Chapter XX

Ethical Issues in Web-Based Learning

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Introduction

If you were to survey course syllabi on your campus, you would probably find the standard syllabi to include:

- course title and number,
- instructor’s name and contact information,
- course objectives,
- a list of required and recommended readings/materials,
- a detailed outline of the topics for consideration,
- detailed descriptions of assignments and due dates,
- percentage of final grade, and
- a schedule of topics by date.

You would also find a campus curriculum or departmental committee that initially approves such courses. Once the course is approved, it is not usually subject to review or scrutiny by the campus, unless the department requests a course change.
Meanwhile, faculty who teach the course change the syllabus at will based on new material in their discipline, changes in textbooks, and so forth. This is encouraged so that the students get the most up-to-date information in the discipline.

If faculty switch courses, retire, or resign, then their syllabus is passed on to the successor to revise, again at will. There seems to be little or no systematic accounting of the legitimacy of the course originally approved to the course now taught. Department chairs are supposed to do this. Many take their responsibility for quality control seriously; many others delegate this to their capable administrative assistant who may not know enough about the subtleties of the curriculum to have recognized that an inconsistency exists.

**What is the Overall Ethical Problem?**

The problem is that course information is now being posted to the Web, thus creating problems with values, rights, and professional responsibilities specifically in curricular quality control, advising, intellectual property rights, and succession planning (University of Washington, 1996).

What is the harm in not having quality control in developing and posting courses on the Web? This is best addressed through a series of questions about rights and values, and is illustrated in Figure 1.

1. Has the delivery mode of the Web changed the approved course’s integrity? How does faculty pedagogical style affect course integrity? Has the course changed from the campus’s officially approved version? What is the professional responsibility of the faculty and the department in keeping courses current and still protecting curriculum integrity? How does one handle and value course updates without changing the course? This is a *departmental* problem.

*Figure 1. Curricular quality control*
2. Do students have the right to get what they “pay” for? From an advising perspective, does the course reflect what is “advertised” in the campus catalog so that those seeking credit for the course elsewhere are assured that the course description in the official catalog is the same course taught or desired? This is an institutional problem.

3. How are the intellectual property rights of the faculty valued and protected by posting course material on the Web? This is an institutional problem.

4. How will successive faculty comply with the course integrity whether they put their material on the Web or not? This is a departmental problem.

There need to be policies or procedures in place that allow faculty to upgrade their syllabi routinely within the accuracy of an approved course process to address the ethics of advising, course and curriculum integrity, intellectual property, and succession planning. With the advent of courses being developed online and faculty now able to easily state to the world that “I have my syllabus on the Web,” this plethora of ethical issues arises.

The Course Integrity Problem

The course integrity problem stems from the overall issue of quality control. Faculty are encouraged to keep up to date in their discipline and pass this on to their students. Currency of intellectual thought is valued. Yet the bureaucratic process of reapplying for course “approval” whenever a course/syllabus is revised, or each time it is taught by a new faculty member, would be untimely. Curricular policies typically do not allow for easy and quick updates within the framework originally approved. The Web and online learning only exacerbate the problem. Faculty can and do change their courses quickly and without bureaucratic approval. Ethically, how are they being professionally responsible? This feeds another problem of altering courses that might not match catalog descriptions. The process of course approval and revision needs to be reexamined at the departmental level; for now, many faculty are caught in the middle.

The Advising Problem

When a campus prints a catalog of approved course descriptions, it is inherent that the course syllabi has been approved by the required committees. If students want to take a course on another campus or want their credits reviewed for transfer, it is the official course description in the catalog that is assessed. If a syllabus has been changed or updated so often by different faculty that it no longer reflects the approved course description, then there is an ethical problem of “misrepresentation.” Similarly, students who wish to enroll in a course, using the official course catalog description, fully expect that the course will reflect what is described. Students drop the course when they realize the course description and the actual course syllabus do not match. This was not the
course they thought it was going to be. This issue denies students fundamental rights of “buying” what is advertised. Is there an issue of public trust being violated? These are issues that need to be raised institutionally.

The Intellectual Property Problem and Academic Freedom

With each new iteration of a course, the syllabus has taken on the personality and pedagogical style of the professor. What worked for one instructor does not work for his/her successor. Their pedagogical styles and beliefs are reflected in how and what they teach, and how they assess the learning in their assignments. So they revise the course to reflect their own styles and personalities, and are permitted by academic freedom to do so (Hecht, Higgerson, Gmelch, & Tucker, 1999, p. 138).

When a faculty changes the course by changing the emphasis of the content, the type of assignments, and the new pedagogical material that helps student learn, they are developing their own intellectual property in the course. Who owns the intellectual property of the course is the subject of much current ethical debate. On some campuses, if you are an employee of the institution, the institution owns the intellectual property because the faculty member was “hired” to develop and teach it. This is “work for hire” (Kelley & Bonner, 2001). Other campuses feel that the faculty members own the intellectual property of the course. The course itself—that is, the course description—and the originally approved syllabi are the intellectual property of the institution. The faculty member’s interpretation of how to teach the course, the emphasis on the content, how the learning is assessed, and so forth is the intellectual property of the faculty member. The ethical problem is who owns what? And for how long? Is it the course or the syllabus that is sacred? What is posted to the Web for public access? And what is “secured” information to be obtained through enrollment fees, if any, that protect the intellectual property of the faculty? These are ethical issues for institutions to address.

The Succession Planning Problem

If a faculty member switches courses, goes on sabbatical, resigns, or retires, what happens to the course integrity? Does the course go with the faculty member who developed it? If given a copy of a previous syllabus, will successor faculty recognize it as the one originally sanctioned by the department, be able to recognize multiple modifications to it, or recognize the customized interpretation and intellectual property of the previous instructor? Do they know they can customize the course to fit their own scholarly interpretation without compromising the course and curriculum integrity? Again, is it the course or the syllabus that is sacred? The face-to-face version may look different from the online version. How will these successor faculty be coached on
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<th>Professional Responsibilities</th>
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<td>Course Integrity</td>
<td>Information delivered should be current.</td>
<td>What are the rights of faculty and students to provide and learn up-to-date information?</td>
<td>What are the policies and procedures to allow for updates within approved course structures?</td>
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<td>Advising</td>
<td>The institution values curricular quality.</td>
<td>What rights do students have for accurate representation of what is printed versus what is delivered?</td>
<td>What is the responsibility of the institution and department in providing accurate information?</td>
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<td>Intellectual Property</td>
<td>Faculty have unique teaching styles and pedagogical instructional design preferences</td>
<td>What rights do faculty have to carry their intellectual interpretation of the course to another campus? What rights does the campus have to protect curricular integrity?</td>
<td>What are the policies on “work for hire” and how are intellectual property rights of the faculty and the institution clarified? How long can an institution use the intellectual property of a faculty member who leaves the institution?</td>
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<td>Succession Planning</td>
<td>Faculty grow and move on. Successor faculty should be of equal or greater quality.</td>
<td>What rights do faculty have to develop their own intellectual property Academic freedom)? What rights do successors have to customize their interpretation of the approved course and not necessarily copy an old syllabus from someone else?</td>
<td>To what extent should adjunct faculty and other successor faculty comply with approved course syllabi? Who monitors the quality of what these successors teach?</td>
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keeping the original course integrity intact while offering their own customized interpretation online? Who in the department will coach and monitor them?

What are Some Solutions?

An ethical problem is one that can be solved with a win-win solution if people think through it long enough to figure out what to do. Can campuses support or justify their actions within the context of their values, rights, and professional responsibilities? (See Table 1.)

Using the Web, campuses can now do several things: (1) protect the intellectual integrity of the curriculum if a faculty member leaves or no longer teaches a course, which in turn affects advising; (2) protect the intellectual property of the faculty so that only those who are “buying” the credits actually get to use it; and (3) hold the departments accountable for the accuracy of the course offerings. To do these, two simple solutions are recommended:

1. Publish a “generic one-page common course syllabus” on the campus Web site reflecting the approved generic syllabus
2. Develop a customized “schedule” of the course which changes from semester to semester depending on who teaches it

Publish a Generic Common Course Syllabus that Does Not Change Over Time

This is a one-page document that has been approved by the department and campus curriculum committee or other required approving bodies. It can be posted on a campus Web site and provides enough information to viewers about whether the course meets their needs. This should be placed on top of any instructor’s own interpretation of the course. No matter who teaches the course, this is a “guarantee.” It only changes with official departmental/campus approval. The campus “owns” this course. It is a building block of a curriculum and is not subject to the changes in staffing. It is a course preview and could include the following elements:

1. Heading that specifies department, course number, course title, and institution
2. Approved course rationale
3. Approved course catalog description
4. Prerequisites
5. Approved course objectives or goals
Develop a Customized “Schedule” of the Course Which Changes from Semester to Semester Depending on Who Teaches It

A course schedule reflects whatever is changed in a course from semester to semester. If different faculty teach the course each semester, the course itself will not change, but rather the scholarly interpretation of the course will be dependent on who teaches it (Palloff & Pratt, 1999, p. 88). It reflects their teaching style and education philosophy. It is their intellectual property, the way they interpret and view the course based on the students they serve at the time. They can carry this course with them to another campus and adapt it to the needs of a different student body. It protects the fundamental rights of the faculty while complying with the course requirements of the institution. Several faculty teaching the same course ensures that the course objectives, content, and assessments are covered, while giving academic freedom to the faculty to implement their creativity and scholarship in unique ways in their customized version of the “schedule.”

It could include the following:

1. Instructor name, credentials, and contact information
2. Office hours
3. Room assignments
4. A statement of their personal assumptions about learning (their educational philosophy about teaching and learning)
5. Their current list of required and recommended readings
6. Their interpretation of the topics (more detail than the general outline)
7. A timetable for implementation of topics and assignments
8. Their interpretation of the learning assessments/assignments and weighting of such

These are two relatively simple solutions to solving the complexity of these ethical problems. Other ethical innovative solutions are possible, given the right processes to
generate win-win solutions (Joseph & Conrad, 1995). Regardless, the solutions will suggest departmental faculty collaboration, faculty training, workshops, seminars, policy analysis, and perhaps external peer reviews.

**Long Range Implications**

Ethically, the long-range issue affects curricular quality control, course integrity, and potentially accreditation. But the implementation of such a simple strategy as recommended above, the adoption of a one-page generic common syllabus and a changeable schedule, affects departmental decision making to the core.

Having a departmental discussion about each course, what the central elements are and how they are a part of the larger curriculum whole, is an insightful exercise in interpersonal group dynamics, organizational development, and change management. These cannot be handled in a single faculty meeting. With the number of online courses being developed within departments, many faculty will simply say that “the delivery method” has changed and there is no need to review the online version of the course. But an in-depth analysis of the course in that delivery method may show the problems mentioned earlier. Palloff and Pratt (1999) pose guiding questions to consider in developing courses online and how they might differ from their face-to-face counterparts (p. 109). Regardless, online course assessment should be considered in light of its impact on the department’s curriculum.

Another long-range implication is that of succession planning. If adjunct faculty step in for regular faculty, what assurances are there that the course will remain “intact?” What does “intact” mean now? If a faculty member resigns or retires, what happens to the course and curriculum integrity? By having a generic syllabus available for successor faculty, it provides them with the guidance and structure needed to develop their own materials in the course. The generic common course syllabus theoretically forms the basis for accreditation review.

**Conclusion**

With the advent of online courses, departments will have to reexamine what it means to offer a course in this new delivery method. They will have to think through the issues of values, rights, and professional responsibilities specifically in curricular quality control, advising, intellectual property rights, and succession planning. The delivery of courses online and visible worldwide brings fundamental ethical problems to the forefront. They need to be grappled with by departments, curriculum committees, and other approval bodies. What an opportunity we have to dialog about these issues!
References


