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HOUSE BILL NO. 1478

Offered January 19, 2006

A BILL to amend and reenact § 23-4.3:1 of the Code of Virginia, relating to textbook policies and procedures.

Patrons—Oder, Hamilton, Marsden, May, Miller, Parrish, Poisson, Rust and Tata

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 23-4.3:1 of the Code of Virginia is amended and reenacted as follows:

§ 23-4.3:1. Policies addressing textbook sales and bookstores.

A. No employee at a Virginia public college or university shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, as an inducement for requiring students to purchase a specific textbook required for coursework or instruction; with the exception that the employee may receive (i) sample copies, instructor's copies, or instructional material, not to be sold; and (ii) royalties or other compensation from sales of textbooks that include such instructor's own writing or work.

B. The governing boards shall implement procedures for making available to students in a central location and in a standard format on the relevant institutional website listings of textbooks required or assigned for particular courses at the institution.

The lists of those required or assigned textbooks for each particular course shall include the International Standard Book Number (ISBN) along with other relevant information.

Institutions maintaining a bookstore supported by auxiliary services or operated by a private contractor shall post the listing of such textbooks when the relevant instructor or academic department identifies the required textbooks for order and subsequent student purchase.

C. The governing boards of public institutions of higher education shall implement policies, procedures, and guidelines for minimizing the cost of textbooks for students at public colleges and universities while maintaining the quality of education and academic freedom. The guidelines shall require the following:

1. That faculty members submit lists of their required textbooks to the university bookstore in a timely manner to ensure that a sufficient quantity of such textbooks are available for purchase by students when courses begin.

2. That any on-campus university bookstore selling textbooks to enrolled students as part of a package with other study products recommended by the publisher also sell such textbooks separate of such study products.

3. That faculty members affirmatively acknowledge the price of textbooks they require before the order is complete.

4. That faculty be encouraged to limit their use of new edition textbooks when previous editions do not differ substantially.

5. That sample copies of textbooks are available for student use through the academic department or university library at no charge to students.

6. That the revenue collected by the university from textbook sales at institution-owned or privately contracted bookstores be used solely for (i) on-campus student activities, (ii) financial aid, or (iii) improvements to existing university bookstore infrastructure and services.

D. No funds provided for financial aid from university bookstore revenue shall be counted in the calculation for state appropriations for student financial aid.