

AC 2009-965: SHOULD A CYBERETHICS CLASS BE REQUIRED? PLAGIARISM AND ONLINE LEARNING

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Key words: plagiarism, online learning, cyberethics

Abstract

While intellectual property is an umbrella legal term, and copyright is a legal term that relates to print and media rights, plagiarism is less of a legal concern and more policy based. Plagiarism often occurs in the traditional or online classroom. According to recent research, the availability of Internet resources has contributed to the growth of plagiarism among learners. Learners may plagiarize because it is the norm, or because they do not know they are plagiarizing, or they do not have the time to read and cite sources. Some researchers have stated that the main form of cheating [among college students] is plagiarism and that as faculty our role is to educate them on the ethics of cheating". Campbell (2001) stated "Teachers' own philosophical orientations, conscious or not, to moral and ethical issues will ultimately determine how they interpret their professional obligations and their role as moral agents". Online learning, social collaboration tools and resources open the classroom to a world of knowledge. Given the recent research, does social responsibility for educators include some aspect of teaching cyberethics in every course? In this paper the authors will explore the overlapping areas of intellectual property, copyright and plagiarism, and suggest some concepts for educators using online learning and collaboration tools.

Background and Definitions

The umbrella term "intellectual property" encompasses the legal concepts of patent, copyright, trademark. Both copyright and patent rights can trace their origins to the US Constitution. The copyright law was written in 1790 to promote the progress of science and the arts, and since has had a number of revisions.¹ Generally intellectual property rights protect the products of the mind, including creative works and useful inventions.² A patent for an invention is the grant of a property right to the inventor, issued by the Patent and Trademark Office. US patent grants are effective only within the US, US territories, and US possessions.³ Copyrightable work includes, "poems, software and multimedia" and if reproduced without permission from the author, may subject the unauthorized copier to liability for copyright infringement⁴. An author is usually the owner of the work, but "work prepared by an employee within the scope of his or her employment; or a work specially ordered or commissioned in certain specified circumstances" is considered work for hire. The employer, or commissioning party, is considered to be the author..."⁵ The copyright protects the form of expression rather than the subject matter of the writing or the ideas expressed.⁶

Patents and trademarks or services marks are beyond the scope of this paper, other than illustrating the definitions of intellectual property (even though they may be of great interest to faculty and universities engaged in discovery of useful inventions or processes). The focus of this discussion will be the copyright aspect of intellectual property.⁷

In the academic setting, teachers are generally dealing with issues concerning tangible expressions of ideas, such as written works, software and multimedia productions. Intellectual property is a legal framework, and most academics are not concerned with the copyright aspects of their students' work, or the legality of copyright violations; teachers are greatly concerned, however, with the policy concepts of plagiarism as applied to their students' tangible expressions, and whether there are violations of plagiarism policies or academic honesty policies.

Discussion

As noted above, plagiarism could be a possible violation of copyright, but in the academic setting teachers are more concerned with the ethical issue of violation of academic honesty policies. Using another's work without proper acknowledgement (whether improperly cited sources, another student's work, copied from web, etc) involves not only a possible copyright issue and violation of academic policy, there is also the ethical issue of getting credit for another's work. Some use the term plagiarism to cover many issues, not only the situation where the origin of the work is improperly credited. Some use the term loosely to extend to those situations where the student turns in purchased term papers (although this may be considered cheating but not actually plagiarism) and where the student makes up citations (also cheating or academic dishonesty but not necessarily plagiarism.) Many institutions use the term "academic dishonesty to cover all such instances, plagiarism plus cheating.

Not everyone agrees on all the aspects of plagiarism, and not every form of plagiarism or cheating is a copyright violation. For example, submitting the same original paper in more than one class is not a copyright violation (the expression is the author's to use), but some consider multiple submissions of the same work to be unethical or a form of plagiarism.

A common definition of plagiarism:

Plagiarism is defined as presenting someone else's work, including the work of other students, as one's own. Any ideas or materials taken from another source for either written or oral use must be fully acknowledged, unless the information is common knowledge. What is considered "common knowledge" may differ from course to course.

- a. A student must not adopt or reproduce ideas, opinions, theories, formulas, graphics, or pictures of another person without acknowledgment.
- b. A student must give credit to the originality of others and acknowledge indebtedness whenever:
 1. Directly quoting another person's actual words, whether oral or written;
 2. Using another person's ideas, opinions, or theories;
 3. Paraphrasing the words, ideas, opinions, or theories of others, whether oral or written;
 4. Borrowing facts, statistics, or illustrative material; or
 5. Offering materials assembled or collected by others in the form of projects or collections without acknowledgment.⁸

Causes of the problem: ignorance or competing demands?

Some learners fail to follow academic integrity standards because they don't know or understand the rules which they should be following. Other students claim they lack time to properly prepare their academic work. In the classroom as well as in the online environment learners often fall behind due to claimed work or family related commitments. Is student inability to comply with academic integrity policies really related to other commitments, or to a lack of motivation to make learning a priority? In the authors' opinion, both contribute to the issue.

Many new learners from high schools are shocked to find out they are failing a college level course, when they attended every class but did not complete the required course work. In many area high schools, attending a high school class is adequate to pass the course. Also, many new learners do not realize that copying and pasting other work, especially from online sources, is plagiarizing. An article by Brothers displays a pyramid chart, which is the result of a study by National Testing Laboratories in Bethel, Maine (p. 78).⁹ The learning pyramid chart in that article reveals the average retention rate for various methods of teaching and retention. Lecture retention is about 5% and reading about 10%. Creating an atmosphere of collaboration, participation, and learning-by-doing increases learning retention up to 50%, according to Brothers. Many learners come to class, sit and put in their time. Teachers must help students understand that attendance is a good start, but it not enough to justify a grade showing mastery of material without the underlying work. Motivating students to participate more in class may help engage them in their learning, so that they make it a higher priority.

Some students may not understand the rules of academic integrity. Some think that the product of their cutting-and-pasting expedition becomes "their" work because they put it all together and assembled it into one document. The concept of a 'mashup' is then applied to academic work, so that students may consider that a mix of items from various sources become a new work. Becoming aware of the types of ignorance may help instructors focus their actions in correcting misunderstandings or misinterpretation.

Some learners actually attend traditional and online classes, complete the work, participate and take responsibility for learning. As an educator it is easier to excuse a late assignment from a learner who is usually a class participant, or to overlook possible plagiarism from a student who seems to be trying to master the course material. To understand the learning situation faculty need to be patient, good listeners and participatory. Does a learner who is not participating need further assistance for some reason that is not immediately apparent? As a faculty one must, as Campbell (2001) stated, "...balance an ethic of justice and an ethic of care when dealing with students"

Some students are first generation learners who do not understand the operations of a university setting. Communication with the learners usually reveals how the learner may be guided to other options and resources within the university. Student services, online computer training and peer-to-peer mentoring often help guide a learner to new levels and also teach them how to guide others. In the online environment, discussions and faculty-to-peer interaction help learners feel a part of the course. Interestingly, a research study revealed, "...students who were less comfortable with computers were more likely to participate in [discussions]" (Clawson, Deen &

Oxley, 2002, p. 717)¹⁰. Peer-to-peer interaction in the online discussions, clear netiquette, professional and ethical policies can help set the stage for learning discussions. The first challenge is to create the atmosphere of communication and sharing. Additionally, fostering a comfortable, sharing creative learning environment, faculty should also maintain appropriate standards of personal and professional conduct, while being aware of potential learner bias.

Learner perceptions of cheating

The learner in the online environment may feel isolated or conversely may feel liberated to be able speak up without being physically seen. “For situations in which we judge anonymity acceptable, or even necessary, we do so because anonymity offers a safe way for people to act, transact, and participate without accountability, without others ‘getting at’ them, tracking them down, or even punishing them” (Nissenbaum 1999 Para 6)¹¹. In the online environment since people may feel safer to express themselves, they may also feel safer to cheat. A research study reported, college learners “...appeared to believe that cheating on an exam is different from cheating to advance their career...and that college activities were not real-world” (Rawlinson & Lupton, 2007, p. 91)¹². Learners who cheat in a face-to-face course, will likely cheat in an online course. Lanier (2006) stated the main form of cheating [among college students] is plagiarism and that as faculty our role is to educate them on the ethics of cheating” (p. 259)¹³.

Instructor Responsibility and the Teacher as Model

In the online environment the responsibility for an instructor to inform the learners about expectations has been well laid out, but the learner must also take the responsibility to read the responsibilities and respond accordingly. Networking communications need to take on a deliberate effort for both parties. “The challenge of the online environment is to cope successfully with the lack of immediate faculty feedback and face-to-face contact between student and faculty” (Berenson & Boyles, 2008, p. 12).¹⁴

Enhancing the learning communities (Charalambos, Michalinos, & Chamberlain, 2004; Pallof & Pratt, 1999)¹⁵ will aid in learner feelings of isolation and assist ethical social groups for learning. Learning communities are a powerful opportunity for learning and constructing knowledge, as well as forming agreed upon social norms. Cheating and respect for intellectual property is less likely to occur if learners feel a sense of community where they are contributing to the knowledge through social networking of ideas. Building the learning communities, instructors can guide learners to construct ethical standards for their project and related professions.

The question of dishonesty in an online environment is open to debate. Harmon, Lambrinos, and Kennedy (2008) found that cheating was more likely to occur when testing was not proctored¹⁶; this is in contrast to the findings of Grijalva, Nowell, and Kerkvliet (2006) who found that cheating was no more likely to occur in an online environment than in a face-to-face course¹⁷. With new technologies to detect plagiarism and the use of timed testing, there are deterrents for cheating in the courseroom. Many online services are available to detect plagiarism for a fee; though not always perfect (McKeever, 2006)¹⁸.

Conclusion

How can an educator increase a learners' intrinsic motivation to learn, encourage personal responsibility for learning, and guide learners to increase critical and ethical thinking skills? Learner participation, development of critical thinking skills and practice in critical thinking is necessary to help learners become moral and ethical future leaders. Helping students make learning a priority, and helping them understand the importance of academic integrity, will help them become these moral and ethical future leaders. Building active, collaborative, participatory learning communities, emphasizing more than mere attendance, is a start.

Given the challenges in building an effective learning community and facing learners who may not understand the expectations for academic integrity, the authors make the following suggestions for teachers using online learning/collaboration, and have included some helpful sources for faculty using online learning in Appendix A.

Suggestions for addressing academic integrity in online learning/collaboration

- Faculty should set clear expectations; reference to the school's academic honesty policy may not be enough. Make a few clear specific guidelines with examples. Most universities have a policy, but it has to be integrated into the learning community to be effective.
- Be a good role model. Instructors should make every effort to properly cite the origin of sources they use. It is very easy to become lax in your own habits. Let your online course or learning community be a model for how to appropriately cite and use sources. It can be difficult to impress the importance of academic integrity upon students when Universities don't do such a good job themselves.¹⁹
- Set a professional standard of communication and engagement, to model appropriate behaviors for students in online classes.
- Give students tools such as safe assign or turnitin.com. Although these can be useful tools, they tell the learner that he/she may have plagiarized, but do not tell reinforce the moral or ethical ramifications. Most of these tools specifically do not advertise themselves as plagiarism prevention processes.
- Peer-to-peer interaction in the online discussions, clear netiquette, professional and ethical policies in learning discussions

References (not including Resources in Appendix A)

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Indiana University School of Education, www.indiana.edu

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What Are Patents, Trademarks, Servicemarks, and Copyrights?

<http://www.uspto.gov/web/offices/pac/doc/general/whatis.htm>

US Copyright Office, www.copyright.gov

Appendix A

Sources for ethical guidelines

Top ten teaching and learning issues, 2007

<http://connect.educause.edu/Library/EDUCAUSE+Quarterly/TopTenTeachingandLearning/44831>

The article is about key technology teaching, social, ethical and learning issues using technology as well as future online learning considerations. The article is found on the Educause website which has a wealth of information about teaching and learning online, blogs from educators and conference articles.

The University of Maryland University College Center for Intellectual Property website

http://www.umuc.edu/distance/odell/cip/links_de_teach.shtml#distance

This website has legislation and congressional reports as well as copyright links to many other sources. It is a great place to start a search on specific distance education issues and has a great resource list.

Purdue University has information on fair use and copyright for traditional and online learning.

<http://www.lib.purdue.edu/uco/>

A good place for all copyright and fair information use is at the government website, <http://www.copyright.gov>

Indiana Higher Education Telecommunication System

http://www.ihets.org/archive/progserv_arc/education_arc/distance_arc/guiding_principles_arc/index.html

This website has good information about “Guiding Principles for Faculty in Distance Learning” as well as course design, program design, faculty development, course evaluation, assessment outcomes, ownership, delivery methods, copyright and intellectual property guidelines.

Faculty Rights and Responsibilities in Distance Learning (2000)

<http://www.aaup.org/AAUP/protect/legal/topics/dl-ip-ownership.htm>

This website provides information about ownership, learner considerations and quality considerations for online

learning. It also has links other educational resources. The information is contained in the American Association of University Professors website where according to the about page, the “purpose is to advance academic freedom and shared governance, to define fundamental professional values and standards for higher education, and to ensure higher education's contribution to the common good”.

¹ (Loggie, et al. 2007, p. 111).

² See eg. <http://legal-dictionary.thefreedictionary.com/intellectual+property>

³ <http://www.uspto.gov/web/offices/pac/doc/general/whatis.htm>

⁴ Intellectual property and online courses. *Quarterly Review of Distance Education*, 8(2), 109-125, at p. 112.

⁵ (U.S. copyright, 2008). U.S. Copyright (2008). Fair use: copyright act, title 17, U. S. code, section 107. Retrieved Dec. 3, 2008 from <http://www.copyright.gov/fls/fl102.html>

⁶ www.copyright.gov

⁷ <http://www.uspto.gov/web/offices/pac/doc/general/whatis.htm> A trademark is a word, name, symbol or device which is used in trade with goods to indicate the source of the goods and to distinguish them from the goods of others. A servicemark is the same as a trademark except that it identifies and distinguishes the source of a service rather than a product. The terms "trademark" and "mark" are commonly used to refer to both trademarks and servicemarks.

⁸ <http://www.indiana.edu/~istd/definition.html> Indiana University Bloomington School of Education

⁹ Brothers, 2007

¹⁰ Clawson, A. Deen, E. Oxley, Z. (2002). Online discussions across three universities: Student participation and pedagogy. PSONline <http://www.apsanet.org/>

¹¹ Nissenbaum, H. (1999, April). The meaning of anonymity in an information age. *Information Society*, 15(2), 141-144.

¹² Rawlinson, D.R. & Lupton, R.A. (2007). Cross-national attitudes and perceptions concerning software piracy: A comparative study of students from the United States and China. *Journal of Education for Business*, 83(2), 87-93.

¹³ Lanier, M. (2006, September). Academic integrity and Distance Learning. *Journal of Criminal Justice Education*, 17(2), 244-261.

¹⁴ Berenson, R., Boyles, G., & Weaver, A., (2008, June). Emotional intelligence as a predictor for success in online learning. *International Review of Research in Open and Distance Learning* 9(2) 1-17. Retrieved Oct. 15, 2008 from <http://www.irrodl.org/index.php/irrodl/article/view/385/1049>

¹⁵ Charalambos, V., Michalinos, Z., & Chamberlain, R. (2004). The design of online learning communities: critical issues. *Educational Media International*, 41(2), 135-143.

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¹⁷ Grijalva, T. C., Nowell, C., & Kerkvliet, J. (2006). Academic Honesty and Online Courses. *College Student Journal*, 40(1), 180-185.

¹⁸ McKeever, L. (2006, April). Online plagiarism detection services—saviour or scourge?. *Assessment & Evaluation in Higher Education*, 31(2), 155-165.

¹⁹ http://chronicle.com/daily/2009/01/10350n.htm?utm_source=pm&utm_medium=en University in news (Chronicle of Higher Education) for having academic honesty policy very similar to that of another University.