

AMENDED IN SENATE MAY 25, 2012

AMENDED IN SENATE APRIL 18, 2012

**SENATE BILL**

**No. 1328**

---

**Introduced by Senator De León**

February 23, 2012

---

An act to add Section 66407.5 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1328, as amended, De León. Postsecondary education: textbooks.

The Donahoe Higher Education Act authorizes the activities of the 4 segments of the higher education system in the state. These segments include the 3 public segments: the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges. Private and independent institutions of higher education constitute the other segment. Provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act, by resolution, to make them applicable.

Existing law urges textbook publishers to take specified actions aimed at reducing the amounts that postsecondary education students currently pay for textbooks. Existing law requires the Trustees of the California State University and the Board of Governors of the California Community Colleges, and requests the Regents of the University of California, among other things, to work with the academic senates of each respective segment to encourage faculty to give consideration to the least costly practices in assigning textbooks, to encourage faculty

to disclose to students how new editions of textbooks are different from previous editions and the cost to students for textbooks selected, to review procedures for faculty to inform college and university bookstores of textbook selections, and to encourage faculty to work closely with publishers and college and university bookstores in creating bundles and packages that are economically sound and deliver cost savings to students.

Existing law expresses the intent of the Legislature to encourage private colleges and universities to work with their respective academic senates and to encourage faculty to consider practices in selecting textbooks that will result in the lowest costs to students.

This bill would require a publisher that supplies textbooks or other instructional material to a postsecondary educational institution, as defined to include both public and private postsecondary educational institutions, or *to* a faculty member of a postsecondary educational institution, to provide information about that textbook or item of instructional material in a specified order using a standard XML or comma-delimited format.

~~The bill would require a publisher to which this bill is applicable to submit the data referenced above to the Multimedia Educational Resource for Learning and Online Teaching (MERLOT) program of the California State University. The bill would require that this data be available for public review and use.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 66407.5 is added to the Education Code,
- 2 to read:
- 3 66407.5. (a) A publisher that supplies textbooks or other
- 4 instructional material to a postsecondary educational institution
- 5 or *to* a faculty member of a postsecondary educational institution
- 6 shall provide the following information about that textbook or item
- 7 of instructional material using a standard XML or comma-delimited
- 8 format, or both, in the order listed below:
- 9 (1) Book title.
- 10 (2) Author.
- 11 (3) Publisher.
- 12 (4) ISBN.

1 (5) Retail price.

2 (6) Edition.

3 (7) Copyright date.

4 ~~(b) A publisher to which subdivision (a) is applicable shall~~  
5 ~~submit the data referenced in subdivision (a) to the Multimedia~~  
6 ~~Educational Resource for Learning and Online Teaching~~  
7 ~~(MERLOT) program of the California State University. This data~~  
8 ~~shall be available for public review and use.~~

9 (e)

10 (b) As used in this section:

11 (1) “Comma-delimited” means a type of data format in which  
12 each piece of data is separated by a comma.

13 (2) “ISBN” means the International Standard Book Number, a  
14 numeric commercial book identifier.

15 (3) “Postsecondary educational institution” includes both private  
16 and public postsecondary educational institutions.

17 (4) “XML” means Extensible Markup Language, which is  
18 designed to transport and store data.