Can Open Ever Be Too Open When It Comes to Education?

Abe Hsuan
Irwin & Hsuan LLP
November 7, 2012
The World's most popular education blogging service...

Safe, secure & easy to use.
Used for e-portfolios, class sites & much more...

Trusted by over 2 million educators since 2005.

I have been using Edublogs for three years... I love the versatility and ease of use... The support is excellent.

Helen Harvey
Becker High School

Get your free blog now
Clinical risk students – suicide and self harm material
November 12, 2007
Material relevant to the session on November 6
Slides
Pierce Suicide Intent Scale
Beck suicide intent scale
Becks Hopelessness Scale (BHS)
Scoring for BHS
Posted by clive  Filed in Uncategorized
| Edit
1 Comment »
Dear James Farmer:

We have received a valid claim under the Digital Millennium Copyright Act, codified at 17 U.S.C. 512 (the "DMCA"), that materials on your web server hosted at ServerBeach may violate the copyright interests of the party filing the complaint. In accordance with the DMCA, we hereby inform you that your web server has been or within the next 24 hours will be, disabled to the extent necessary to comply with the DMCA. Your web site will remain disabled unless we receive a valid counter-notification from you. The DMCA provides that a valid counter-notification must contain the following:

1. The counter-notification must be addressed to the host's designated agent (the "Designated Agent") and must state, under penalty of perjury, that the infringement claim in question is a mistake.
Sample "Beck’s Hopelessness Scale"

TRUE/FALSE?

1) I look forward to the future with hope and enthusiasm

2) I might as well give up because there’s nothing I can do to make things better for myself

3) When things are going badly, I am helped by knowing that they can’t stay that way for ever

4) I can’t imagine what my life would be like in ten years
What happened?

• Nov 2007: Teacher posts “Beck’s Hopelessness Scale” at EduBlogs
• Sept 2012: DMCA takedown notice: Pearson -> ServerBeach -> eduBlogs
• Oct 9 2012: EduBlog “hides” post but does not remove file from servers
• Oct 10 2012: ServerBeach shuts down 1.45 Million blogs
As a learning and information company, Pearson values the open and free exchange of ideas."
The content of this t-shirt has been removed due to a DMCA takedown notice.
Technology, Education, and Copyright Harmonization (TEACH) Act

Enacted in 2002 to deal with the new technologies and enable use of copyright materials for ‘distance education’
- Accredited, non-profit education institutions only
- Part of mediated instructional activities.
- Limited to a specific number of students enrolled in a specific class.
- ‘Live’ or asynchronous class sessions.
- Not textbook materials or “works developed specifically for online uses.”
Only “reasonable and limited portions” such as might be performed or displayed during a typical live classroom session.

Institution must have developed and publicized copyright policies.

Institution must implement some technological measures to ensure compliance (beyond merely password).
Expressly does not cover following:

- Electronic reserves, coursepacks (electronic or paper) or interlibrary loan.
- Commercial document delivery.
- Textbooks or other digital content provided under license.
- Materials converted from analog to digital formats.

**Does not supersede fair use** or existing digital license agreements.
Information Wants To Be Free. Information also wants to be expensive. ...\textbf{That tension will not go away.}

Stewart Brand

http://www.flickr.com/photos/alphadesigner/5908597865/
With education moving online ...
... and new tech entering classrooms
Feels like we have seen this before
But seems less about *gratis* than *libre*
“On the one hand information wants to be expensive, because it's so valuable. The right information in the right place just changes your life. On the other hand, information wants to be free…”

“By 'free' I am not referring to price, but rather to the freedom to copy the information and to adapt it to one's own uses… Redistributing [useful information] makes humanity wealthier…”

Stewart Brand

Richard Stallman

Brand: https://plus.google.com/116951145888391044655/posts
Stallman: http://flickr.com/photos/chrys/5592199
Learning by "remixing"

The History Engine is an educational tool that gives students the opportunity to learn history by doing the work—researching, writing, and publishing—of a historian. The result is an ever-growing collection of historical articles or "episodes" that paints a wide-ranging portrait of life in the United States throughout its history and that is available to scholars, teachers, and the general public in our online database.
But tension still exists:
Fine line between learning and copying

One in five internet-using teens remixes content found online into their own artistic creations

Teen Content Creators and Consumers

More than half of online teens have created content for the internet; and most teen downloaders think that getting free music files is easy to do.

November 2, 2005
About 75% teachers say internet and digital search tools have "mostly positive" impact on students’ research habits.

55% college presidents say that plagiarism increased over past 10 years (89% of those say computers and internet played major role).
Copyng = Plagiarism (= Cheating)
Not your father’s way of cheating

http://whatwillmatter.com/2012/02/worth-reading-rampant-cheating-in-schools/
Not your father’s definition of cheating
“...our faculty members who come out of a different time maybe have one definition of plagiarism... We have a responsibility to work with our students who grew up in a different era.”

Kim Coplin, an associate provost at Denison University.

“Cheating, we were told time and again, is about stealing. Collaborating is about learning. Bad students do the former; good students do the latter.”

Based on The Chronicle of Higher Education’s Duke Study
<table>
<thead>
<tr>
<th>Behavior</th>
<th>Undergraduates</th>
<th>Grad Students</th>
<th>Faculty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working with others on an assignment when asked</td>
<td>32%</td>
<td>54%</td>
<td>82%</td>
</tr>
<tr>
<td>Paraphrasing/copying few sentences from written</td>
<td>56%</td>
<td>68%</td>
<td>84%</td>
</tr>
<tr>
<td>source without footnoting it</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paraphrasing/copying few sentences from Internet</td>
<td>57%</td>
<td>68%</td>
<td>82%</td>
</tr>
<tr>
<td>source without footnoting it</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receiving unpermitted help from someone on an</td>
<td>44%</td>
<td>65%</td>
<td>85%</td>
</tr>
<tr>
<td>assignment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fabricating/falsifying a bibliography</td>
<td>58%</td>
<td>74%</td>
<td>90%</td>
</tr>
<tr>
<td>Turning in work copied from another</td>
<td>88%</td>
<td>92%</td>
<td>98%</td>
</tr>
<tr>
<td>Copying material almost word for word from a written</td>
<td>91%</td>
<td>94%</td>
<td>99%</td>
</tr>
<tr>
<td>source without citation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turning in work done by another</td>
<td>86%</td>
<td>93%</td>
<td>98%</td>
</tr>
<tr>
<td>Obtaining paper from term paper mill</td>
<td>89%</td>
<td>92%</td>
<td>98%</td>
</tr>
</tbody>
</table>

“Perceived Seriousness of Different Behaviors Related to Written Work”

“In my day, we would have considered (collaboration) cheating. Students today don’t because everything is available on the Internet. If there’s any question at all, they’ll use those resources and not consider that cheating.” (emphasis added)

-- Donald L. McCabe, a Professor of Management and Global Business at Rutgers University
‘What’s a teacher to do…’?
• 60 million papers processed in 2011:
• 14 languages, used in 126 countries
• 24+ Billion web pages, 250+ million archived student papers, 120 million articles from 110,000 journals periodicals & books
• Over 1 million instructors, 20 million licensed students & 10K educational institutions
Illegal music downloading – the issues and arguments.

Illegal music downloading costs the music industry millions every year. Illegal music downloading is huge there have been big cases about it and there seems to be never ending stories about it. Big names in the illegal music download industry such as Napster...
Students Rebel Against Database Designed to Thwart Plagiarists

By Maria Glod
Washington Post Staff Writer
Friday, September 22, 2006

When McLean High School students write this year about Othello or immigration policy, their teachers won't be the only ones examining the papers. So will a California company that specializes in catching cheaters.

The for-profit service known as Turnitin checks student work against a database of more than 22 million papers written by students around the world, as well as online sources and electronic archives of journals. School
“the boundary between the two realms is quite permeable, with the values and language arising in one realm supporting the policing of the other”

Ours is the age of cyberspace. It, too, has a regulator. This regulator, too, threatens liberty....This regulator is code

Lawrence Lessig

From
http://harvardmagazine.com/2000/01/code-is-law-html
• Questionable ‘ethos’ being taught
• Commodification of knowledge
• Extends “copyright”-like protection to ideas and information
• Extends “business” marketplace model to educational products
• Weakens (undermines) “Fair Use” concepts

A good development?
• edX: 370,000 students in fall 2012
• Coursera: 1.7 million students since January 2012
• Stanford Professor Sebastian Thrun’s Fall 2011 “Introduction to Artificial Intelligence” online course attracted 150,000 sign ups

Why important?
“Year of MOOC”
You can try to be open but...
“Automatic Essay Scoring” software ‘natural’ next step

- March 2012 Hewlett Foundation study: 8 commercial and 1 open source robo-graders performed “as well as human graders.”
“The theory is that teachers would assign more writing if they didn’t have to read it. And the more writing students do, the better at it they’ll become – even if the primary audience for their prose is a string of algorithms.”

Thank You

Abe Hsuan
Irwin & Hsuan LLP
November 7, 2012