

House Bill 2480

Sponsored by Representative POWER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires school district to adopt and implement policy concerning ownership rights to teacher-created intellectual property. Requires policy to provide that teachers shall retain ownership rights to such intellectual property and that school district may not require, as condition for employment or continuation of employment, teachers to enter into certain agreements concerning ownership rights to teacher-created intellectual property.

A BILL FOR AN ACT

Relating to ownership rights to teacher-created intellectual property.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) **"Copyrightable material" means written original works including, but not limited to, curriculum materials, guidelines and manuals created for use in a virtual learning environment or an in-person classroom setting.**

(b) **"District school board" has the meaning given that term in ORS 332.002.**

(c) **"Intellectual property" means:**

(A) **Copyrightable material; and**

(B) **Patents.**

(d) **"Ownership rights" include the rights to own, manage, distribute, dispose of, assign and use copyrightable material.**

(e) **"School district" has the meaning given that term in ORS 330.005.**

(f) **"Teacher" has the meaning given that term in ORS 342.120.**

(2) **Each district school board shall adopt and implement a policy concerning the ownership rights to intellectual property created by teachers. The policy must be implemented by each school in a school district and must provide that:**

(a) **In the absence of a contrary agreement between a school district and a teacher, the district does not claim and the teacher shall retain ownership rights to intellectual property created by, published or produced by the teacher.**

(b) **Teachers may, but are not required to, enter into written agreements with school districts whereby a teacher may relinquish, assign, sell, lease, license or transfer the ownership rights to intellectual property to the school district.**

(c) **A school district may not, as a condition for employment or continuation of employment, require a teacher to enter into an agreement that requires the teacher to relinquish, assign, sell, lease, license or transfer the ownership rights to intellectual property to the school district.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.