



TO: SUNY University Faculty Senate
FROM: UFS Undergraduate Committee
RE: Resolution on Privatization and Academic Freedom in Online Education
DATE:
LOCATION: SUNY Potsdam
RESOLUTION #:
VOTE TALLY:

RATIONALE:

WHEREAS the use of digital and online teaching methodologies and tools has transformed SUNY's reach, and online education is currently being proposed as an essential part of SUNY's future identity; and

WHEREAS there has been a disturbing national trend towards privatization of online education to streamline content, enrollment, and access through the use of online program managers (OPMs) and other online delivery platforms; and

WHEREAS the combination of an increase in online offerings, rising costs of education (including textbooks), and unfettered power of textbook publishing companies has led to a trend towards development and use of open access or open educational resources (OER); and

WHEREAS SUNY has advanced an OER funding initiative that incentivizes development, sharing, and use of these open access materials, and that has dramatically increased the use of these tools across the SUNY System; and

WHEREAS the Chancellor has recognized that the development of open access materials (whether textbooks, syllabi, full courses, or other curricular items) constitutes a scholarly and creative exercise requiring respect, protection of ownership, and empowerment to make informed decisions about whether and how to share this work¹; and

WHEREAS faculty participation in the development of curricula, course content, methods of instruction, and all other academic standards and processes is essential to ensure educational quality, reputation of SUNY, and academic freedom

RESOLUTION:

THEREFORE BE IT RESOLVED that the UFS encourages senators and campus governance leaders to distribute the AAUP toolkit² presented at this plenary to their campuses to help educate faculty about (a) the importance of retaining ownership of their works, and (b) their role in developing academic resources, policies, and procedures for online education; and

BE IT FURTHER RESOLVED that the UFS encourages each SUNY campus governance organization to endorse the appended Statement of Principles, Policies, and Regulations, and engage their campus leadership to reaffirm a commitment to faculty ownership of the mode and method of delivering online education; and

BE IT FURTHER RESOLVED that the UFS also endorses this statement, and calls upon the Chancellor to endorse it as a means of reaffirming faculty ownership of the curriculum.

BACKGROUND:

1. **SUNY Board of Trustees Open Access Policy and System Repository Resolution (March 22, 2018)**
https://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/Tab11_Campus%20Open%20Access%20Policies%20and%20System%20Repository.pdf
2. **AAUP Education Not Privatization Toolkit**
https://onefacultyoneresistance.org/privatization/?link_id=1&can_id=75ad994d4c8b955c9f2a5fdaf9772ab2&source=email-privatization-in-online-education&email_referrer=email_440192___subject_559356&email_subject=privatization-in-online-education

Appendix: Statement of Principles, Policies, and Procedures on Faculty Ownership

1. The teacher is the person who decides what texts and other materials to use as part of the syllabus and class learning activities.
2. The teacher has exclusive rights to their original works of authorship including those works that were created for the purpose of instruction at the institution where the teacher is employed.
3. The faculty author's exclusive rights shall reside with that author whether the author's materials are used by means of face-to-face performance, internet or other transmission, use of the employer's LMS or other display of the work.
4. Since the teacher owns their original works of authorship, the teacher may lend, give away or license those works, including a license issued for a royalty or other financial compensation, but such licensing or other agreement allowing another person to use the teacher's intellectual property shall not be a requirement of employment or advancement in that employment.
5. The use of the employer's facilities, equipment, or access to support personnel during the creation of a faculty member's works of authorship shall not affect the faculty member's exclusive authorship and control of their works of authorship that are protected by copyright.
6. A faculty member may license out as many of their works as that person would like to make available.