



Resolution 99.10.2 – Intellectual Property Rights: Jonathan McLeod

October 25, 1999

Move: McLeod
Second: Ickstadt

Whereas: faculty members regularly engage in intellectual work on the basis of individually directed professional activity, above and beyond their minimal contractual obligations,

Whereas: the creators of intellectual works not commissioned or assigned by the college or the district are judged independently on the merits of work considered conventionally to be their own,

and

Whereas: distributed learning (both distance learning and on-line learning) through the community college district transforms the presentation of that intellectual work, and thereby poses potential conflicts regarding the faculty members' proprietary interests in their creative works, Therefore

BE IT RESOLVED THAT the San Diego Mesa College Academic Senate reaffirms that the intellectual property rights of faculty shall be protected; and, furthermore,

BE IT RESOLVED THAT the San Diego Mesa College Academic Senate endorses the principle that, unless specifically commissioned or assigned by the college and/or the district, traditional faculty developed academic works (i.e, class notes and syllabi, recorded instructional activity, books and articles, works of fiction and nonfiction, poems and dramatic works, musical and choreographic works, pictorial, graphic and sculptural works, and educational software, commonly known as "courseware") are not considered works for hire and, therefore, remain the intellectual property of their faculty creators.

Approved by the Academic Senate: November 8, 1999 (Unanimously with a Friendly Amendment)