are offered and the undiscounted prices of the various components, both sold separately or
1.17 packaged together;

1.18 (4) a summary of revisions between current and previous editions of course materials
1.19 in an electronic format; and

1.20 (5) the return policy for course material, including any penalties or conditions for
1.21 returns.

1.22 (b) Any publisher that sells or distributes course material for classroom use in a
1.23 postsecondary institution must make all bundled course material available to bookstores

and postsecondary institutions in an unbundled form, or must provide notice if unbundled material is not available.

(c) Disclosure under this section is not required for mass-market and trade books that are not published, marketed, or sold primarily for classroom use in or by postsecondary institutions.

(d) Nothing in this section shall be construed to limit any existing academic freedom or rights of faculty members to determine the most appropriate course material for the courses they teach.

EFFECTIVE DATE. This section is effective July 1, 2012.

Sec. 2. Minnesota Statutes 2010, section 136F.58, subdivision 2, is amended to read:

Subd. 2. **Course material.** (a) An instructor shall attempt to provide adequate notice to a bookstore of the intention to order required or recommended course material so that the bookstore can provide information for the instructor's consideration prior to placing an order for the course material. An instructor shall also provide information on required or recommended course material in a published course syllabus. The syllabus must have links to any information provided to the instructor in an electronic format by publishers, including the summary of revisions between current and previous editions of required or recommended course materials.

(b) A bookstore must make reasonable efforts to obtain from publishers or other sources, prior to the time an instructor requests the bookstore to order course material, the following information, including, but not limited to:

(1) the title, edition, author, and International Standard Book Number (ISBN) of the course material;

(2) the price for the course material;

(3) whether the course material is bundled with optional material, whether it can be unbundled, and the price for each bundled and unbundled component;

(4) whether the material is available in an alternative format and the cost for the alternatively formatted material;

(5) the availability of the course material currently and in the future;

(6) changes to the course material from the previous edition, the revision date, availability, and cost for that edition, if available; and

(7) any known plans for future revisions of the course material.

(c) An instructor ordering course material through a bookstore shall consider the information received from the bookstore prior to placing the final order.

3.1 **EFFECTIVE DATE.** This section is effective July 1, 2012.