

TITLE

Intellectual Property Rights & Wrongs!

ABSTRACT

As institutions endeavor to scale the slippery slopes of intellectual property, teachers must be aware of changes in policy that affect not only their future, but those who follow. The issues, process, results, and impact of a new policy will be addressed in an interactive discussion.

STATEMENT OF PROBLEM

When confronting the issues of intellectual property, feelings of mistrust often surface between faculty and university administrators. Policies can either resolve these feelings or exacerbate them. The process by which these policies are developed is critical to reaching consensus among all those involved. Typically, university concerns focus on (1) the need to continue offering online classes in the absence of the developer who created the instructional materials, (2) avoiding conflicts of interest, and (3) how to encourage and promote faculty efforts to develop online learning materials. In addition, some universities are concerned about the right to share in potential commercial value of intellectual property developed by faculty. Faculty, on the other hand, have markedly different concerns including (1) the right to use materials without restriction, (2) worries about "being replaced" by one's own materials, (3) rights to potential commercial value of educational materials, and (4) the right to modify or restrict modification of one's own materials.

ACTIVITY DESCRIPTION

In 1999, university officials established an Intellectual Property Rights Committee (IPRC) to develop a policy specifically focusing on the development and use of course-materials for online delivery, specifically addressing aspects of ownership, right of use, copyright infringement and areas of sale and royalty sharing. The committee reviewed existing policies to (1) determine how other institutions have handled intellectual property questions, (2) identify other areas that should be addressed, and (3) identify potential resource people who might serve as resources. The IPRC examined the existing Faculty Guide to determine how the existing rules apply to the creation of online courses and whether these rules needed modification or extended to cover the issues raised by the creation

of online courses. The IPRC also surveyed policies at the university and at other institutions of higher education to examine the diverse interests at stake in online course creation, issues of Fair Use and Copyright Infringement, and new legislation such as the Digital Millennium Copyright Act, the No Electronic Theft Act. The committee discovered that current policy on intellectual property did not address many of the issues surrounding the development and deployment of instructional materials for online learning. Significant changes to the policy were required and are currently under faculty review. Results of the faculty review and implementation of the final policy are expected by summer.

OUTCOMES

Participants will be surveyed to identify their opinions and concerns about intellectual property rights. The issues, process, results, and impact of the new university policy will be addressed in an interactive discussion format that includes the participant survey information. A summary of the discussion will contribute to the formation of effective policies that address intellectual properties. The final presentation paper for the conference proceedings will contain the information presented and survey results of the participants attending the session.

RELEVANCE

As other institutions endeavor to scale the slippery slopes of intellectual property, faculty must be vigilant about changes in policy that affect not only their immediate future, but the future of those who follow their ranks. Current policies must be frequently re-examined as technology pushes the boundaries of ownership and challenges the creative process of individuals who are dedicated to the learning profession.

Information from this presentation will help participants identify issues and construct effective policies regarding intellectual property rights.

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