

2019 Regular Session

SENATE BILL NO. 117

BY SENATOR WALSWORTH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

POSTSECONDARY ED. Provides relative to postsecondary textbooks and instructional materials. (gov sig)

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AN ACT

To enact R.S. 17:3129.9, relative to postsecondary education; to provide relative to the development, acquisition, accessibility, and use of certain textbooks and other educational resources; to provide for a plan to make such resources more accessible and affordable to postsecondary students and the public; to provide for the roles and responsibilities of the Board of Regents and the public postsecondary education management boards; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3129.9 is hereby enacted to read as follows:

§3129.9. Affordable textbooks and open educational resources

A. The following terms shall be defined as follows:

(1) "Affordable educational resource" or "AER", means any copyright protected educational resource that may be purchased for ownership in perpetuity by a library or postsecondary institution for schoolwide use without additional cost beyond the cost of initial purchase and any hosting access fees, and any copyrighted protected educational resource that may be licensed for individual users for short or long-term access, at a greatly reduced overall cost.

1 The cost to students should not exceed an amount equal to four times the federal
2 minimum wage.

3 (2) "Course schedule" means a collection or listing of available classes,
4 course sections, or both, published by a postsecondary institution in electronic
5 or printed form prior to the start of an academic term.

6 (3) "Open educational resource" or "OER" means an educational
7 resource made available on an Internet website or in print to be used by
8 students, faculty, and members of the public on an unlimited basis at a minimal
9 cost. OER may include full courses, course materials, modules, textbooks,
10 streaming videos, tests, software, and other similar teaching, learning, and
11 research resources that reside in the public domain or have been released under
12 a Creative Commons or other open license that permits the free use and
13 repurposing of such resources.

14 B.(1) The Board of Regents, through LOUIS:The Louisiana Library
15 Network, in collaboration with the state's public postsecondary education
16 institutions shall develop and implement a plan to increase the development,
17 acquisition, availability, and accessibility of affordable textbooks and other
18 educational resources for postsecondary students. At a minimum, the plan shall
19 include:

20 (a) A list of high-impact courses to be prioritized for support for the
21 conversion of course materials to AER and OER. The list shall be updated at
22 least annually.

23 (b) A sustainable program of competitive grants for postsecondary
24 faculty members for the development, conversion, or adoption of AER or OER
25 for high-impact courses, utilizing any available funds identified by the board.

26 (c) A sustainable digital repository which shall function as a publicly
27 accessible database for the collection and storage of OER.

28 (d) Strategies to promote the production, access, and use of AER and
29 OER.

1 **(2) Each postsecondary education management board and institution**
2 **shall fully cooperate with the Board of Regents in implementing the plan and**
3 **shall timely provide any information, data, and assistance requested by the**
4 **board.**

5 **C. Beginning with the 2020 academic year, each public postsecondary**
6 **education institution shall:**

7 **(1) Use a conspicuous symbol, logo, or other distinguishing feature to**
8 **highlight each course included in its course schedule that exclusively utilizes**
9 **AER or OER course materials available at low cost or no cost and ensure that**
10 **these course materials comply with the federal Americans with Disabilities Act**
11 **of 1990 (U.S.C. Sec. 12101 et seq.) and the federal Copyright Act of 1976 (Public**
12 **law 94-533).**

13 **(2) Clearly communicate to students how to access AER and OER course**
14 **materials available at no cost or low cost.**

15 **(3) Provide summary data as requested by the commissioner of higher**
16 **education regarding courses that exclusively utilize AER and OER course**
17 **materials that are available at no cost or low cost.**

18 **(4) Publish the course schedule and textbook list on their website prior**
19 **to opening course registration, but not later than thirty days prior to the**
20 **beginning of each academic term, and provide this information to LOUIS: The**
21 **Louisiana Library Network, individual campus libraries, and other entities or**
22 **programs as might be specified by the commissioner of higher education.**

23 Section 2. This Act shall become effective upon signature by the governor or, if not
24 signed by the governor, upon expiration of the time for bills to become law without signature
25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
26 vetoed by the governor and subsequently approved by the legislature, this Act shall become
27 effective on the day following such approval.

