

Employee Questions/Comments
2470-Intellectual Property

<u>Questions/Comments #1</u>	
Questions/Comments	<p>I have a question concerning the language of Mediated Courseware and the institution of the Intellectual Property procedure as written. It appears that the blue language for mediated courseware means that as instructors who build our own courses, we are giving up the right to our own material. It seems that Barton would like to distribute our work to other instructors of Barton without permission or knowledge. Is that a correct application of this procedure? Is that the desired outcome of this language?</p> <p>I have some wording suggestions to make the desired outcome abundantly clear, but I need to understand the direction first.</p> <p>Karey Marshall</p>
Overseer Response(s)	<p>Thank you for the feedback.</p> <p>The Intellectual Property procedure’s purpose is to “identify the creation, use, and dissemination of knowledge. In addition, the procedure defines the rights associated with ownership and intellectual property, including that which is protected under copyright, trademark, and patents for both the College and the creator(s).”</p> <p>As defined in the procedure, Mediated Courseware includes, but is not necessarily limited to, instructional material delivered over the Internet, synchronous and/or asynchronous video or audio courses, components of courses, or instructional support materials.</p> <p>Mediated Courseware may be defined into two categories:</p> <ul style="list-style-type: none"> · Self-Initiated Mediated Courseware means mediated courseware created by the employee without specific direction by the College. · Institution-Directed Mediated Courseware means mediated courseware created pursuant to a specific assignment, and the College provides the employee with materials and time to develop the mediated courseware.

Mediated courseware belongs to the institution and Barton has the right to decide who will utilize the mediated courseware in instruction.

The last sentence above speaks to your questions. If Barton hires a new faculty member to teach online, they are given a blank shell to develop their course. If the new colleague asks for subject specific resources to assist with the development, it is beneficial to student learning and in compliance with Kansas' system wide transfer and articulation that approved courses in the like discipline are shared with the instructor to ensure appropriate application of statewide approved outcomes and competencies. This will become even more important as Kansas shifts to a system-wide general education program effective fall 2024.

I do not believe it is appropriate to share resources without discussing it first with faculty members. As revealed in this week's Higher Learning Commission site visit, Barton does not operate in silos, but within a framework of collaboration. I do believe that like discipline members should engage with one another, support each other's development as colleagues and share best practices in teaching aligned outcomes and competencies. I also believe teaching professionals should serve with integrity and not utilize shared resources without adjusting them to their own voice, style and skills. Students deserve delivery of aligned course outcomes and competencies, but they also deserve the individuality of their instructors.

Please let me know if my response has provided sufficient feedback or if we need to continue the conversation. You mention that you have suggested language for the modified procedure. If you would like to share your suggestions with me, I will share with Dean's Council and we will make a determination of whether or not we will apply those changes to the procedure.

Elaine Simmons



Questions/Comments #2

Questions/Comments	<p>Thank you.</p> <p>My suggestion is to eliminate any ambiguity with the Mediated courseware. It seems the Intellectual Property procedure is directed at the online courses and not the on ground courses. That could simply be my bias. If Mediated courseware is expected to be any delivery of material for knowledge transfer, then any in-person, synchronous lecture is also the property of Barton and subject to the sharing with all instructors in discipline – or even instructors outside of the discipline. Will there be an initiative to video capture those lectures for use across the institution? <= sounds like a big initiative that instructors could volunteer materials for. That would eliminate the feeling that Barton is over stepping.</p> <p>i.e. I need cooperation with Math instructors to review certain aspects of what I expect to be covered in an Algebra course. If there was a repository of Barton modules of lectures or review notes with videos, then I could strengthen the foundational knowledge of my students so that the math doesn't get in the way of learning chemistry. That would also allow for program continuity by having students in my courses see the foundational lectures they had a year prior from the same instructors. I would suggest that only foundational instruction be shared so that there is the feeling from the student perspective that their instructor is teaching their course with support of the rest of the faculty rather than cobbling together other people's lectures for a current course.</p> <p>Mediated Courseware may be defined into two categories:</p> <ul style="list-style-type: none">• Self-Initiated Mediated Courseware means mediated courseware created by the employee without specific direction by the College. <p>Self-Initiated Mediated Courseware means courseware created by the employee without specific direction by the College for use within their assigned courses or related activities.</p> <p>That phrase makes it clear that whatever is produced for the courses is mediated courseware. Barton owning the copyright is a 180° shift from the previous policy. Ambiguity will lead to resentment.</p> <p>"Use of Intellectual Property"</p>
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	<p>It is the responsibility of all members of the College to comply with all copyright laws.”</p> <p>Work created before the ratification of this policy could have instructor copyright. Will Barton acknowledge those copyrights or will there be an attempt to retroactively institute this policy?</p> <p>n.b. I'm happy to share with my colleagues – but I need them to share as well. It shouldn't be Barton admin distributing my work by way of a radical policy shift. This is a forced taking of resources rather than an encouragement of working together. The above collective initiative would be a solid way forward of cooperative and cohesive learning for students. We are stronger together, right?! Allowing instructors to feel as if they are a part of something big rather than forced to give up what they have worked for would be a terrific morale improvement over the current climate of those of us not on campus.</p> <p>Karey Marshall</p>
<p>Overseer Response(s)</p>	<p>Karey,</p> <p>Good morning!</p> <p>Thank you for your weekend feedback. We are gathering to discuss the information you shared and I will provide a response in the near future.</p>