1. Teaching Ethical and Legal use of Technology in the Classroom By Alicia Faust
   - What is acceptable and appropriate use if Internet in schools?
   - What obligations do teachers and administrators have as a result of introducing the Internet into their schools?
   - How can teachers teach students ethical, acceptable and appropriate ways to use the Internet?

   Teaching Ethical and Legal use of Technology in The classroom

2. What is acceptable and appropriate use if Internet in schools? “Appropriate use” must always be related to teaching. Computers are there to support a curriculum already being taught. The attractiveness or novelty of the computer should not overpower the student learning. Computers should not change teaching methods. Their inclusion should simply help improve learning.

3. What obligations do teachers and administrators have as a result of introducing the Internet into their schools? Acceptable Use Policies: Four essential parts 1. The policy explains how the Internet is connected to teaching and learning. 2. The policy explains student responsibilities while online. 3. The policy explains repercussions that will result from the violation of policies. 4. The policy is written and agreed to by parents and students Equitable access in a school or classroom: All students must have equal access to computers regardless of gender, special needs, socioeconomic status or race. Teaching and obeying Copyright laws: Teachers must follow copyright laws and in turn educate students about copyright laws.

4. Links for templates for acceptable use forms
   - http://165.224.221.98/pubs2005/tech_suite/app_A.asp#H1
   - http://www.2learn.ca/mapset/SafetyNet/AUPS.html
   - http://wwwauditnet.org/docs/internet_acceptable_use_policy_t.htm

5. Click here to view a sample acceptable use form

6. How can teachers teach students ethical, acceptable and appropriate ways to use the Internet?
   - Before giving students access to the internet, teachers can follow these steps
   - Teach students to question the reliability and authenticity of a website
   - Give students parameters. Only allow students to use specific websites to use for research.
   - Give students a protocol to follow in the event something inappropriate appears on the computer screen
   - Require students to site all of the websites they use to ensure they give proper credit and avoid plagiarism

7. Wikipedia is an example of an online resource that students should be taught not to trust. Below is an example of how anyone visiting this site can edit the definition of a word. Wikipedia is one of the first choices of websites given when a word is searched on Google. Students are quick to click on the first option when searching online.

8. Students and teachers should be skeptical and ask a series of questions when evaluating websites. Some (but not all) questions students can be taught to ask include:
   - What type of domain does the URL come from?
   - Educational sites: look for .edu
   - Government sites; look for .gov or .mil
   - Who wrote the page?
   - Look for the author or the name of the organization responsible for the page.
   - Look for links that say “about us”, “philosophy”, “background”, “biography”, “who am I”
   - What are the authors credentials on the subject?

9. For more information about evaluating web pages click on the link below.
   - http://www.lib.berkeley.edu/TeachingLib/Guides/Internet/Evaluate.html

10. What should I do if something inappropriate appears on the computer screen when I am working?
1. Close out of the program right away!
2. Tell the teacher what happened right away!
Teachers should have the conversation with students prior to using the Internet about what to do in the case that inappropriate material pops up when they are conducting research. This can avoid students sharing the material with other students and avoid a disruption in learning.

This is a sign I have posted by the computers in my fourth grade classroom

11. In conclusion
   o Administrators and teachers are responsible for implementing and enforcing acceptable use forms for all students using the internet in schools
   o Teachers are responsible for using technology in a manner that supports the curriculum
   o Teachers must directly teach students to use the Internet in an appropriate manner.


http://ipt286.pbworks.com/Legal-and-Ethical-Issues

Study Guide: Legal and Ethical Aspects of the Internet

Introduction: The Internet allows consumers, businesses, and industry to do many new things in unique and efficient ways. The technology around which it is built is also changing and advancing rapidly. A source of concern is that the legal and ethical developments regarding the Internet are not able to keep up with the fast pace of technological change. This tutorial touches on the main areas of legal and ethical concern that have emerged so far, the ways in which they are being dealt with, and the implications for providers of technology related services and products. These major areas are:

- protection of intellectual property
- prevention of fraud
- protection of freedom of expression versus problems of defamation
- protection of privacy
- control of Internet indecency versus free speech
- control of spamming

1. Protection of Intellectual Property
The major legal and ethical problems that arise in terms of the Internet and electronic media deal with intellectual property issues. There are well developed laws that govern physical property. Physical property, also known as tangible property, is property that we can touch and feel. Intellectual property, on the other hand, deals with the ownership of ideas or the expression of ideas. Since ideas cannot be touched or felt, but they do belong to the person who developed (or authored) them, they are known as intangible property.

There are several forms of legal protection available for intellectual property. These are:

- trade secret protection
- copyright protection
- trademark protection
- patents.

1.1 **Trade Secret Protection**: This method of protecting ownership of an idea is to ensure that the idea is kept a secret. An example is the formula used in preparing Coca Cola syrup. Very few employees know the formula, and those who do are required to sign nondisclosure agreements in order to have access to it. The formula is safe as long as no employee divulges the secret. The company could take them to court if they did so. Another example of a trade secret may be a company’s business plan or strategy.

Trade secrets can only exist if the basis for the idea can be kept a secret. This may not be possible in the world of computer technology and programming.

1.2 **Copyright Protection**

Copyright protection is available for an original expression of an idea that is fixed in any physical medium, such as paper, electronic tapes, floppy discs, CD ROMs, etc. It is important to note that the "right" or protection is given to how the idea is expressed, not to the idea itself.

To illustrate this, consider two songs, one by Britney Spears, and another by the Backstreet Boys, both of which deal with the idea of love, but express the idea in different ways. Each can copyright the way they express their idea of love in their songs. They cannot copyright the idea of love itself.

Works such as books, music, computer programs, source and object codes, etc. can be protected by copyright. In addition to the actual code of a program, copyright can extend to the screen layout and graphics of the program. Copyright extends to both published and unpublished material.

1.2.1 **Obtaining Copyright Protection**

Copyright is very simply obtained by displaying, on the first page or screen of the work, the statement "Copyright" followed by the symbol ©, together with the year and the
author’s name, or the name of the company owning the copyright, followed by the statement "All Rights Reserved". An example of a copyright statement is:

Copyright © 1990, John W. Smith, All Rights Reserved.

The US copyright requirements may be met by simply stating "© 1990, John W. Smith", but the statement shown above meets international requirements. Recent legal judgments indicate that copyright to a work produced after January 1, 1978, may exist even if the copyright statement is not displayed on the work. But it strengthens an author's hand to have the statement displayed.

The copyright to the expression of an idea begins immediately when the expression is fixed in some medium. For example, a software program that has been developed on a monitor becomes copyrightable from the moment it becomes saved to a disk or hard drive since it then becomes fixed in a medium.

In the case of computer programs on a chip, the copyright notice may be indicated on the chip, and sometimes a notice may be embedded inside the chip in ASCII code (deForest, 1988).

Simply putting the copyright notice on a work gives it copyright protection. No further filing of the notice is required. However, it is also possible, and advisable, to register the copyright with the Library of Congress Copyright Office. Registration substantially increases the penalty (referred to sometimes as "damages") that anyone found guilty of violating the copyright (often called "copyright piracy" or "infringement") will have to pay. In addition, if someone violates a copyright, they cannot be sued until the copyright is registered.

1.2.2 Rights of Copyright Ownership

The legal rights given by copyright ownership are:

- right to reproduce the work
- right to make derivative works
- right to distribute copies for resale, lease, or retail
- right to publicly perform relevant works (e.g. a piece of music)
- right to publicly display certain works

All or some of these rights can be licensed or transferred by the owner of the copyright, to others, usually for a fee or payments known as royalties. It is illegal to use copyrighted material without a license or payment of royalties. However, one major exception to this statement is the "Fair Use" rule.

1.2.3 Fair Use Rule
The Fair Use rule allows copyrighted material to be used, without a license or payment of royalty to the owner, if the purpose of the use is criticism, news reporting, scholarship, research, or teaching (including multiple copies for classroom use). This does not mean unrestricted use, however. Fair use is determined by several factors:

- whether the use is of a commercial nature or whether it is for nonprofit educational purposes
- the nature of the copyrighted work itself
- the proportion of the copyrighted work that is being reproduced. If a substantial proportion is reproduced, it is unlikely to be considered fair use. (e.g. If one article out of a book with fifteen articles in it, is copied and used in a class it is likely to be fair use. However, copying eight to ten articles may not be considered fair use).
- The effect of the use on the potential market or value of the copyrighted work (i.e. Is the owner going to be financially hurt by this use?). This point is an important one in determining fair use.

The Electronic Theft (NET) Act, signed in December, 1997, makes it criminal for individuals to reproduce or distribute copies of copyrighted works. In order to provide for fair use, the Act allows copies to be made "if copying does not hurt the interests of the author." Under this guideline, if a copyrighted work were to be put on the Internet as part of a distance education program, it is not likely to be considered to be fair use since the work could be accessed by anyone on the Internet and this is likely to hurt the author’s interests by bringing down its market value. On the other hand, it is more likely to be considered fair use if access to the work on the web was restricted to those enrolled in the distance learning program, perhaps by using a password.

1.2.4 Copying Computer Programs

In the case of a computer program, the owner of a copy of the program may legally make a copy of the program if

- Making such a copy is essential to using it on a computer (e.g. copying a program from a CD to the hard drive of a computer.), and that it is not used in any other way.
- The copy is made as a backup and that the backup is destroyed if the rights to the original copy cease to exist

Two categories of software programs available on the web that do not fall into the usual category of copyrighted material are shareware and freeware. Both categories of programs may be copied without permission. However, the expectation regarding shareware is that the person making the copy will test the program and, if it is found to be useful, will make a payment to the author. The process is based on an honor system so that non-payment is likely to be more of an ethical rather than a legal problem. Freeware is available for copying and using
without any payment. Some ideas and expressions of ideas, such as freeware, are said to be in the public domain because they are owned by the public and can be freely copied and used by them, with appropriate reference to the source. Government publications are also in the public domain. All intellectual property becomes part of the public domain once the intellectual property right expires.

1.2.5 The Copyright Law and Employee Works

When work is done for hire, the employer -- not the employee -- is the one considered the author and given copyright ownership. Work is considered to have been done "for hire" if

- The work was done by the employee as part of his or her employment or
- The work was especially ordered or commissioned and there is a written agreement between the parties involved, clearly stating that the work involved shall be considered a work for hire.

1.2.6 Length of Copyright Protection

Work created after January 1, 1978 is automatically protected from the moment it is fixed in some medium. This protection exists, in such cases, for:

- The life of the author plus an additional 70 years after his/her death.
- 70 years after the last surviving authors death, if the work had more than one author, and the work was not done for hire.
- For work done for hire, the copyright extends 95 years from publication, or 120 years from its creation, whichever is shorter.

Works created and published before January 1, 1978, were initially copyrighted for 28 years, and could be extended by renewal for a maximum of 95 years.

Copyright can be passed on to others through a will, or as personal property to the owners heir(s).

Transfer of copyright takes place by written contract. Contracts need not be registered with the Copyright Office but there are some legal advantages to doing so.

1.2.7 Copyright Law and Internet Service Providers

Internet Service Providers (ISPs) provide Internet access services for a fee (Bitlaw, 2000). They also sometimes store data for their customers’ use, as in the case of a Usenet newsgroup server or a world wide web server. As a general rule, as long as the ISP is not aware of any illegal activity carried out by its users, the provider cannot be held liable. However, if the provider does become aware of any illegal activity, or ought to have become aware of such activity if it had exercised the normal degree of oversight in such circumstances, then the courts are likely to hold the provider liable for the customers
activity. This rule also applies to service providers who do not connect directly to the Internet, such as bulletin board operators and proprietary information providers.

Even if an ISP does not directly take part in the copying or distribution of a copyrighted work, it can still be liable for copyright infringement under the concept of "contributory infringement". This concept applies when "a party causes or contributes to the infringing conduct of another with knowledge of the other party’s infringing activities."

In a recent case involving SEGA games, a bulletin board operator knew his users were illegally downloading and uploading copyrighted games and allowed, and even encouraged them to continue to do so. The operator was not found to be guilty of direct copyright infringement, but he was found guilty of contributory infringement.

A second basis for infringement is "vicarious liability" under which a person may be liable for the infringing actions of another person, if the person has the right and ability to control the infringer’s acts and receives a direct financial benefit from the infringement. Vicarious liability can exist even if the defendant had no knowledge of the infringer’s activity.

The Digital Millennium Copyright Act, passed by the House in 1998, makes illegal most attempts to get around anticopying technology. Only when it is necessary to make software or hardware compatible with other products, to conduct encryption research, or to prevent cookies from spreading personal information is it legal to bypass anticopying technology. This act also legislates against excessive copying of databases, even when the databases contain information already existing in the public domain (Turban, et al. p. 355).

A good guideline for ISPs to follow is stated by Turban, et al., "Internet access providers must act responsibly and make efforts to police piracy; not necessarily because of threats of legislation but because it is in their best long-term interests to do so." (Turban et al., 2000; p.355)

1.2.8 Copyright Issues Involving Domain Names

A domain name is the name or address used to link to a particular computer on the Internet. An example of a domain name is www.nbc.com. The name is segmented into several levels. In the example given, the top level domain (com) is on the right, the designation of the specific computer is indicated on the left (www), and the subdomain (nbc) is indicated between these two. (Turban et al. 2000, p.506). Domain names can be selected by the person seeking an address, and need to be registered with the appropriate registering body.

Disputes have arisen over domain names because some companies have used names similar to those of brick-and-mortar companies or copyrighted names or materials, in order to attract web traffic to their site. Some individuals have also registered large numbers of such names, not for their use, but with the intention of selling these names to
the highest bidder. As a result, sometimes a company with a well known brand name has applied to establish a web address and found that the name has already been registered by someone else who now asks for substantial payment for purchase of the domain name.

In such disputes, the party claiming the right to a domain name (the complainant) bases such claims on its existing copyright or trademark rights. Such claims are usually valid if the party can show that the defendants use of the copyrighted mark is creating confusion in the minds of the public, or that it will dilute the impact of a famous brand name. For example, if domain names were different versions of Coca Cola, such as Koka Kola, Kola Koke, etc, Coca Cola could claim that such use was creating confusion in people’s minds about the producer of the product bearing such names, and would also "dilute" or diminish the value of the Coca Cola brand name.

The general rule for determining domain name disputes is to compare the following (Greenstein, 2000):

- The date the registered applicant of the domain name first used the domain name OR the effective date of a validating trademark registration; and
- The date the claimant of a dispute first used a trademark OR the effective date of the claimant’s validated registration.

1.3 Legal Issues Involving Trademarks

A trademark is a logo or phrase that identifies the source of goods or services. Trademark rights do not stop others from copying a product, but they do prevent them from calling or labeling their product by a name or phrase that is confusingly similar to the trademark.

Trademark protection is obtained automatically when the mark is applied to a product that is then sold. Trademark protection is available for a mark or phrase that is not already in use by someone else. In addition, it must (1) not be just geographically descriptive (e.g. Chicago Retail Store), (2) not be just descriptive of the type of goods (e.g. The Soft Drink Store), (3) not be just a surname (e.g. Smith Enterprises), and (4) not be likely to deceive others. Trademarks can be registered with the U.S. Patent Office and this provides some legal benefits.

Names that create a false impression about a product or which might mislead others in terms of the product or the company cannot be protected by trademark. This "likelihood of confusion" is an important factor in determining trademark infringement.

1.3.1 Determining Likelihood of Confusion

The major factors that are examined in determining whether likelihood of confusion exists are (Bitlaw, 2000):

1. The similarity in the overall impression created by the two marks (including each mark’s look, phonetic (sound) similarities, and underlying meanings);
2. the similarities of the goods and services involved (including an examination of the marketing channels for the goods);
3. the strength of the plaintiff’s mark (how well known it is);
4. any evidence of actual confusion by consumers;
5. the intent of the defendant in adopting the mark (was the defendant trying to confuse customers into thinking his brand was the same as the complainant’s?) and
6. the degree of care that the consumer is likely to exercise (for example, if a consumer is likely to buy items at the checkout counter on impulse, without much thought or examination of the product, then a similar-sounding name might mislead the consumer into buying an unintended product).

The ease with which companies can set up on the Internet makes this medium an especially easy one for trademark infringement. Some situations could arise where a site, pretending to represent a particular trademark, participates in an "unsavory" attack, and by doing so damages the rightful trademark holders reputation. For example, a company, using a mark similar to another’s logo sends unsolicited email (spamming). Such an act would be trademark infringement.

If there is evidence of infringement, the usual remedy is for the court to grant an injunction against further infringement (i.e. an order stop infringing). If the trademark was federally registered, attorney fees may also have to be paid by the infringer.

1.3.2 Internet Service Providers and Trademark Liability

ISPs must, of course, ensure that they are not creating confusion in customers’ minds regarding their product or company, because their logo, domain name or anything else in their literature or website is similar to that of another company. They can, however, have logos of other companies on their website if permission is given for doing so.

In addition, ISPs may be liable if one of their customers infringes the trademark of someone else, especially if the ISP knows, or should have known in the course of regular oversight, that such infringement was occurring. The ISP may be liable for contributory trademark infringement where it knowingly causes or contributes to the infringing conduct of another. For example, if an ISP is informed by someone that one of its customers is misusing a trademark and provides details, but the ISP does nothing about it, for fear of losing the customer, it may be liable for contributory trademark infringement.

Meta Tags: Some areas of trademark violation are unique to the Internet. One example is the use of keyword meta tags. Search engines on the web look for sites by looking for HTML meta tags that are labeled as keywords. Programmers have deliberately used well known trademarked words as meta tags in their web sites in order to draw viewers to their site. For example, some web sites have used "Playboy" as a meta tag. Such use is likely to be viewed as an infringement of a trademark.
Other potential areas of dispute related to links on the Internet are (Greenstein, 2000, p. 80):

- Retrieving and displaying information from a website without proper reference (similar to plagiarism);
- Retrieving and displaying information from a linked commercial site that has advertising frames, without displaying the site’s advertisements along with the retrieved document.
- Linking to illegal files. For example, Lycos developed a database of music and video available on the web. However, since many of the sites in the database had bootlegged copies, Lycos was taken to court for providing links to these sites. The case has not yet been resolved.
- Inappropriately linking to a website. An example of such a case is given below:

Hyperlinking case illustration excerpted from:

http://law.about.com/newsissues/law/library/weekly/aa022399.htm?once=true

The Case Between Ticketmaster and Microsoft

The dispute arose nearly two years ago. Microsoft had embarked on its Seattle Sidewalk Web service, providing local event information to Seattleites, with plans to build similar sites for a variety of other cities. Negotiations with Ticketmaster to jointly provide content and ticket sales failed, but Microsoft set up its event pages with links directly to Ticketmaster’s specific event ticket sales pages.

Ticketmaster objected to links which bypassed its own substantive content and advertising, but Microsoft persisted. In fact, according to a CNET report at the time, Ticketmaster set up technological blocks to prevent Microsoft and other sites from accessing ticket sales pages directly in that way, but Microsoft built a work-around and continued the practice anyway. So Ticketmaster sued.

The law regarding hyperlinking is still evolving. It is good practice to get permission from a site before linking to it especially if it is going to be a major link that will draw viewers to your website. In addition, the cases that have arisen to date suggest that difficulties with hyperlinks arise when the links bypass some major content of the site being linked to (for example, pages that contained important information regarding the company linked to, and its advertising) so that some of the effectiveness of that site is diminished. Linking to a webpage by avoiding some of the earlier pages on the site is sometimes referred to as "deep linking".

1.4 Patents

A patent is a right of ownership given to a new idea for a machine, manufacture, composition of matter, or method, or for an improvement on an existing one of any of these. The right of ownership is given for 17 years. In order to get this right, the applicant
must state the details of the idea clearly in writing and submit it to the U.S. Patent and Trademark Office for their assessment of its uniqueness. Patents can be licensed or sold to others.

Patents can sometimes be combined with copyrights or trademarks. For example, if someone writes a computer program that does something new, it can be copyrighted. If the program also meets the criteria for a patent because it deals with a new method, then it may be patentable too.

2. Internet Service Provider Contracts and Fraud

When ISPs provide services to their customers, they do so based on the contract that has been agreed upon between them. If the ISP does not supply the services it specified in the contract, it may become liable for breach of contract or fraud. An example is when America Online moved to a flat rate policy, the number of its customers increased enormously. As a result, its services were slowed and many customers had to wait for long periods of time to get online because of busy signals. Customers took AOL to court saying that the company knew that its flat rate plan would give rise to these problems but went ahead with it. In addition, the complainants said that by misleading current and prospective customers about the quality of services, AOL had committed fraud.

3. The Internet and Issues Regarding Defamation

Defamation is a broad term covering slander and libel. Slander is a false statement made to injure the reputation of a person. Libel is a similar statement that is published i.e. is stated in some fixed medium, such as in writing. The Internet, because of the freedoms it provides, is a potential source of defamatory issues that could involve ISP liability. Two examples of such issues, taken from Bitlaw (2000) are given below.

Prodigy was sued for defamation because of a defamatory comment made by one of its customers in one of its discussion rooms (or bulletin boards). The judge had to determine whether Prodigy was only a distributor of the information (in which case it would not be liable for defamation by a customer), or whether it was a publisher of the information (in which case it would be guilty of defamation since, as publisher, it has control over content). The judge found Prodigy guilty of defamation on the grounds that Prodigy had well publicized policies for monitoring and censoring content in its discussion rooms, and so behaved like a publisher.

On the other hand, in a similar case involving CompuServe, the judge ruled that the company was not guilty of defamation because it did not exercise any control over discussion room content and so acted merely as a distributor rather than a publisher.

In another case involving America Online, the judge ruled that ISPs are distributors rather than publishers. Therefore, ISPs cannot be held liable for libelous statements made by their customers even if the ISP is made aware of the posting.
Since the Internet is an international medium, however, this can give rise to unusual twists. In the UK, ISPs, even though they are distributors of information, must prove **innocent distribution**, i.e. that they had no knowledge of the defamatory statement on their site. This differing view has given rise to a unique legal situation involving ISPs as described below (Greenstein, 2000, p. 92):

- A British professor made derogatory comments about Canadians, in general, on a website.
- An offended Canadian student at Cornell University (a U.S. university) posted five defamatory statements about the professor to a Usenet group using Cornell’s computer system.
- The British professor filed a lawsuit in the U.K. against both the student and Cornell University stating that the statements damaged his professional reputation because they were read by individuals in the U.K.

The case highlights the situations that can arise when international jurisdictions are involved in Internet related cases. In the U.S. Cornell University may not be considered liable because it is a distributor and because of First Amendment protections of freedom of speech and expression. In the U.K., the university’s position is less clear since the professor claims that the University allowed the statements to stay on the site even after it was informed of the defamatory statements by the professor. The case also raises questions about legal jurisdiction. If the U.K. court finds Cornell University to be guilty of defamation, it may not be able to enforce its laws in the U.S. The outcome of the case is being watched keenly across the world because of its important implications for the Internet and ISPs.

4. Internet Issues Involving Privacy

Businesses and government have always collected information regarding individuals, households, the economy, etc. through surveys, interviews, etc. In general, the individual about whom information was being collected knew that this was being done. However, with the Internet and telecommunications, technology currently available makes it possible to record and/or trace every "click" or interaction by a user browsing the web, without their knowledge. This has raised issues about the individual’s right to keep his or her personal and businesses activities and information confidential. The Federal Trade Commission (FTC) has outlined several factors that should govern the collection or use of information. These are given below (largely quoted from Greenstein, 2000; p. 73):

- **Notice**: Consumers should be made aware of an entity’s information practices before personal information is gathered.
- **Choice**: Consumers should be given the opportunity to consent or deny any secondary uses (uses other than the processing of a transaction) of information. Secondary uses include notices or transfer of data to third parties. Thus, this would mean that the firm involved in the transaction would not send them emails.
about other products or sell or make available their address or information to any other company without their consent.

- **Access**: Consumers should be able to access their personal data and review it without significant delays. They should also be able to easily and quickly correct inaccurate personal information.

- **Integrity and Security**: The data regarding consumers’ personal information should be processed in such a way that the information is accurate. The data should also be kept confidential as it is processed, transmitted and stored. This makes it necessary for ISPs and e-commerce units to provide secure transactions and storage of data.

- **Enforcement**: Consumers should have some clear means to address the situation if any of the above features is violated.

Every ISP and e-commerce unit should seek to strive to meet the privacy guidelines laid down by the FTC. The U.S. government has given private industries the opportunity to develop their own guidelines regarding the privacy rights of adults. However, a recent report by the FTC indicated that private industries have, in general, failed to develop their own standards regarding privacy. They found that 85 percent of 1,402 sites surveyed collected personal information but did not have any information about privacy policies.

A much more disturbing finding involved children’s sites. Eighty-nine percent of 212 such sites surveyed collected personal information from children. This included e-mail addresses, postal addresses, telephone numbers, social security numbers, date of birth, gender, education, interests, hobbies, etc. The government is actively seeking to end such practices and to protect children from such activities.

In order to police themselves rather than have the government develop legislation regarding privacy protection of adults on the Internet, an Online Privacy Alliance has been formed, with 43 well known global firms such as AT&T, Disney, Microsoft, etc. and 14 associations. This alliance certifies that an Internet firm meets the information privacy guidelines for adults by giving the firm a "privacy seal" that is displayed on the firms website. Customers could then be sure that the firm adheres to the privacy guidelines set down by the FTC. It is in the interest of every website to have this seal.

The European Union passed a privacy directive in 1998 that is similar to, but in some aspects stricter than, the FTC’s guidelines. Any firms, including ISPs, that want to do business with Europe would have to meet these criteria. The guidelines set down by the Online Privacy Alliance are very similar to the European Union directives.

The first FTC case involving Internet privacy concerned the information gathering practices of a very popular site on the web: GeoCities. GeoCities which, according to one survey is the third most popular site accessed from consumers homes, was charged with misrepresenting the purposes for which it collected personal information from both children and adults. GeoCities was found to be in violation of the privacy criteria laid down by the FTC that were described above. They settled with the government and agreed to post clear and unambiguous privacy statements on the website. In addition, the
company must obtain parental consent before it collects personal information from children 12 years or younger. This is in line with current industry self-regulatory guidelines. GeoCities is also required to provide a link on its site to the FTC site that contains educational material on consumer privacy (www.ftc.gov).

5. Internet Issues Involving Free Speech and Indecency

The Internet has become the "great equalizer" in terms of allowing individuals, regardless of background, location, income, etc. to access and provide information and to make their views known. However, this has proved to be a mixed blessing. The Internet has been used to propagate material that may be found offensive by many, such as pornographic, hate and other potentially dangerous material. Since such sites may be accessed by children, there is a general agreement by the public that there should be some means to prevent this from happening.

In terms of ISP responsibility in this regard, it is good policy to develop systems that are "family friendly" and allow parental control over sites viewed by children. America Online, in trying to develop a safe and family friendly service, encourages members to self police the system and bring to their attention content that violates the service conditions. AOL’s policy prohibits hate speech or truly offensive speech. The policy has been applied to a KKK site and to a serial killer website. Recently, eBay and other auction sites shut down their gun auction sites. Some members of the public would like to see ISPs held legally liable for the material on their sites.

The global nature of the Internet can create unusual situations for ISPs

In Germany, Compuserve was ordered by a court to shut down 200 sex related newsgroups because they violated German law. Since the company could not selectively restrict access in Germany, it had to restrict access worldwide. Germany has since changed its laws so that ISPs are not liable for content. But it does show that it pays for providers to be proactive and anticipate potential problems and address them before they occur.

In France, Yahoo was taken to court because of auctions of Nazi memorabilia on its auction site and chat rooms where pro Nazi comments were made. Yahoo has announced that it will be stopping the auctions but it has not closed down the chat rooms, citing freedom of speech. The case has not been resolved but it illustrates the sort of problems that can arise in this new medium.

Indecency, Children and Legislation

Several Acts by Congress address or seek to address some of the concerns about children on the web (Turban et al., 2000: p. 359). The following brief descriptions give some idea of the concerns of the public and the possible areas regarding which ISPs need to be concerned.
• The Child Online Protection Act of 1998 requires that companies verify an adult’s age before they have access to material online that is considered "harmful to minors". It also requires parental consent before soliciting personal information from a minor.
• The Family Friendly Internet Access Act would require ISPs to offer screening software at the time of signing up that would allow members to filter web content that children have access to.
• The Internet Protection Act seeks limits on Internet regulation by the government, but also prohibits ISPs from providing accounts to sexually violent predators.
• The Internet School Filtering Act wants to use funds and grants to schools as a tool for encouraging them to install filtering software.

A related development is the use of new domain names that will identify adult related sites and make filtering easier.

6. Internet Issues Involving Spamming or Spam Mail

Spamming involves sending e-mail messages indiscriminately and without the permission of the receiver and disregarding the appropriateness of the message. It is the equivalent of "junk mail" sent through regular postal services. Spamming is widespread and affects the speed of the Internet, sometimes bring it down completely. The Electronic Mailbox Protection Act is trying to control spamming. This act requires senders of spam to identify it as advertising, to indicate the name of the sender, and to include valid routing information. In addition, ISPs would be required to offer spam blocking software and recipients would have the right to request that all future spam be stopped.

7. A Brief Introduction to Internet Ethics

Ethics deals with the standards of human conduct that direct the behavior of individuals and groups (Bottorff, 2000). These standards, in turn, are developed by the society within which the individual or group exists.

Since the Internet allows access to individuals and groups from a wide and complex range of societies and backgrounds, the ethical standards of the participants can vary widely. However, in order for the citizens of the Internet community to be able to interact productively through communications, economics transactions and shared information, it is necessary for the community to develop a common set of ethics or standards of human conduct that governs their behavior. This is especially necessary since those who are interacting are doing so in a virtual community where they cannot see or meet each other physically. Without a common ethical framework, no trust can develop between those interacting, and the Internet will then fail as a medium for interaction.

Several groups are trying to develop guidelines for a common ethical framework for the Internet. One examples of such a guideline on the web is given below and is taken from the Internet Advertising Bureau website:
The IAB strongly endorses the view of the Division Advisory Panel of the National Science Foundation Division of Network, Communications Research and Infrastructure which, in paraphrase, characterized as unethical and unacceptable any activity which purposely:

(a) seeks to gain unauthorized access to the resources of the Internet,

(b) disrupts the intended use of the Internet,

(c) wastes resources (people, capacity, computer) through such actions,

(d) destroys the integrity of computer-based information,

and/or

(e) compromises the privacy of users.

An examination of these guidelines for ethics on the Internet indicates that they address many of the areas that involve legal implications as well as ethical ones. It is often true that what is illegal is also unethical. However, the opposite is not always true: what is unethical may not always be illegal. For example, it may be considered unethical to sell information regarding your customers to another agency but it may not necessarily be illegal.

Ethical behavior seeks to go beyond legal requirements to ask questions such as: Is it what is best for all concerned and not just for myself? Would I want someone else to do the same thing to me?

It can be seen that ethics is much more difficult to pin down than legality, and is much more a personal decision. This is all the more reason for technology professionals in the computer industry to set high ethical standards and to act in a way that its actions and the basis for them are clear to all concerned. One approach to accomplishing this is to have a clearly stated set of guidelines for the organization that addresses general issues, as well as specific issues prone to ethical problems, and make sure that both employees and customers are familiar with.

Bibliography


**Links to Sites on the Web Dealing With Legal/Ethical Issues**

http://www.nd.edu/~rbarger/cases.html This web page provides some interesting and educational case situations that are very useful for all TekXam students to read and attempt to find solutions for, using the knowledge gained from the TekXam legal/ethics tutorial.

http://www.ethics.ubc.ca/resources/computer/pubs.html This is a leading site on the web dealing with computer ethics, maintained by the University of British Columbia.


http://www.benedict.com/ This is known as the "Copyright Website" and has resources and links related to copyright issues and the computer.

http://courses.ncsu.edu:8020/classes-a/computer_ethics/intellectual/electronic/ Site provides numerous links to fair use and copyright related sites on the web.


http://www.eff.org/pub/CAF/law/ip-primer A web site functioning as an intellectual property law primer for multimedia and web developers.

http://www.wired.com/news/politics/0,1283,20948,00.html Important article illustrating the problems that can arise with linking to other sites.

http://www.cookiecentral.com/ A website describing cookies and providing links to problems associated with cookies

http://courses.ncsu.edu:8020/classes-a/computer_ethics/privacy/spam/ A web page providing links to several important articles and sites dealing with problems and cases related to spamming.

http://www.cc.iastate.edu/olc_answers/information/policy/ethics.html This site from Iowa State University provides the ethical guidelines developed, by EDUCOM, for computer
professionals and users at educational institutions, and can be a useful set of guidelines for all computer professionals to follow.


Cyberbullying is bullying or harassment that happens online. It can happen through e-mail, text messaging, online games or comments through social networking sites. Cyberbullying is intended to hurt or embarrass another person and can range from a mean-spirited or embarrassing comment to posting inappropriate images online.

Don’t react, report. If you or someone you know is being bullied online, report it to the site or network where you see it or contact the appropriate officials.

Save it. Save any evidence of the cyberbullying activity.

Block or delete the bully. If the bullying involves an online service with “friend” or “buddy” lists, delete the bully from your lists and block their user name or e-mail address.

Protect your profile. If you find that someone has altered your profile or site without your permission, contact the company and have the site taken down.

Be a model digital citizen. Model good online behavior and set an example for others to follow.


Parents can help prevent bullying

Friday, July 16, 2010 02:52 AM
Bullying is a form of intimidation, and it's not limited to a specific demographic. It's found among all groups, ages and both genders, regardless of family income. There's almost always one common thread: disrespect for those considered to be different, unworthy and not deserving of rights and privileges of the "in group."

"Like all predators, bullies seek out the weakest among their classmates and neighbors. Taunts can leave lifelong emotional scars and can even be deadly.

Reports of school bullying vary by buildings and levels and appear to be highest between fourth and eighth grades - the middle-school years, where it has been known to affect nearly 80 percent of students.

Bullying is learned behavior, and, fortunately, it can be unlearned. It must be addressed in its early stages by those in authority: parents, teachers and, if necessary, juvenile courts.

Playground bullies may receive rough justice because others may be nastier. But there's a new type of bullying, cyber-bullying, and it involves cowardly behavior. While playground bullies often use physical aggression, cyber-bullies are more insidious with name-calling and malicious gossip.

Last January, Phoebe Prince, a high-school student in Massachusetts, hanged herself. She was a recent immigrant from Ireland and had no friends. Five students, two males and three females, were arrested on criminal charges because, prosecutors said, they harassed Phoebe through text messages, calling her vile names and driving her to suicide.
The district attorney accused Phoebe's teachers and school administrators of being derelict. But the parents weren't considered complicit. Thus, those who should have the most control over their youngsters weren't charged.

Thankfully, most victims of bullies don't end up dead. But children who have been bullied, both physically and emotionally, often can recall feelings of worthlessness years later. These memories can be painful and contribute to serious problems as adults.

Childhood bullies will become adult bullies unless they learn other, socially acceptable ways to satisfy their need for power and attention. Some authorities find those who bully and are bullied are at risk of loneliness, troubled friendships, poor school work and problem behaviors such as smoking and drinking. Thus, both the bullied and the bullies can be victims.

Parents bear some responsibility when cyber-bullying originates from school sites.

School personnel are responsible for informing students and parents of policies regarding behavior at school. They're obligated to enforce rules and provide instruction to students on preventing bullying and to teach bullies alternate behaviors and attitudes.

But parents have major responsibility for their children. They can show them, by their words and deeds, respect for all people. Powerful learning occurs through observing and practicing behavior - good and bad.

How to help potential bullies and their victims? Teach youngsters to respect others and how to cope with bullies through group counseling in elementary and middle schools. Parents need to listen to and observe their children for signs that they are fearful and feel intimidated or are too aggressive. And seek help early. The Ohio Department of Education's website provides bullying-prevention help in the Learning Supports section under Safe and Supportive Learning.

Bullying always will exist to some degree. Antidotes include showing respect for others and helping those who may be followers to gain the self-confidence to do the right thing. Acceptable behavior starts with adults because children imitate what we do and say. Adults' examples help our young form the foundation for good and bad behavior in school and in life.

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Did you know that up to 42% of kids report having been bullied online? After quite a bit of time where cyberbullying and cyber-predators had been in the headlines, there are now companies making it their business to help parents protect their children from just that. These new companies are subscription services and can also help a parent monitor their tween or teen’s activity on social-networking sites. Let’s take a look at three of them.

**SafetyWeb**

*SafetyWeb* is designed to defend against many online threats — cyber bullying being one of them — *SafetyWeb* offers:

- Instant alerts as threats occur, including an analysis of threats and ongoing activity.
- An easy-to-use interface, making a complex task (for those who lack the time or web-savvy) more manageable.

The ability to scan all the top social-networking sites.

It’s a web-based service, so there’s no software to download. They have a staff that has worked with law enforcement agencies, so they have the expertise to know what to look for in your child’s online account(s).
SocialShield

A product very similar to SafetyWeb, SocialShield claims to tell you all about your children’s accounts, even ones that are harder to find. Ideally, this makes it easier to spot troubling behavior in places that might not be so obvious. They show you the child’s friends and if they do or do not have any mutual friends in common. If they appear to be an adult, they will tell you that, too. SocialShield:

- Uses a tool called SafetyEngine to monitor your child’s profile on social networks.
- Monitors all their conversations, activities, and photos posted on these sites.
- Allows you to view a “gallery” of the new “friends” your child has connected with.
- Also gives helpful tips from parents and offers advice from a national expert on bullying.

MyChild

MyChild is a program that searches over 40 of the biggest social networks for any reference of your kids. They monitor their collection of web sources once a month and provide a summary report of the results. MyChild:

- Provides a personal agent who advises you and your teenager about the status of their online reputation.
- Removes unwanted references for a set fee.
- No software involved, it is strictly a monthly service, which can be added if you already have a Reputation Defender account.

Unlike SafetyWeb and SocialShield, which monitor your child’s online activity, MyChild scours the web and the information on it about your child. So rather than keeping tabs on what your child is doing on the web, it tracks what the web says about your child.

So, whether or not you already have been monitoring your child or teenager’s online activity/reputation, these are some tools that can either enhance that or take over for you where you may no longer have the time to do it extensively. There are different price points, as well as different depth/levels of search, depending on what you are comfortable with and what you can afford. When it comes to your child’s safety, these services are well worth looking into!


CYBERBULLYING

Bullying is aggressive behavior that is intentional and involves an imbalance of power or strength. Usually, it is repeated over time. Traditionally, bullying has involved actions such as: hitting or
punching (physical bullying), teasing or name-calling (verbal bullying), or intimidation through gestures or social exclusion. In recent years, technology has given children and youth a new means of bullying each other.

Cyberbullying, which is sometimes referred to as online social cruelty or electronic bullying, can involve:

- Sending mean, vulgar, or threatening messages or images
- Posting sensitive, private information about another person
- Pretending to be someone else in order to make that person look bad
- Intentionally excluding someone from an online group (Willard, 2005)

Children and youth can cyberbully each other through:

- Emails
- Instant messaging
- Text or digital imaging messages sent on cell phones
- Web pages
- Blogs
- Chat rooms or discussion groups
- Other information communication technologies

**How Common Is Cyberbullying?**

Although little research has been conducted on cyberbullying, recent studies have found that:

- 18% of students in grades 6-8 said they **had been cyberbullied** at least once in the last couple of months; and 6% said it had happened to them 2 or more times (Kowalski et al., 2005).

- 11% of students in grades 6-8 said they **had cyberbullied** another person at least once in the last couple of months, and 2% said they had done it two or more times (Kowalski et al., 2005).

- 19% of regular Internet users between the ages of 10 and 17 reported being involved in online aggression; 15% had been aggressors, and 7% had been targets (3% were both aggressors and targets) (Ybarra & Mitchell, 2004).

- 17% of 6-11 year-olds and 36% of 12-17-year-olds reported that someone said threatening or embarrassing things about them through email, instant messages, web sites, chat rooms, or text messages (Fight Crime: Invest in Kids, 2006).
• Cyberbullying has increased in recent years. In nationally representative surveys of 10-17 year-olds, twice as many children and youth indicated that they had been victims and perpetrators of online harassment in 2005 compared with 1999/2000 (Wolak, Mitchell, & Finkelhor, 2006).

Who Are The Victims and Perpetrators of Cyberbullying?

In a recent study of students in grades 6-8 (Kowalski et al., 2005):

• Girls were about twice as likely as boys to be victims and perpetrators of cyber bullying.

• Of those students who had been cyberbullied relatively frequently (at least twice in the last couple of months):

  • 62% said that they had been cyberbullied by another student at school, and 46% had been cyberbullied by a friend.
  
  • 55% didn't know who had cyberbullied them.

• Of those students who admitted cyberbullying others relatively frequently:

  • 60% had cyberbullied another student at school, and 56% had cyberbullied a friend.

What Are The Most Common Methods of Cyberbullying?

In studies of middle and high school students, (Fight Crime: Invest in Kids, 2006; Kowalski et al., 2005; Wolak, Mitchell, & Finkelhor, 2006) the most common way that children and youth reported being cyberbullied was through instant messaging. Somewhat less common ways involved the use of chat rooms, emails, and messages posted on Web sites. A study of younger children (Fight Crime: Invest in Kids, 2006) showed that they were most often bullied through email, comments on a Web site, or in a chat room.

Where Are Children and Youth Cyberbullied?

In a telephone survey of preteens (6-11 year-olds) and teens (12-17 year-olds) (Fight Crime: Invest in Kids, 2006):

• 45% of preteens and 30% of teens who had been cyberbullied received the messages while at school.

• 44% of preteens and 70% of teens who had been cyberbullied received the messages at home.

• 34% of preteens and 25% of teens who had been cyberbullied received the messages while at a friend's house.

Do Children Tell Others If They Are Cyberbullied?

According to one telephone survey of preteens and teens (Fight Crime: Invest in Kids, 2006):
51% of preteens but only 35% of teens who had been cyberbullied had told their parents about their experience.

27% of preteens and only 9% of teens who had been cyberbullied had told a teacher.

44% of preteens and 72% of teens who had been cyberbullied had told a friend.

31% of preteens and 35% of teens who had been cyberbullied had told a brother or sister.

16% of preteens and teens who had been cyberbullied had told no one.

How Does Cyberbullying Differ From Other Traditional Forms of Bullying?

Available research and experience suggest that cyberbullying may differ from more “traditional” forms of bullying in a number of ways (Willard, 2005), including:

- Cyberbullying can occur any time of the day or night.
- Cyberbullying messages and images can be distributed quickly to a very wide audience.
- Children and youth can be anonymous when cyberbullying, which makes it difficult (and sometimes impossible) to trace them.

What Can Adults Do To Prevent and Address Cyberbullying?

Adults may not always be present in the online environments frequented by children and youth. Therefore, it is extremely important that adults pay close attention to cyberbullying and the activities of children and youth when using these newer technologies.

Suggestions for Parents: Tips To Help Prevent Cyberbullying:

- Keep your home computer(s) in easily viewable places, such as a family room or kitchen.
- Talk regularly with your child about online activities that he or she is involved in.
- Talk specifically about cyberbullying and encourage your child to tell you immediately if he or she is the victim of cyberbullying, cyberstalking, or other illegal or troublesome online behavior. View the Campaign’s Webisodes with your child and discuss in particular Webisode 5 that addresses cyberbullying.
- Encourage your child to tell you if he or she is aware of others who may be the victims of such behavior.
- Explain that cyberbullying is harmful and unacceptable behavior. Outline your expectations for responsible online behavior and make it clear that there will be consequences for inappropriate behavior.
Although adults must respect the privacy of children and youth, concerns for your child’s safety may sometimes override these privacy concerns. Tell your child that you may review his or her online communications if you think there is reason for concern.

Consider installing parental control filtering software and/or tracking programs, but don’t rely solely on these tools.

**Tips For Dealing With Cyberbullying That Your Child Has Experienced:**

Because cyberbullying can range from rude comments to lies, impersonations, and threats, your responses may depend on the nature and severity of the cyberbullying. Here are some actions that you may want to take after-the-fact.

- Strongly encourage your child not to respond to the cyberbullying.
- Do not erase the messages or pictures. Save these as evidence.
- Try to identify the individual doing the cyberbullying. Even if the cyberbully is anonymous (e.g., is using a fake name or someone else’s identity) there may be a way to track them through your Internet Service Provider. If the cyberbullying is criminal (or if you suspect that it may be), contact the police and ask them to do the tracking.
- Sending inappropriate language may violate the “Terms and Conditions” of email services, Internet Service Providers, Web sites, and cell phone companies. Consider contacting these providers and filing a complaint.
- If the cyberbullying is coming through email or a cell phone, it may be possible to block future contact from the cyberbully. Of course, the cyberbully may assume a different identity and continue the bullying.
- Contact your school. If the cyberbullying is occurring through your school district’s Internet system, school administrators have an obligation to intervene. Even if the cyberbullying is occurring off campus, make your school administrators aware of the problem. They may be able to help you resolve the cyberbullying or be watchful for face-to-face bullying.
- Consider contacting the cyberbully’s parents. These parents may be very concerned to learn that their child has been cyberbullying others, and they may effectively put a stop to the bullying. On the other hand, these parents may react very badly to your contacting them. So, proceed cautiously. If you decide to contact a cyberbully’s parents, communicate with them in writing — not face-to-face. Present proof of the cyberbullying (e.g., copies of an email message) and ask them to make sure the cyberbullying stops.
- Consider contacting an attorney in cases of serious cyberbullying. In some circumstances, civil law permits victims to sue a bully or his or her parents in order to recover damages.
- Contact the police if cyberbullying involves acts such as:
  - Threats of violence
  - Extortion
- Obscene or harassing phone calls or text messages
- Harassment, stalking, or hate crimes
- Child pornography

If you are uncertain if cyberbullying violates your jurisdiction’s criminal laws, contact your local police, who will advise you.

**Suggestions For Educators**

- Educate your students, teachers, and other staff members about cyberbullying, its dangers, and what to do if someone is cyberbullied.
- Be sure that your school’s anti-bullying rules and policies address cyberbullying.
- Closely monitor students’ use of computers at school.
- Use filtering and tracking software on all computers, but don’t rely solely on this software to screen out cyberbullying and other problematic online behavior.
- Investigate reports of cyberbullying immediately. If cyberbullying occurs through the school district’s Internet system, you are obligated to take action. If the cyberbullying occurs off-campus, consider what actions you might take to help address the bullying:
  - Notify parents of victims and parents of cyberbullies of known or suspected cyberbullying.
  - Notify the police if the known or suspected cyberbullying involves a threat.
  - Closely monitor the behavior of the affected students at school for possible bullying.
  - Talk with all students about the harms caused by cyberbullying. Remember — cyberbullying that occurs off-campus can travel like wildfire among your students and can affect how they behave and relate to each other at school.
  - Investigate to see if the victim(s) of cyberbullying could use some support from a school counselor or school-based mental health professional.
- Contact the police immediately if known or suspected cyberbullying involves acts such as:
  - Threats of violence
  - Extortion
  - Obscene or harassing phone calls or text messages
• Harassment, stalking, or hate crimes
• Child pornography

References


Digital Plagiarism: The Role of Society and Technology

Examines the application of the World Wide Web in class education and research and the ways in which the Internet has enabled cheating and given educators ways to fight plagiarism.

Internet-based information has had a profound effect on the way people can now educate themselves from a pool of seemingly endless content. It is estimated by the NEC Research Institute that there are more than 1.4 billion pages on the Internet with 25 new pages being added every second (Dyrli 1). With so much available content, the application of the World Wide Web in class education and research has now become common practice in schools and universities. As a result, the Internet has succeeded in its purposes of bringing together information from one part of the World to another.

But like most great advancements in modern technology, the Internet's purposes have become altered and used for other nefarious acts. One of these problems, seemingly perpetuated by the Internet, has been the noticeable increase in plagiarism and academic dishonesty in the realm of education. Plagiarism is nothing new to the academic community, but over the past ten years, the Internet has opened up new ways for students to digitally copy information from web-based
sources, some of which that actually encourage plagiarism. The Internet has created new opportunities for students to become better cheaters and as a result created new challenges for educators. In looking at this problem, I would like to examine how the Internet has made cheating more accessible to students, and in turn how educators are using the Internet itself to fight plagiarism.

However, before examining this problem, one must realize that plagiarism does not begin and end with the Internet. The groundwork for plagiarism was laid long before the world was wired together. To better understand how plagiarism became such an accepted practice and why the Internet has only strengthened its hold, we should begin by tracing plagiarism's roots backwards and forward through the spectrum of societal and technological advancements. By building new technologies to spread ideas further and faster we have succeeded in changing and building a new culture based on the absorption of others' ideas. Ideas that cannot be cited due to the obscured view technology puts between the reader and writer.

**Plagiarism and Society**

Online Ethics defines plagiarism as “appropriating the writings, graphic representation, or ideas of another person to represent them as one's own work without proper attribution” (The Online Ethics…). Plagiarism can be intentional or unintentional with a majority of student's claiming they did not know they needed to site sources in the first place (Logue 40). Plagiarism is not illegal, but all academic institutions have some sort of disciplinary action against it. As opposed to copyright infringement, which is the stealing of others' ideas for financial gain, plagiarism is the stealing of ideas for non-profit use.

Lawrence Lessig in his book “Free Culture” writes that intellectual property theft is wrong when it involves “the taking of something of value from someone without permission”(18). But words in a book have no monetary value to students writing a term paper. If a student were to copy these words they would only be doing so to save time. Because of this, plagiarism is only seen as a violation of academic laziness and not as major an issue as copyright infringement.

Another reason plagiarism is more widely accepted then copyright infringement is because of the nature of the culture in which we live in. Lessig writes that our free culture leaves much open for others' to build their own ideas upon (Lessig 30). Taking the successful work of a competitor and piggybacking on the material with an original take, such as Disney taking Brothers Grimm and Buster Keaton material as inspiration for their own animated films, has occurred within the media and entertainment industries for years (Lessig 23). Major industries use of others' ideas as a springboard for their own, may leave the impression upon students that it's ok to use the ideas of another. But the distinction between this practice and plagiarism lies with how much creativity is injected into an already original idea as opposed to just a carbon copy.

Students feel that plagiarizing is not stealing, instead their views on plagiarism are based on how non-credited information is presented daily by the media or on the Internet (Wood 3). The lack of scholarly standards in accrediting work in our media saturated environment is part of the world that a new generation is growing up in (Wood 3). Today's values have much to do with how plagiarism is viewed and why it is practiced. But technology has provided plagiarists with the means to accomplish it. One of the very first communication technologies, writing, played the most important role in how plagiarism would develop in the future.
Plagiarism and Writing

One of the first recorded instances of plagiarism occurred in AD 561 when an Irish monk named Finnian lent another monk named Colmcille a religious manuscript that Finnian had written and illustrated. Colmcille, impressed by Finnian's work, proceeded to copy the words from the manuscript before returning it to Finnian. Upon finding out about Colmcille's deed, Finnian demanded that the copy be returned as he claimed exclusive rights to his work (Logue 40). Prior to the development of writing, Colmcille's plagiarism would not have been possible. But when ideas and thoughts were able to spill forth from a writer's head through the written and printed word, plagiarism then became a reality.

In his book “Orality and Literacy”, Walter J. Ong pegged the development of script or true writing around 3500 B.C. in Mesopotamia (84). Ong writes: "the critical and unique breakthrough into new worlds of knowledge was achieved within human consciousness…..when a coded system of visible marks was invented whereby a writer could determine the exact words that a reader would generate from the text” (84). This new avenue allowed previously safe ideas locked in a writer's head to be exposed in a tangible manner. It also allowed Ong's description of writing to be turned around where a reader could use the exact words that a writer could generate for a text.

The development of writing was also the first layer of communication technology to start the process of isolationism between reader and writer. Ong has written that the context of ideas being shared in oral form can be different from how they are shared in written form. An element of depersonalization is always present in writing when compared to speech (Ong 82). Without the emotion and intonation of a speaker's voice in writing, a reader could then feel as though the information presented in the writing lacks a voice and thereby an owner.

Writing allowed people to externalize their own ideas in a physical form that could be shared with others, but it also provided a physical form that could be copied by others without regret due to the disembodied and impersonal nature of writing. This process is key to understanding how the Internet has influenced the rise of plagiarism on campuses around the nation.

Plagiarism and the Internet

Using the Internet to copy and paste information out of online works and into word-processed research papers has become known as “cyber-plagiari sm” (Lathrop and Foss 18), or as some English teachers like to call it “patchwork plagiarism.” (Benning A1). A 2003 study conducted at 23 college campuses by the Center for Academic Integrity, found that 38 percent of undergraduate students had used the Internet for plagiarizing work in one or more instances in the past year (Rimer). Cyber-plagiarism is not just limited to college either. A 2001 Center for Academic Integrity survey of 4,500 high school students found more then half had copy and pasted or downloaded material for use in their own work (Hafner 1). This liberal use of cutting and pasting has much to do with the added layer of isolationism the Internet contributes to the reader/writer relationship.

David Levy in his book “Scrolling Forward” discusses some of the differences a book can have over an on-line print edition. Books in their physical shape can retain some aspect of humanization. Levy describes his copy of a book as “the product of many hands, and the embodiment of a number of interpretations” (47). He continues by saying he sees a book as “less
as an isolated, static object than as a constituent in an ongoing process of literary production, revision, and renewal” (47). Internet pages, however, are found in the wide expanses of cyberspace among millions of other pages just like it. Because of their non-physical nature, these online writings can deny the reader the physical bond they share with a book.

When we visit a web page, we often cannot identify with where the material came from, as there are no citations of sources. This gives the impression the writing was mechanically produced without any human input. It is this perceived artificialness of writing on a web page that makes it easier for students to plagiarize, as it is an even more anonymous source then a book. It could even be assumed that students who plagiarize from the Internet are not even aware they are plagiarizing a real person's ideas, as they feel no connection between the writer and the content blinking on the screen. But often times it is the Internet content itself that promotes the cheating.

**Internet Paper Mills**

Internet paper mills are services that provide data bases of already written papers that cover thousands of subjects (Dyrli 1). By simply typing in “term paper” in an Internet search engine students can gain access to the over fifty online paper mill sites on the web (Austin and Brown 22). Some of these services are small volunteer sites that collect student papers into a free data base while the others are large commercially run sites that offer toll free numbers, credit card options and same day delivery of papers (Dyrli 1). Fees to view material on the commercial sites can run between $5 and $9 per page (Dyrli 1). Some sites will even offer to write custom papers at a cost per page, which often times will exceed over $100 a paper (Lathrop and Foss 18). The founder of online paper mill schoolsucks.com, Kenney Sahr, says that “10,000 people visit School Sucks every day, and each views three to five papers” (Dyrli 1). With such an obvious influence on students from online paper mills, universities and states have begun to question their legality.

Seventeen states have laws that make it illegal to sell term papers to students (Austin and Brown 23). Specifically these laws state, “if there is the expectation that (the research material) will be submitted for academic credit” (Dyrli 2). Because of such legal entanglement, online paper mills now carry disclaimers that their papers are for research only and that students are not to use them for the purposes of turning them in as their own (Lathrop and Foss 18). The operators of online paper mills believe that first amendment rights under the articles of free speech protect their services and that reviewing old term papers “is no different then studying old test papers stored in fraternity and sorority files” (Dyrli 2).

Boston University attorney Robert Smith, who unsuccessfully tried suing several online paper mills in 1997, disagrees and believes the first amendment does not apply: “I don't think the First Amendment is implicit in this suit at all. These people are in the shabby business of selling work to others with the intention of obtaining grades and academic credit” (qtd. in Austin and Brown 23). As a result because online paper mills are dealing in fraud the First Amendment would not protect them from criminal charges (Austin and Brown 23).

Whether or not online paper mills are dealing in fraud or free speech, the hindering of Internet plagiarism by fighting paper mills does not stop students from plagiarizing from legitimate web content. As a result, educators have begun to look elsewhere for other ways to stop cyber-plagiarism. Ironically enough, this search has led back to the Internet.


**Plagiarism Detection**

At the University of Virginia in 2000, 122 students from an introductory physics course were accused of cheating on their term papers by plagiarizing work from the Internet (Roach). These 122 students were caught only because of the application of a computer program (Roach). Set up by the student's professor, this program and other programs like it are able to match strings of text from students' papers to similar text in potential source works (Decoo 44). Programs like these can be found as part of online anti-plagiarism services that many major universities and high schools are now subscribing to (Hafner 3).

Some of these services are free while others can charge upwards of $20 per year for a class of 30 students (Dyrli 2). How these anti-plagiarism searches work depends on the quality of the service. A free service most likely would just institute a search by looking for “long common strings in documents available on the Internet” (Decoo 44). These free services also do not take into account any language alterations the plagiarist may have made, resulting in only finding plagiarized work if the cheater had plagiarized word for word from the Internet source (Decoo 44). More powerful services compile their own databases of source material and use more specific search criteria (Decoo 44). An example of one these services is turnitin.com.

Turnitin.com boasts 20,000 registered clients and provides services to many major universities such as Georgetown, Duke, Villanova, West Point, as well as international universities and high schools (Bartlett 2). For prices ranging from $1000 for high schools, to $2000 for colleges, educators are allowed an unlimited number of paper submissions to turnitin.com (Hafner 3). Some professors make it a mandatory requirement for all students to turn in a digital copy of their report to an account on turnitin.com (Bartlett 2), which then checks students’ papers against millions of Internet sites, a database of previous selections, and papers from online paper mills (Hafner 3). If any portion of a paper compares favorably to another source, the portion is color coded and matched with a source web address (Bartlett 2). Ultimately it is then left up to the educator to decide if the evidence warrants accusations of plagiarism (Bartlett 3). Turnitin.com founder, Dr. John M. Barrie, estimates that of the work submitted to turnitin.com “nearly one-third is copied in whole or in part from another source” (Hafner 3).

Despite such a success rate it is likely that many papers turned into services like turnitin.com go unnoticed by the system and facilitates the belief in the student who plagiarized that they can do it again. Only with 24-hour surveillance on a student could an educator really determine if students were doing the work themselves or just pointing and clicking. While students have been using the Internet to aid in their search for potential work to plagiarize, the technology behind Internet searching has been advancing right along side. This technology has reached the point where it can now serve as a means to catch would be plagiarists as well. But perhaps a better approach to hindering plagiarism could be had by stopping it before it starts.

**Conclusion**

Advancements in digital technology and the growth of Internet access in classrooms across the World have started a new age of information processing. The ease of accessing a diverse amount of information from digital sources has had the positive effect of easing the way writers can support or broaden their own thoughts, but it also allowed the written thoughts of a writer to more easily mirror the exact words of their source material. Plagiarism can occur because of both societal and technological change. From Lessig we have seen that culture does embrace the
building of new ideas upon old ones. But to some extent this may have also influenced plagiarism as a more socially acceptable practice by those who cannot recognize creativity from stealing. This partly can be due to how information is viewed in today’s cut and paste world.

The developments of communication technology, from writing to the Internet, have alienated readers from the creative process a writer has gone through to create an original piece. Today information is what Levy calls “abstract, disembodied, and infinitely manipulable”, where writings have become only “information delivery vehicles” (57). Plagiarism is then able thrive in an environment where readers cannot see the driver's of these vehicles. Technology has allowed us to build digital traps like turnitin.com to catch plagiarists, but to hinder plagiarizing, society may have to resort back to old-fashioned morals to make sure the driver's of Levy's information vehicles are clearly seen. It was a king who eventually came to settle the feud between Finnian and Colmcille over the plagiarized manuscript. The king ruled that the author's claim to ownership must be recognized (Logue 1). This can still hold true. By reminding students of their rights toward their own intellectual properties, an appreciation may build toward the works of others. By doing so, student's integrity toward using the work's of others to only strengthen and support their own ideas will hopefully remain intact, despite whatever new technologies may further the gap between writer and reader.

**Works Cited**


Editorial - Back to School Tips
Written by HotChalk Editors
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Preventing all plagiarism all the time is impossible, but there are steps you can take to eliminate it from your classroom. The Internet is an endless resource for information, and that means it can also be an endless source for both intentional and inadvertent plagiarism. While preventing all plagiarism all the time is impossible, but there are steps you can take to eliminate it from your classroom.

- **Set guidelines.** Discuss with your students what defines plagiarism, opinions, assertions, and arguments and clearly define for them what constitutes plagiarism in your classroom.
- **Describe intellectual property.** The World Intellectual Property Organization defines intellectual property as "creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce." Explore the concept of intellectual ownership with your students.
- **Remind your students of the concept of citing resources,** and walk them through some of the tools available on the Net, such as David Warlick's Citation Machine.
- **Explore the concept of "common knowledge."** A good rule of thumb: If they can find information in a standard encyclopedia or in numerous sources, the information is more likely than not considered common knowledge and needn't be cited.
- **Teach students the process of vetting** Web content through Googling authors, reading perspectives from trusted sites, and investigating a range of opinions.
- **Simplify by instructing them that a best practice to follow, even when taking notes on sources, is to paraphrase materials.** Clearly define the difference between quoting someone and paraphrasing.
- **Apply the “double check rule.”** Have students return to the original material to confirm they used their own words before submitting their work to you.
- **Consider designing tests and other evaluation materials to take advantage of technologies,** such as the Internet, cell phones, iPods, etc. so that students are employing digital tools to perform higher order tasks, rather than using such tools to circumvent traditional testing boundaries.
- **Let your students know up front** that you will occasionally be using plagiarism check sites such as Turnitin.
- **Create a “Guidelines for Avoiding Plagiarism” checklist** and share it with students and parents at Back to School Night. Emphasize that parental involvement is key to responsible student behavior in the school setting.


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Ten Tips on Preventing Digital Plagiarism
