

Dear members of the House, I am Jenny Friedman, an adjunct writing instructor in the Humanities department of Umpqua Community College for over 15 years, and current president of the UCC Part-time Faculty Association.

Thank you for inviting me here today.

I am here to speak for the adoption of SB 667, which will establish that teacher-created intellectual property is rightfully owned by the educator that created it by requiring community colleges to adopt language asserting this.

We educators often share our lesson plans, student assignments, speeches and lectures, and other created content, acknowledging original contributors as a collegial norm. However, with the Covid-19 move to remote learning, the shortcomings of this “good faith” system have been uncovered.

The Covid emergency suddenly forced instructors to move work intended for face-to-face classes onto an on-line learning platform. This meant that intellectual property that administrators would normally have no access to, including recorded lectures, was suddenly contained in a medium that made the created content easily viewable, archivable, and transferable.

Part-time campus instructors reached out to me as their union president seeking reassurance that the materials contained in the remote learning synchronous shells would not be used or re-used without their permission or control.

I and other part-time faculty met with the administration and were told that:

1. The courses were created under teaching contracts to teach particular courses for agreed upon compensation.
2. The instructors had accepted the contracts.
3. The course materials were created as part of the move to Remote learning.
4. Therefore, all materials contained within the course shells were the intellectual property of Umpqua Community College.

UCCPTFA strongly refuted this, on the grounds that:

1. Even with on-line course development, instructors are compensated for their expertise and knowledge, not for the materials implemented in the course.

2. My materials have been created over a number of years and call upon my experience in teaching all levels of writing courses. I do not know of any instructors that created material specifically for remote learning. They adapted previous materials to fit the platform.
3. The materials were never intended for on-line learning, so ordinarily the college would have had no access to the material.
4. Therefore, the teacher-created content contained within the course shells remained the intellectual property of the instructors.

In response to this assertion, administration moved to check with their legal consultants, and the matter remains unresolved today, months afterwards.

Essentially, this lack of legal protection allows well-paid administrators to grab the work of educators with no permission, acknowledgment, or compensation. Institutions could presumably re-purpose our work to create low-cost on-line offerings in perpetuity.

I urge you to require educational institutions to adopt and implement policy concerning ownership rights to teacher-created intellectual property as outlined in SB 667. This bill will clarify ownership and protect educators' hard work and expertise.

Thank you again for allowing me to share my experience today --I appreciate this opportunity to allow educators a voice.

Jenny Friedman