

University Committee on Academic Policy

Memo

March 13, 2001

To: Executive Committee of Academic Council

From: Jon Sticklen 
Assistant Chair, UCAP

Subject: UCAP Concerns on University Copyright Policy

This memo is to express to ECAC the concerns of the UCAP membership regarding the proposed new MSU copyright policy.

ECAC members understand that most issues related to this proposed change in the U copyright policy are not in the normal purview of UCAP, and further that the University Faculty Affairs Committee has worked very diligently and with full input from the entire university community to develop the new proposal.

However, there remains a concern which UCAP members feel must be pointed out. Under the proposed copyright policy, a faculty member developing intellectual property specifically as part of his directed activity will not have a share in potential commercial gain which might flow from the developed intellectual property.

UCAP members understand that a faculty person developing, for example, material for web delivery in support of a regular class at MSU would not be banned from participating in profits accruing to the university by sale or distribution of the web-based materials. However, UCAP members also understand that should the same professor be directed to develop a web-based course for use in the MSU Virtual University, the developed intellectual property

would become the sole property of the University, and the faculty person who developed the material would not share in any economic gain which might accrue.

The UCAP membership feels that there is a potential clash between high level university goals with regard to the type of scenario suggested above. Currently it is an express goal of the University to directly infuse computer technology into the undergraduate learning experience, both to directly enhance undergraduate education, and to provide our graduates with an understanding of “pervasive computing.” To that end, it would seem certainly true that the U would try to encourage in whatever ways feasible faculty members to explore uses of the new technology to support their classroom instruction.

Traditionally, part of the incentive for professors developing class notes and experiences into published textbooks has been the possible economic gain to the faculty person. Clearly when MSU faculty publishes high quality textbooks – it puts MSU in a good light nationally, and internationally.

But it would seem that the same thing would be true regarding a faculty person developing any web material which as intellectual property could be of commercial value – whether done under the sponsorship of the Virtual University or not.

Because the charter of UCAP is directed broadly at monitoring the undergraduate instructional program, the current membership of UCAP felt obliged to air these concerns to ECAC.