

SB 667 -1 STAFF MEASURE SUMMARY

Senate Committee On Education

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Meeting Dates: 4/5, 4/7

WHAT THE MEASURE DOES:

Requires each district school board to adopt and implement a policy at each school concerning the ownership rights to intellectual property created by teachers. Specifies that teachers retain ownership rights and district cannot claim ownership unless otherwise provided for in written agreement. Prohibits school district from requiring teachers to enter into agreement to release ownership rights as a condition of employment.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

- Current status of intellectual property ownership rights in schools
- Ability for educators to share and control access to self-made instructional materials
- Efforts to use low-cost, free-to-use instructional materials
- Status of self-made instructional materials hosted on proprietary online platforms

EFFECT OF AMENDMENT:

-1 Requires each board of community college district to adopt and implement a policy at each college concerning the ownership rights to intellectual property created by faculty members. Specifies that faculty members retain ownership rights and district cannot claim ownership unless otherwise provided for in written agreement. Prohibits community college district from requiring faculty member to enter into agreement to release ownership rights as a condition of employment.

REVENUE: No revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

BACKGROUND:

Teachers in K-12 schools and faculty members at institutions of higher education often create instructional materials of their own design, such as videos, study guides, and illustrations, to supplement the standard materials in a curriculum. There is ambiguity as to the ownership rights to the intellectual property of teacher-created materials, as well as their commercial value, as the materials are created by teachers as part of their professional duties. Many employers have policies that specify ownership rights to intellectual property for materials created on the job.

Senate Bill 667 requires school districts to adopt and implement a policy at each school that provides ownership rights to intellectual property created by teachers, unless otherwise provided by written agreement, and prohibits districts from requiring teachers to release ownership rights of intellectual property as a condition of employment.