

Plagiarism & Copyright: Best Practices for Classroom Education

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PLAGIARISM AND COPYRIGHT

Abstract

Plagiarism and copyright infringement are terms that most students are familiar with and, when asked, most students will readily express the sentiment that plagiarizing the work of others or committing copyright infringement is wrong. Despite students' basic understanding of these concepts, many struggle to put them into practice. Often this is often a result of students not having enough knowledge about how to cite sources or how copyrighted works can legally be reused for scholarly purposes. This article identifies a way in which copyright and plagiarism can be taught as well as a process students can work through when addressing these issues.

Keywords

Plagiarism, copyright, higher education, academic libraries

PLAGIARISM AND COPYRIGHT

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Plagiarism and copyright infringement are terms that most students are familiar with and, when asked, most students will readily express the sentiment that plagiarizing the work of others or committing copyright infringement is wrong. Despite students' basic understanding of these concepts, many struggle to put them into practice. There certainly are times when students intentionally plagiarize a work or knowingly commit copyright infringement, but unintentional plagiarism and inadvertent copyright infringement are common as well.

Academic librarians are ideally suited to help faculty provide plagiarism and copyright education to students. This may include developing web resources and handouts that can be used in course instruction or a visit to the classroom to teach or co-teach a lesson on these issues. One method of classroom instruction is outlined below. While it is ideally suited to a full class period of approximately an hour, if needed the various parts of the lesson can be taught individually over multiple class sessions.

Part 1: Defining the Concepts

It is best to start classroom discussions on plagiarism and copyright infringement by discussing the definitions of these terms. Have students share their own definitions of each term and write common themes they identify on a whiteboard. Once all students have had the opportunity to share, use the ideas they have put forth to create a definition of each term that most students find suitable. Next, share with them some "official" definitions of these terms.

Examples include:

Plagiarism. Merriam-Webster.com defines plagiarism as "using another person's words or ideas without giving credit to that person." In addition to being able to articulate this concept,

PLAGIARISM AND COPYRIGHT

students should also be aware that plagiarism could take on many different forms, including but not limited to:

- Direct plagiarism—“the word-for-word transcription of a section of someone else’s work, without attribution and without quotation marks” (Bowdoin, n.d.).
- Mosaic Plagiarism (also known as “Find & Replace”)—“Occurs when someone borrows phrases from a source without using quotation marks, or finds synonyms for the author's language while keeping to the same general language structure and meaning as found in the original.” (Queens College, n.d.).
- Potluck Plagiarism—An attempt to “disguise plagiarism by copying from several different sources, tweaking the sentences to make them fit together while retaining most of the original phrasing” (Plagiarism.org, n.d.).
- Self-Plagiarism—“A type of plagiarism in which the writer republishes a work in its entirety or reuses portions of a previously written text while authoring a new work” (turnitin.com, 2016).

Copyright Infringement. According to the U.S. Copyright Office (n.d.), “copyright infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative¹ work without the permission of the copyright owner.”

Compare official definitions with the definitions the students helped craft. Ask students to identify similarities and differences between the two sets of definitions.

Part 2: Discussing Conceptual Similarities & Differences

¹ According to Section 101 of U.S. copyright law (Title 17 United States Code) “A “derivative work” is a work based upon one or more preexisting works, such as a translation, musical arrangement, dramatization, fictionalization, motion picture version, sound recording, art reproduction, abridgment, condensation, or any other form in which a work may be recast, transformed, or adapted.”

PLAGIARISM AND COPYRIGHT

While plagiarism and copyright infringement are two distinct concepts, it is easy for students to confuse one with the other or misconstrue their application. As such, it is often beneficial to discuss the similarities and differences between the two, including:

Plagiarism	Copyright Infringement
Occurs when we deny credit to a person for their ideas or specific words.	Occurs when we reuse a copyrighted work without the permission of the rightsholder.
Ensures that people receive credit for their ideas and specific words.	Does not protect ideas, but does protect the specific words a person may use to express an idea.
Ethical standard imposed and enforced by the educational system and professional organizations.	Law established by the Legislative branch of the federal Government and enforced by the courts.
Ideas or words should always be credited to a person no matter how much time has passed since they shared them, e.g. quotes that are still attributed to Plato.	Lasts for a limited time. ²

Figure 1

Here it may be helpful for students to provide an example of the overlap that can exist between these two concepts. In an article published on libraryjournal.com, Rick Anderson (2016) shared the following example, using books most students will be familiar with:

If you were to take *Alice's Adventures in Wonderland*, change the title and the characters' names, and pass it off as your original work, that would be plagiarism. However, there would be no copyright infringement, because *Alice's Adventures in Wonderland* is in the public domain and therefore no longer subject to copyright. On the other hand, if you were to take *50 Shades of Grey*—a work currently in copyright—change the title and the characters' names, and pass it off as your original work, that would constitute both plagiarism *and* copyright infringement.

² The copyright in works created by a single author/creator lasts for 70 years after their death. The copyright in works created by multiple authors lasts for 70 years after the passing of the last surviving author. For more information about the duration of copyright see Chapter 3 of the United States Copyright Act (17 United States Code).

PLAGIARISM AND COPYRIGHT

Part 3: Why Should we Care?

Frequently, students often do not fully grasp the potential ethical and legal ramifications that are associated with plagiarizing works or committing copyright infringement. Topics to discuss include:

Plagiarism	Copyright Infringement
Providing credit to people for their words and ideas is the ethical thing to do.	Complying with the law is both a legal and ethical responsibility.
There can be serious consequences for committing plagiarism, including but not limited to: <ul style="list-style-type: none">• Receiving a lower grade on an assignment or in the course.• Receiving a failing grade for an assignment or failing the course• Expulsion from a program or the academic institution.	According to Crews (2012) consequences for committing copyright infringement can include but are not limited to: <ul style="list-style-type: none">• An injunction barring further unlawful uses.• Impounding copies and equipment.• Reimbursing losses that the copyright owner incurred.

Figure 2

Part 4: Reuse Options

Next, the librarian and course instructor should help students explore options for reusing third party works for classroom assignments. The four-step process outlined below will help student ensure that their reuse of a work complies with U.S. copyright law and that they have given proper credit for the reuse of words, ideas, and concepts.

Step 1: Deciding when to reuse the works of others. According to the Purdue Online Writing Lab (OWL) (2013) students may wish to reuse works created by others to:

- “Provide support for claims or add credibility to their writing
- Refer to work that leads up to the work they are now doing
- Give examples of several points of view on a subject
- Call attention to a position that they wish to agree or disagree with

PLAGIARISM AND COPYRIGHT

- Highlight a particularly striking phrase, sentence, or passage by quoting the original”

If the reuse of a work does not fall into one of these categories then it may not be appropriate for use in a class assignment or project.

Step 2: Deciding how to reuse the works of others. When reusing the words or ideas of another person, student can choose to:

- Quote the work, reusing the “exact words, phrases and sentences from a source, setting them off with quotation marks, and citing where the information was taken from” (University of Southern Mississippi Libraries, n.d.).
- Paraphrase the work which, according to plagiarism.org (n.d.) involves rephrasing those ideas or information from a source in their own words, using as few words as possible from the original text, and to citing the original source.
- Summarize the work, providing “readers with a condensed version of an author's key points” (Harvard College Writing Program, n.d.).

Here it may be beneficial to provide students with resources that outline best practices for paraphrasing and summarizing works. Examples include:

- The *Quoting, Paraphrasing, and Summarizing* webpage of the Purdue Online Writing Lab (OWL) website: <https://owl.english.purdue.edu/owl/resource/563/1/>.
- The *Quoting and Paraphrasing* webpage found in The University of Wisconsin-Madison’s *Writer’s Handbook*:
<https://writing.wisc.edu/Handbook/QuotingSources.html>.

Plagiarism and paraphrasing exercise can also be completed during this step to help students better understand these concepts. Sample exercises can be found on these websites:

PLAGIARISM AND COPYRIGHT

- Berkley Graduate Division: <http://gsi.berkeley.edu/gsi-guide-contents/academic-misconduct-intro/plagiarism/paraphrase-exercise/>.
- Purdue OWL: <https://owl.english.purdue.edu/exercises/32/41>.

Step 3: Is the reuse of a work permissible under U.S. copyright law? Once students decide how they wish to reuse a work (quotation, summarization, or paraphrasing), they next need to determine if their reuse of the work will comply with U.S. copyright law. Students can legally reuse works created by others as part of class assignments when:

1. The works they are using are in the public domain and do not have copyright protection.

Examples include:

- Works whose copyright has expired.
 - Works that were never eligible for copyright protection, such as purely factual works.
 - Works that have been placed in the public domain by the rightsholder.
 - Works created by the U.S. Federal Government.
2. The student owns the copyright in the work they are reusing. Examples include illustrating a PowerPoint presentation with photographs they have taken, charts or graphs they have developed, or reusing text from literary works they have composed.
 3. The work is a Creative Commons (<https://creativecommons.org/>) or Open Access work, and the student reuses it in accordance with the license terms applied by the rightsholder.
 4. The students reuse of the work could be considered a fair use, as outlined in Section 107 of U.S. copyright law (Title 17, United States Code).
 5. The student obtains permission or a license to reuse the work.

PLAGIARISM AND COPYRIGHT

If the work they wish to reuse does not fall into one of these categories, the student will need to find another work to use.

Step 4: Citing the work. Finally, the student will want to ensure they are avoiding plagiarism by providing proper credit for the reuse of the idea or words. Best practices include:

- Providing full citations for the reuse of works and ideas using an established citation style such as the Modern Language Association style, the American Psychological Association style, Chicago style, or Turabian style.
- Ensuring the proper placement of quotation marks when using direct quotes.

The flowchart found in Figure 1 can help students work through the entire four-step process.

Part 5: Hands-on Activity. This activity will help student apply what they have learned in the previous parts of the lesson. For this exercise:

Prior to Class.

1. Prepare a short thesis statement on a topic. For example:

Students should strive to maintain balance between their studies, work, and leisure activities. While academic work needs to be prioritized, there are benefits to be had in earning money and gaining work experience as well as taking personal time to enjoy life and distress.

2. Print-off copies of various types of resources (a page from a book, a short, scholarly article, magazine article, a blog posting, etc.) of varying quality (some scholarly resources, others that are not particularly reputable) that support and contradict the thesis statement. Have enough copies so that each student will have at least one source to review.

In Class.

PLAGIARISM AND COPYRIGHT

1. Have students organize themselves into small groups of 3-5.
2. Share the thesis statement with students.
3. Provide a copy of the Reuse Flowchart to each student.
4. Give each student a copy of one of the supporting/contradicting resources to review.
5. Have the students read the resource and work through the steps outlined in the flowchart.
6. Have each student in the group share their work with the others. If, during Step 1 of the process, they decided not to use a particular source they should share why. For those resources that they decided to use to support or contradict the thesis statement, students should share:
 - a. Why they decided to use the work.
 - b. If they chose to quote, paraphrase, or summarize the work.
 - c. The sentences they developed using the work.
 - d. How they properly cited the work.
7. Conclude the activity by asking students to share what they learned from the activity and any additional best practices they can think of to avoid copyright infringement and plagiarism when reusing the works of others.

Additional Suggestions and Recommendations

Course syllabi should include both a statement on plagiarism and copyright. Some schools provide standardized statements for course instructors to use, while others let each instructor construct their own. Performing a Google search for “sample syllabus plagiarism

PLAGIARISM AND COPYRIGHT

statements” and “sample syllabus copyright statements” yields numerous results from reputable academic institutions.

Students should also be made aware of other resources available to them on campus to help address these issues. Most higher education institutions have a writing center where students can get assistance with quoting, paraphrasing, and summarizing works and ensuring they are properly cited. If time allows, arrange for a visit to the writing center or invite a staff member to visit class to review the services they provide to students. Academic libraries may have a copyright expert on staff who can answer copyright questions or provide additional information on the law and how it affects the issues outlined here. Staff and attorneys employed by the institutions Office of General Counsel can help answer students copyright questions as well.

Libraries should make citation information readily available to students. This could have include:

- Having both print and electronic copies of popular style guides available for student use.
- Provide links to official citation style websites (e.g. www.apastyle.org/, <https://style.mla.org/>) and reputable style guide/citation online resources such as the Purdue Online Writing Lab (OWL): <https://owl.english.purdue.edu/owl/>.
- Establishing web pages or LibGuides with examples and accurate information regarding plagiarism and techniques for how best to quote, paraphrase, or summarize a work.

Libraries should also make quality information on US copyright law available to members of their campus community. Recommended resources include:

PLAGIARISM AND COPYRIGHT

- Stanford University's Copyright and Fair Use website:
<http://fairuse.stanford.edu/library-resources/>.
- Columbia University's Copyright Advisory Office webpage:
<https://copyright.columbia.edu/>.
- The University of Texas Libraries Copyright Crash Course:
<http://guides.lib.utexas.edu/c.php?g=494169&p=3381727>.
- *Copyright law for Librarians and Educators: Creative Strategies and Practical Solutions*, written by Kenneth D. Crews (2012). ISBN: 9780838910924.

Both librarians and course instructors should model the behaviors they expect from students. This can be accomplished by ensuring that quotes, images, etc. they reuse in class materials are properly cited. When making copies of third-part works to distribute to students or using them as part of course instruction they should ensure they are doing so in compliance with U.S. copyright law.

In Conclusion.

Hill wisely states (2017)

The responsibility to ensure an ethical approach to academia must be shared. Students have a role to play but institutions cannot assume their levels of knowledge or understanding. Punishing the student without providing learning opportunities or access to information is neither efficient, nor pedagogically sound.

Intentional plagiarism and copyright infringement happens and should be dealt with appropriately, however many violations are unintentional and are a direct result of student's lack of knowledge and awareness on these issues. As many students and faculty seek help from

PLAGIARISM AND COPYRIGHT

librarians in performing research or finding sources to use for a class project, it is natural that they also seek assistance from librarians to learn more about plagiarism and copyright. In partnering with course instructors to provide educational resources and programming on plagiarism and US copyright law, librarians can prepare students to recognize how the works of others can be reused in an ethical and legal manner.

PLAGIARISM AND COPYRIGHT

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Statutes

United States Copyright Act, 17 U.S.C. § 101

PLAGIARISM AND COPYRIGHT

Unites States Copyright Act, 17 U.S.C. § 107