

BILL ANALYSIS

Senate Research Center

H.B. 1027
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Higher Education
5/14/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that higher education students may benefit from greater transparency as it pertains to the cost of their course materials while registering for courses, as students at some institutions of higher education are charged various fees for which they did not budget, such as technology use fees, library access fees, and printing fees. H.B. 1027 seeks to address this issue by requiring certain information relating to course materials to be provided to students by institutions of higher education.

H.B. 1027 amends current law relating to the disclosure of certain information regarding course materials by public institutions of higher education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.452, Education Code, as follows:

Sec. 51.452. New heading: DISSEMINATION OF COURSE SCHEDULE AND LIST OF REQUIRED AND RECOMMENDED COURSE MATERIALS. (a) Defines "course material" and "institution of higher education."

(b) Requires each institution of higher education, not later than the 30th day before the first day that classes are conducted for each semester or academic term, to:

(1) compile a course schedule, rather than for each semester or academic term compile a course schedule, indicating each course offered by the institution for the semester or term to postsecondary students;

(2) with respect to each course, include with the schedule, or provide in a prominent location in the schedule a link to an Internet website, such as the Internet website of a college bookstore, that contains, a list of the required and recommended course materials, rather than textbooks, that specifies, to the extent practicable, the following information for each course material, as applicable:

(A) and (B) makes no changes to these paragraphs;

(C) the publisher or provider, rather than the publisher;

(D) makes no changes to this paragraph;

(E) makes a nonsubstantive change to this paragraph;

(F) makes a conforming change to this paragraph; and

- (G) any associated fee or charge, such as a technology cost, library use cost, or printing or publication fee;
- (3) in a prominent location in the schedule, state or provide an Internet website link to:
- (A) the full amount of any fee or charge for course materials assessed by the institution or another entity under an agreement with the institution, including a statement regarding whether the fee or charge is included in the cost of tuition;
- (B) if a course material is in a primarily electronic format, the terms under which the publisher or provider collects and uses student data obtained through a student's use of the course material; and
- (C) any provision that allows the student to opt out of a fee or charge described by Paragraph (A); and

- (4) make information regarding the cost of course materials on the course materials list under Subdivision (2) available to college bookstores and other providers of course materials that serve the students of the institution.

Deletes existing text relating to publishing the textbook list with the course schedule on the institution's Internet website and with any course schedule the institution provides in hard copy format to the students of the institution. Makes conforming and nonsubstantive changes.

- (c) Requires each institution of higher education, as soon as practicable after the information becomes available, to make available, rather than disseminate as required by a certain subsection, specific information regarding any revisions to the institution's course schedule and course materials list. Makes conforming and nonsubstantive changes.
- (d) Requires an institution of higher education to itemize a fee or charge for course materials assessed by the institution or another entity under an agreement with the institution separately from any other fees or charges assessed for a course or course section in the institution's billing to the student. Prohibits this subsection from being construed to prohibit an institution of higher education from including the cost of course materials as part of the institution's tuition.
- (e) Provides that any agreement between an institution of higher education and an entity under which the institution agrees to assess or allows the entity to assess a fee or charge for course materials to students enrolled at the institution is public information under Chapter 552 (Public Information), Government Code. Deletes existing text providing that an institution of higher education is not required to publish a textbook list as described by a certain a certain paragraph or any revisions to that textbook list as described by a certain subdivision if a college bookstore publishes that list and any revisions to that list on the bookstore's Internet website on behalf of the institution at the appropriate times required by this section.
- (f) Creates this subsection from existing text. Deletes existing text requiring an institution of higher education, to allow for timely placement of textbook orders by students, to disseminate the institution's course schedule and textbook list as required by a certain subdivision as soon as practicable after the institution has compiled the schedule and list but not later than the 30th day before the first day

that classes are conducted for the semester or other academic term for which the schedule and list are compiled. Makes conforming and nonsubstantive changes.

(g) Creates this subsection from existing text and makes conforming and nonsubstantive changes.

(h) Requires an institution, if an institution of higher education designates in the institution's course schedule certain courses or sections of courses as having low course material costs or a similar designation, to, in a prominent location in the schedule, state or provide an Internet website link to the criteria for that designation.

(i) Prohibits this section from being construed to affect any authority granted to a faculty member by an institution of higher education to select course materials for courses taught by the faculty member.

SECTION 2. Provides that Section 51.452, Education Code, as amended by this Act, applies beginning with the 2022 fall semester.

SECTION 3. Effective date: September 1, 2021.