

Faculty, UNL devising plan on ownership of work

Tug of War

news analysis by Cara Pesek

Over the past several years, Internet, distance learning, recorded lectures and computer software have found their way into many UNL classrooms.

Much of the new technology used on campus has been developed by University of Nebraska-Lincoln faculty members, oftentimes with the aid of university resources such as computers, software and even laboratories.

So it is no surprise that a debate between university administrators and faculty members has arisen over the ownership rights of these resources, which are known as intellectual property.

During a time when many UNL faculty members are leaving the campus for higher paying jobs, UNL needs to look at ways to retain faculty members.

Granting faculty members full or near-full intellectual property rights would be one way to do that.

Former Academic Senate President Gail Latta said a policy outlining ownership rights for these resources was drafted last summer.

The policy was one of the foci of the senate throughout the spring semester.

Currently, there is no policy for determining who has ownership rights for intellectual property.

And since the initial policy was drafted, much discussion has been devoted to it.

The Academic Senate sponsored two forums in January where faculty members could voice their concerns about the policy draft.

Agnes Adams, a UNL faculty member who helped draft the initial policy, said those who attended the forum thought the policy didn't satisfactorily address as number of issues.

At the Feb. 1 senate meeting, Miles Bryant, senate secretary, said faculty members also were concerned that many terms in the draft policy were vague.

Terms like "substantial university resources," "instructional materials" and "device-like software" in the pro-

posed policy were not defined clearly, Bryant said.

Furthermore, the proposal lacked definitions for terms like a faculty member's "own time," he said.

In addition, Latta said, faculty members were disappointed with the generous intellectual property rights the policy granted the university.

"(Under the proposed policy) things the faculty develop other than traditional material virtually belong to the university," Latta said.

She said full or nearly full university ownership of intellectual property could discourage faculty members from further development of these resources.

"We are not indentured servants where everything we think, say and do belongs to the university," Latta said.

"I would like to see it recommended that to be employed by the university does not mean everything we do within our areas of expertise belongs to the university."

At the Feb. 1 Academic Senate meeting, senators voted unanimously to accept a resolution calling for revisions to the proposed intellectual property policy.

While the resolution proposed no specific changes to the policy, it urged revision based on recommendations made by faculty members at the forums.

Donal Burns, NU associate executive vice president and provost, said he and UNL attorney Carmen Maurer have been reviewing the policy after looking at feedback given by all four University of Nebraska campuses.

And although he and Maurer are making headway on the revised draft, he said doesn't know how soon it will be before the policy ready to go before the Academic Senate again.

"Frankly, I think we've made pretty good progress as the year has progressed, and we hope we're getting closer to the final document," Burns said.

If the policy would be approved by the senate, the NU Board of Regents would have to approve it before it could be put into action.

"We are not indentured servants where everything we think, say and do belongs to the university."

Gail Latta
former faculty senate president



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