Strategies for Managing Ethical and Legal Issues

The online environment is ripe with ethical and legal issues that need to be considered. One key ethical issue of growing concern is plagiarism because of the rise in reported cases across the country. Copyright is a critical legal issue in the online environment that must be carefully considered when using resources in an online course. In this chapter we look at the issue of plagiarism and discuss strategies for detecting and preventing plagiarism in your online course. We also consider the legal issue of copyright and develop an understanding of when fair use is and is not applicable in the online learning environment.

Throughout the book, we have focused on strategies to help learners persist. Plagiarism can be a strong indicator of a learner at risk, and it has a direct impact on the learner's ability to persist. Here we examine plagiarism to uncover reasons learners plagiarize and look at strategies to help learners overcome the issue. Understanding the legal issue of copyright can also affect the resources we use, so we discuss the copyright law specific to online learning environments.

PLAGIARISM

Plagiarism has always been an issue; however, with the rapid growth of the Internet, learners now have available to them an endless source of materials with the capability to copy and paste work directly into their assignments. To prevent

Exhibit 17.1 Levels of Plagiarism.

Levels of Plagiarism	Description
Level 1: Minimum plagiarism	Result of misunderstanding how to cite sources correctly
Level 2: Partial plagiarism	Mix of the use or replication of the words and ideas of another author along with some original writing from the learner
Level 3: Complete plagiarism	Complete work copied from another source without giving credit to the original author

plagiarism, you need to be able to recognize potential cases and be armed with an array of tools and strategies to manage plagiarism issues.

Plagiarism Defined

Plagiarism occurs when the author of a paper uses someone else's words and ideas in his or her writing without giving credit to the original author of the ideas. By not giving credit to the original author, the reader of the paper assumes that these ideas can be attributed to the writer of the paper, which is why it is considered an act of stealing. This is a serious act of fraud and needs to be addressed immediately if a learner is found to have committed this act.

Types of Plagiarism

The use of another author's thoughts, ideas, and words can take on many different forms. In my experience I have found plagiarism on three levels, described in Exhibit 17.1, ranging from minimal acts of plagiarism to complete plagiarism.

Level 1: Minimum Plagiarism Most of these types of plagiarism are a result of misunderstanding how to cite sources correctly. In this type of plagiarism, learners

1. Use an author's ideas word-for-word and include a citation, but forget to use quotations around the words.

2. Include a citation in the paper but forget to cite the source throughout the paper, so there is no differentiation between the author's ideas and their own.

3. Neglect to include citations due to poor note taking and inadvertently use the author's words without a proper citation.

Level 2: Partial Plagiarism   In this type of plagiarism, there is a mix of the use or replication of the words and ideas of another author along with some original writing from the learner. Learners

1. Take large paragraphs from several sources and piece them together into a paper with minimal original thoughts.
2. Use large portions of another author's work and substitute words with synonyms. May change language by altering key words and phrases to keep plagiarism tools from finding it.
3. Take the entire format of an author's paper and construct a similar paper.
4. Cite some resources but then use the arguments made about the cited sources from another source that has not been included in the reference list and properly cited in the paper.

Level 3: Complete Plagiarism   Here, the complete work is copied from another source without giving credit to the original author. Learners

1. Take a complete post or paper from the Internet or library verbatim.
2. Take a post or paper from another learner.
3. Work with another learner (from the same course or from a learner who was previously in the course) and use the same post or paper.
4. Use discussion post or paper from a previous course.

I am sure you have seen many of these types of plagiarism issues with learners; however, understanding that plagiarism occurs is not enough to be able to tackle the issue head-on. It is also important to understand *why* learners plagiarize in order to begin to develop strategies to decrease the number of occurrences of plagiarism in your courses.

Why Learners Plagiarize

Not all learners know they are actually plagiarizing in their writing because they are not familiar with the proper way to give credit to authors, which is reflected in level 1 plagiarism. Many learners also lack the understanding of how to use specific styles such as MLA and APA, which compounds the issue of properly citing sources they use in their paper. In addition, different resources may use different style guides, which further confuse learners, so they are not sure what examples to follow.

Another major issue is that learners may not understand the difference between paraphrasing and plagiarizing. They may feel that as long as they do not copy the ideas exactly, they are not plagiarizing. According to McCabe, Treviño, and Butterfield (2001), "although most students understand that quoting someone's work word for word demands a citation, they seem to be less clear on the need to cite the presentation of someone else's ideas when the students present them in their own words" (p. 221).

There also may be confusion with the use of a bibliography versus a reference list. A bibliography contains all resources consulted but not necessarily cited in the paper. A reference list contains all of the resources cited in the body of the paper. Because learners may not have used reference lists in the past, they may not be aware that each source listed in the reference list needs to be cited in the body of the paper and every source cited in the body of the paper should have a corresponding reference.

Learners can also inadvertently commit plagiarism because of the way they compile notes as they review resources. Instead of summarizing information in their own words, they may simply copy the information with the intention of going back and summarizing the information as they begin to develop their draft. Once they begin drafting their paper from the notes they have collected, there may be confusion between what they have copied and what they have written. Copied text ends up inadvertently being incorporated into their draft without proper citations. They also may not have noted where the information came from, and instead of eliminating the information, make the decision to include it without a proper citation.

Another reason learners end up plagiarizing when they write is a lack of good writing skills. McCabe and Treviño (1997) found that students with lower GPAs report more cheating than students with higher GPAs (as cited in McCabe, Treviño, & Butterfield, 2001).

If learners have been told that their writing is poor, they may feel pressure to use another author's ideas as their own in order to avoid criticism for poor writing skills. If they have not performed well on previous assignments, they may also fear they will fail the assignment.

Another factor may be poor time management. In the online environment, many learners have to balance coursework with many other responsibilities. The amount of time they have to dedicate to coursework is limited. This may cause them to panic near the deadline and put together a paper without considering the ramifications of taking someone else's ideas and attributing them as their own.

Finally, there are learners who plagiarize intentionally. There are sites on the Internet that sell papers, which can be very tempting to learners who are poor writers or who have run out of time to develop their own paper. Learners also work together, taking the same courses and sharing assignments, to reduce the amount of individual work. I have also witnessed a rise in the number of learners copying the responses of other learners as their own from the same class. I have seen a variety of ways that learners do this. Some learners copy and paste the entire response of another learner, while others are more clever and copy and paste one or two sentences from a number of learners and cobble them together to develop a response to the discussion question.

How to Identify Issues of Plagiarism

Depending on the level of skill for covering up acts of plagiarism, either it can be readily detected or you can have a strong suspicion but not be able to prove that plagiarism has occurred without spending a lot of time going through each of the sources provided by the learner in his or her reference list. If the learner used sources he or she did not report and cleverly changed the wording, it will be nearly impossible to catch. There are several clues, however, you can look for to identify issues of plagiarism:

1. Sophistication of writing
    a. Voice
    b. Terminology
2. Copy and paste anomalies

a. Different writing style in the body of paper

b. Different fonts

c. Different spacing

d. Embedded hyperlinks

e. Different citation styles

3. Lack of flow from one topic to another

a. Unorganized topics

b. No transitions between paragraphs

One indication of plagiarism can be the sophistication of the writing. Most learners do not write like a scholar, so when you notice more sophisticated language and terminology being used in a paper, you should investigate further. This is especially true if the learner has demonstrated poor writing skills elsewhere in the course.

There are many clues that indicate that learners have copied and pasted information into their paper. Clues include different writing styles within the body of the paper, or different fonts and spacing. You may also find hyperlinks and other anomalies left in the paper from a copy and paste or different citation styles throughout the paper. If a learner has taken time to change the words, it may be more difficult to discover. You may have to investigate the case more closely by searching the actual text of the documents they have cited in their paper.

Another critical clue is if the paper does not flow from one topic to another. You may find similar topics being discussed in different sections of the paper. Additionally, there may not be clear transitions that link the information together in a coherent way. This is evidence of a learner taking information from a number of sources without a clear understanding of how to organize the information cohesively.

Strategies to Deter Plagiarism

It is very important that learners understand the implications of plagiarism. If they feel they can get away with careless or illicit acts of plagiarism, it will set the stage for additional violations throughout the course and possibly their entire

Exhibit 17.2   Example of Discussion on Academic Honesty

After reviewing the Academic Honesty Policy in the syllabus, please acknowledge that you understand the policies and procedures by stating: "I acknowledge that I have read and understand the academic honesty policy. I understand that plagiarism is a violation of the academic honesty policy and understand the policies and procedures, should the instructor find that I have committed plagiarism in my work." If you have questions regarding the policy and procedures, use this thread to dialogue with the instructor; otherwise, indicate that you have no questions about the policy.

program of study. Consider specific strategies both proactive and reactive as you begin teaching to try to deter learners from plagiarizing.

To begin with, as a part of your proactive strategies, it is important that your syllabus include an academic honesty statement that discusses plagiarism and the procedures for handling infractions. It is a good practice to have learners acknowledge they have read your academic honesty policy and understand it. An online discussion works well for this and provides learners an opportunity to dialogue about the policy and ask questions. Exhibit 17.2 is an example of a discussion you can post to discuss academic honesty.

Having this acknowledgment from learners at the beginning of the course can help ensure that all learners have read and understood the policy and set the expectation that plagiarism will not be tolerated.

You will also need to consider the policies and procedures that you have put in place when plagiarism is found. This will include a decision on whether you will allow a learner an opportunity to submit another paper once you have found the original submission has been plagiarized. Consider a process for managing and communicating issues with plagiarism. Exhibit 17.3 is a template for communicating plagiarism to learners when they occur in your course. The strategies include a variety of recommendations that can be considered; however, please be sure to review the policies and procedures in your institution's academic honesty procedure, and adjust your communication plan to fit your institution.

My personal opinion is that it is important that all learners understand the repercussions of committing acts of plagiarism. According to McCabe and Trevino (1997, as cited in McCabe, Treviño, & Butterfield, 2001), a significant

Exhibit 17.3   Plagiarism Communication Template

1. Submit paper to a plagiarism detection tool to determine percentage of match text.
2. Communicate to learner:

   Assignment in which plagiarism was found

   Discuss the percentage match from plagiarism detection tool and include report if available or detail what the report found and how to include proper citations and references

   Include a copy of the academic honesty policy and the potential actions that can be taken if plagiarism is found in the future

3. Indicate action you will take:

First occurrence	Second occurrence	Third occurrence
Actions can include: Opportunity to resubmit assignment Reduction in grade on assignment 0 grade for assignment Ask learner to submit all future assignments to plagiarism detection tool and not accept papers that fall above a specific percentage that you determine is agreeable Indicate to learner what will happen if a second occurrence of plagiarism is found Other	*Actions can include:* 0 grade for assignment Report incident to school Indicate to learner actions that will be taken if another incident is reported, including the potential of earning a 0 for the course or being brought before a board to hear the case with the possibility of being dismissed from the institution (if appropriate) Other	*Actions can include:* 0 grade for assignment F grade for the course Report incident to school for further action Other

factor that is a deterrent to cheating is the "perceived severity of penalties for cheating" (p. 222). If learners receive a zero on their papers, it will send a clear message to learners that plagiarism is not tolerated. If learners are given an opportunity to redo an assignment, the repercussion will not affect their grade, so they may be more likely to plagiarize their work in the future. Of course, there has to be consideration for the type of plagiarism and for learners who are at risk and may drop the course due to low confidence. You will have to determine why a learner is plagiarizing and find ways to support learners to overcome issues involving poor academic skills while setting high expectations and standards for properly citing all sources.

Another proactive strategy is to address the issue of plagiarism in course activities. You may want to consider including in your course an activity that describes the types of plagiarism that can occur as well as strategies to help them prevent plagiarism in their writing. In addition, helping learners check their own

work for missing or improper citations and references can help them be proactive in evaluating their own work. Also consider a topic on paraphrasing to help learners understand how to properly paraphrase what they read. Consider having learners submit their paper drafts to a plagiarism detection tool and report their percentage match. Although it takes time for you to review all submissions, it is an important learning tool to help learners evaluate their own writing and build their understanding of the use of citations and references.

Some learners clearly plagiarize because of not understanding how to use research to analyze issues. Instead, they use research to describe issues and lack analysis and synthesis in their writing. The research analysis worksheet described in Chapter 11 can help learners analyze the ideas of an author to help them develop a clearer understanding of the issue from that person's perspective. This helps learners understand how to analyze academic papers and provides a structure that allows them to draw comparisons between different authors' perspectives on an issue. For learners who plagiarize because they do not understand how to use research to support their writing, the worksheet can help support their research and provide a more complete understanding of how it can be used to support their ideas.

Another strategy is to structure the course materials so learners first research a topic or issue, then discuss the topic or issue, and finally write about it. Having learners participate in discussion on the topic or issue prior to beginning their writing will keep them from rushing through the analysis of research. Then, when they begin the writing portion of the activity, they have a solid understanding of the issue, as well as the arguments made to support multiple perspectives on the issue. This greater level of preparedness prior to the beginning of a writing assignment may keep learners from committing plagiarism because of a lack of understanding of the issue. With a strong foundation for how to analyze and synthesize research and form opinions, you can help learners move away from simply constructing papers that cobble together the ideas and thoughts of authors to a more thoughtful analysis of an issue.

During the writing activity, another strategy to consider is building out individual deliverables such as a problem statement, outline, introduction, first draft, and final draft. This will keep learners on a time line and help them avoid the rush of pulling together a writing assignment in the 11th hour, a rush that can lead to purposeful or inadvertent plagiarism.

Plagiarism Detection Tools

Plagiarism detection tools can be used to identify plagiarism in learners' assignments. There are a wide variety of services and tools available, which can make it difficult to determine which tool is appropriate for your purpose. The University System of Georgia has developed a comparison of major plagiarism detection tools, including Turnitin, MyDropBox, PAIRwise, EVE2, WCopyFind, CopyCatch, and GLATT. The categories of comparison include type (web-based, download, CD), price, company, licensing structure, databases, papermills, Internet searches, number of previously submitted papers, turnaround time for reporting, reporting features, training, support, and integration with course management systems. With this comparison chart you can review a number of plagiarism detection tools to determine which is most appropriate for your environment. The comparison chart is available at http://net.educause.edu/ir/library/pdf/SER07017B.pdf. Also, consult your institution to determine what tools are available for instructors to use to help detect plagiarism.

There is some controversy over the use of plagiarism detection tools regarding potential infringement on learner copyright and privacy. When learners submit their assignments to a plagiarism detection service, a copy of their submission can be stored in a database, which could possibly infringe on learners' copyright. In addition, if the copying is done without the permission or knowledge of the learners or without consent, this may be an issue of invasion of learners' privacy. Most services have circumvented this problem by asking for permission from the person submitting the paper to include his or her submission in a database, but it is important to make sure that this is the case for any tool you decide to use.

Search engines such as Google can also be used as a plagiarism detection tool. If you suspect a phrase, sentence, or paragraph has been plagiarized word for word, then put quotations around the suspected section and Google will return selections that exactly match the order of the words. An alternative is to use the advanced search option, and choose the specific phrases that you believe have been plagiarized and select the "with the exact phrase" option to find a match for the plagiarized phrase.

Plagiarism is a serious issue that needs to be addressed in the online learning environment. After considering the information presented in this section of the chapter, you may want to develop a process guide for plagiarism to help you

determine the appropriate strategies for alleviating the issue with learners. As you begin developing your plagiarism process guide, consider developing a set of strategies for hindering plagiarism, which can include an academic policy statement and other resources to inform learners of the issue, as well as the procedures if plagiarism is found.

In addition, having learners acknowledge their understanding of the academic honesty policy can assure you that all learners understand the policies and procedures for plagiarism. In addition, specific learning activities can help learners evaluate their work and use research and writing strategies to alleviate unintentional plagiarism, which can be a proactive way to prevent plagiarism from occurring. There are some excellent resources available online to help learners understand plagiarism, as well as resources to help you consider policies and procedures for managing plagiarism. A review of the following resources may be a good place to start:

Purdue Online Writing Lab—Avoiding plagiarism

> http://owl.english.purdue.edu/owl/resource/589/01/

University of Maryland University College—Plagiarism resources. Retrieved November 1, 2010

> http://www.umuc.edu/distance/odell/cip/links_plagiarism.shtml

"What Is Plagiarism," available from Plagiarism dot org at

> http://www.plagiarism.org/

Center for Academic Integrity—a consortium of more than 200 colleges and universities involved in an effort to initiate and maintain a dialogue among students, faculty, and administrators on the issue of academic integrity. Retrieved November 1, 2010

> http://www.academicintegrity.org/

COPYRIGHT AND INTELLECTUAL PROPERTY

Copyright is an important subject to understand for anyone who is teaching in an online environment. I do not consider myself an expert in copyright law, but I do want to touch on some important considerations when using resources for your online course.

Definitions of Copyright

According to the U.S. Copyright Office (2006), "Copyright is a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression. Copyright covers both published and unpublished works" (Para. 1). As you can see from the definition, it protects the creative works of an individual from being used without permission. It keeps individuals from being able to copy or reproduce the work, develop derivatives of the work, distribute the work, and display or perform the work in public. To use works of another author requires you to receive permission from the author or the publisher in some cases. In the educational environment, there are several exemptions to having to receive copyright clearance.

Exemptions to Copyright

The Copyright Act of 1976 offers several exemptions from having to receive copyright clearance in sections 107 and 110. These exemptions include fair use, face-to-face classroom teaching, and distance education.

Fair Use   Fair use is covered in Section 107 of the Copyright Act of 1976, which allows instructors in nonprofit institutions to use works without obtaining copyright clearance. In determining whether fair use is appropriate, the following factors should be considered:

1. The purpose of the use and whether it is for nonprofit educational purposes—if the purpose is not educational in nature or is being considered in a for-profit educational institution, you will not be able to use fair use as a defense for not receiving copyright clearance.

2. The nature of the work copyrighted—generally, if the work is fiction or unpublished, or if the work is intended for the educational environment, for example, in the form of a case study or workbook, it will be difficult to use fair use as a defense.

3. The portion of the work used—if you are considering a large portion of the original work or a portion of the work that is central to the work, then fair use is not an acceptable defense unless it is being used for a critical analysis.

4. The effect the use has on the market or value of the work—if you make the information available to the public, keep it available for a long time, or are planning to make many copies, all of which could replace sales or diminish the market of the copyrighted work, fair use is not an acceptable defense. In addition, if getting copyright clearance is not very costly or timely, you have less of a defense for fair use.

Face-to-Face Classroom Teaching   In Section 110(1) of the Copyright Act of 1976, there is an exemption for nonprofit institutions from copyright infringement when works are used by teachers in the face-to-face classroom. This allows teachers to display or perform works but does not take into consideration making copies of works. In addition, there was no affordance for educators teaching in an online environment to use works for educational purposes. It also does not allow posting works electronically on a server, which would be the means of displaying or performing works in an online environment.

TEACH Act   In November 2002, the Technology, Education, and Copyright Harmonization Act (TEACH Act) was passed to allow online instructors some of the same opportunities as face-to-face instructors. This is included in Section 110(2) of the Copyright Act. There are limitations to the amount of materials within specific types of works that can be used, so you will want to consult this section of the Copyright Act when determining limitations for the specific works you are interested in using. In addition, there are requirements to assure protections, so only learners in the course have access to the materials and cannot retain copies of the materials or disseminate copies to others. In addition, institutions must have copyright policies in place and display them in the course regarding copyrighted materials.

If you are teaching for a nonprofit institution, these three exemptions should be considered as you determine the use of resources in your online course. Consult your institution's copyright policies in detail to get a clear understanding of how your own institution has interpreted these exemptions to make sure that you are in accordance to their policies and procedures.

Exhibit 17.4 is a summary of the sections of the Copyright Law that are important to the online environment. You should become familiar with how copyright, depending on the type of educational institution you work for, affects the resources you use in your online course.

Exhibit 17.4 Summary of Copyright Law for the Online Environment.

Nonprofit Educational Institutions	For-Profit Educational Institutions
Section 107 of the Copyright Act of 1976 — Fair Use	
Allows instructors in nonprofit institutions to use works without requiring copyright clearance. In determining whether fair use is appropriate, the following factors should be considered:	
1. The purpose of the use and whether it is *for nonprofit educational purposes* — if the purpose is not educational in nature or is being considered in a for-profit educational institution, you will not be able to use fair use as a defense for not receiving copyright clearance.	If you are teaching an online course at a for-profit institution, it is important to understand that fair use does not cover "for-profits" because the language is specific to nonprofit institutions.
2. The nature of the work copyrighted — generally, if the work is fiction or unpublished, or if the work is intended for the educational environment, for example, in the form of a case study or workbook, it will be difficult to use fair use as a defense.	
3. The portion of the work used — if you are considering a large portion of the original work or a portion of the work that is central to the work, then fair use is not an acceptable defense unless it is being used for a critical analysis.	
4. The effect the use has on the market or value of the work — if you make the information available to the public, keep it available for a long time, or are planning to make many copies, all of which could replace sales or diminish the market of the copyrighted work, fair use is not an acceptable defense. In addition, if getting copyright clearance is not very costly or timely, you have less of a defense for fair use.	
Section 110(1) of the Copyright Act of 1976	
Exemption for nonprofit institutions from copyright infringement when works are used by teachers in the face-to-face classroom.	
Face-to-Face: This allows teachers to display or perform works, but does not take into consideration making copies of works.	Does not apply to for-profits.
Online: It does not allow posting works electronically on a server, which would be the means of displaying or performing works in an online environment, so there was no affordance for educators teaching in an online environment to use works for educational purposes.	
Section 110(2) of the Copyright Act of 1976 — TEACH Act	
The TEACH Act allows online instructors some of the same opportunities as face-to-face instructors. If you are teaching for a *nonprofit institution,* these three exemptions should be considered as you determine the use of resources in your online course:	
There are limitations to the amount of materials within specific types of works that can be used.	If you are teaching an online course at a for-profit institution, it is important to understand that the TEACH Act does not cover "for-profits" because the language is specific to nonprofit institutions.
In addition, there are requirements to assure protections, so only learners in the course have access to the materials and cannot retain copies of the materials or disseminate copies to others.	
In addition, institutions must have copyright policies in place and display them in the course regarding copyrighted materials.	

Teaching for a For-Profit Institution   If you are teaching an online course at a for-profit institution, it is important to understand that fair use and the TEACH Act do not cover your usage because the language is specific to nonprofit institutions. If you work in a for-profit institution, you should be very careful in using any works without proper copyright clearance. In many for-profit institutions, faculty are not allowed to post supplemental resources or include URLs to resources on the Internet, so I recommend that you work with your institution to understand the limitations of posting resources without copyright clearance to assure compliance.

Posting Example Assignments from Learners   Often learners ask instructors for examples of assignments because they have difficulty understanding the requirements of the assignment. It is very common for an instructor to provide examples; however, learners' works are also copyrighted and you need permission to use their assignments as examples. You should have learners sign a release form that gives permission for you to use their assignment submissions as examples in your course. Exhibit 17.5 is a sample of a permission letter template that can be used to request permission to use learners' works. The permission letter should state specifically what you are interested in using. Provide a copy of the assignment if possible and describe specifically how the work will be used. Include a statement that they are not obligated to agree to the use of the works, and indicate that the acceptance or denial of permission will have no impact on their current standing in the course (if they are still currently in the course) or later standing (if they are not currently in the course). The permission letter should also include a statement about the amount of time the assignment will be used or state that the release will allow unlimited use of the work. Finally, the consent form should include sections for the learner to sign and date.

Use of Your Own Works

You do not need to get permission to use your own works. Be very careful, however, that anything you create does not include resources, images, or tables from other sources. Historically, if you use your own works in a course you are teaching, they are considered to be owned by you as a part of academic freedom. Legally, any materials prepared by employees in the course of their employment are owned by the company by whom they are employed. I bring this up because

Exhibit 17.5 Permission to Use Student Work Template

Date:
    Name of institution:
    Name of course:
    Name of instructor:
    Name of student:
    Title of work:

I hereby grant my instructor permission to use my work listed above for the purpose of [insert purpose]. I grant permission for [choose one of two statements: unlimited use or limited use for the time] of the work listed above.

    Initial one of the following:

_____ I would like my name removed from the work before being used.

_____ I would like to include my name and be credited with the creation of the work in all cases of use.

_____ I would rather not have my instructor use my work for any purpose.

I understand that I am not obligated to agree to the use of the works and understand that the acceptance or denial of permission will have no impact on my current standing or future standing in the course.

Student signature _____   Date _____

Instructor signature _____   Date _____

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of the dynamic nature of distance learning. Policies are continuing to evolve and what you may have considered a part of academic freedom in a land-based institution may not be the same for the online institution. It is important to understand your institution's position on this before posting your own works to a course you are teaching.

As I stated at the beginning of this section, I do not consider myself an expert in copyright law, but I wanted to touch on some important considerations when using resources for your online course. There are excellent resources available if you would like to learn more about the copyright law.

1. The University of Minnesota libraries have created a Fair Use Analysis Tool to help you determine whether the use of a work falls under fair use. In addition they have a resource that discusses fair use in the online environment.

   a. Fair Use Analysis Tool:
      http://www.lib.umn.edu/copyright/checklist.phtml.

   b. Fair Use and Teaching Online:
      http://www.lib.umn.edu/copyright/teachon.phtml

2. Georgia Harper from the University of Texas System's Office of General Counsel is an expert in copyright law and a member of the Copyright Advisory Board of the Association of American Universities. She developed the following sites to explain copyright law:

   a. Copyright Crash Course:
      http://www.utsystem.edu/ogc/intellectualproperty/cprtindx.htm

   b. Copyright Law in Cyberspace:
      http://www.utsystem.edu/ogc/intellectualproperty/distance.htm

3. Janis Bruwelheide has authored a number of excellent resources on copyright specific to the online learning environment. She authored the following titles:

   a. Bruwelheide, J. H. (1994). Copyright concerns for distance educators. In B. Willis (Ed.), *Distance Education: Strategies and Tools*. Englewood Cliffs, NJ: Educational Technology Publications.

   b. Bruwelheide, J. H. (1997). Copyright: Opportunities and restrictions for the teleinstructor. In T. Cyrs (Ed.), *New Directions for Teaching and Learning: Distance Education*, No. 71. San Francisco: Jossey-Bass.

   c. Bruwelheide, J. H. (1997). Myths and misperceptions. In L. Gasway (Ed.), *Copyright Growing Pains: Adopting Copyright for Libraries, Education, and Society*. Littleton, CO: Fred B. Rothman, pp. 287–314.

   d. Bruwelheide, J. H. (1995, reprinted with 1997 update). *The Copyright Primer,* (2nd ed.) Chicago, IL: ALA Editions, American Library Association. http://www.ala.org

In this chapter, we discussed the ethical issue of plagiarism and looked at reasons why learners plagiarize, as well as strategies for preventing plagiarism in your online course. We also examined copyright issues and the application of fair use when using resources in your online course. As you consider these issues, review the policies available at your own institutions to make sure that you understand them before implementing specific strategies to combat plagiarism and ensure that the resources you are using are protected under the United States Copyright Act.