

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 597

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO INSTRUCTIONAL MATERIALS; REQUIRING PUBLISHERS TO  
PROVIDE TEXTBOOKS ON COMPACT DISCS OR OTHER AURAL MEDIA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Instructional Material  
Law is enacted to read:

"~~[NEW MATERIAL]~~ CORE CURRICULUM TEXTBOOKS--COMPACT DISCS  
OR OTHER AURAL MEDIA.--

A. Core curriculum textbooks on the multiple list  
shall be available on compact discs or other aural media in  
addition to written textbooks. Except as otherwise provided in  
this section, the compact discs or other aural media shall be  
provided to students without cost.

B. Students, school districts, state institutions,  
private schools and adult basic education centers shall not

underscored material = new  
[bracketed material] = delete

1 copy, publish or in any way distribute the compact discs or  
2 other aural media to anyone other than the original student and  
3 shall not infringe on the copyright in any way.

4 C. The department, in consultation with school  
5 districts, state institutions, private schools and adult basic  
6 education centers shall adopt guidelines for the implementation  
7 and administration of this section. The guidelines shall  
8 address all of the following:

9 (1) the designation of instructional materials  
10 in compact discs or other aural media deemed required or  
11 essential to student success;

12 (2) definitions clarifying what constitutes  
13 nontextual mathematics or science instructional materials that  
14 use mathematical notations and clarifying a publisher's  
15 obligations in regard to such instructional materials in aural  
16 format;

17 (3) definitions clarifying what is required to  
18 maintain structural integrity and requirements for descriptions  
19 of pictures, illustrations, graphs and charts;

20 (4) requirements for approval and procurement  
21 of textbooks that are available in compact discs or other aural  
22 media and procedures for suspension of publishers from the  
23 procurement process if the publisher fails to comply with the  
24 provisions of this section;

25 (5) qualifications, if any, of students who

underscored material = new  
[bracketed material] = delete

1 are allowed to use the compact discs or other aural media  
2 instead of or in conjunction with written textbooks;

3 (6) procedures to ensure the return in good  
4 condition of the compact discs or other aural media, including  
5 holding the parent or student responsible for the loss, damage  
6 or destruction of the compact discs or other aural media while  
7 they are in the possession of the student as provided in the  
8 Instructional Material Law; and

9 (7) any other matters the department deems  
10 necessary or appropriate to carry out the purposes of this  
11 section."