

Pilot of Free-text Electronic Plagiarism Detection Software



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0. EXECUTIVE SUMMARY

The pilot of electronic plagiarism detection was part of a four-strand project undertaken by JISC at the beginning of 2001. The larger project was established to review the use of electronic solutions to the issue of plagiarism and included technical reports on source code and free text detection and a good practice guide to plagiarism prevention. The pilot detection software strand was commissioned to identify some of social and cultural issues associated with the use of electronic detection such as training for staff and students, the impact on institutions' current plagiarism policy and procedures and interactions with student groups.

Five sites from the Further and Higher education sectors were commissioned to take part in this pilot. Each site was commissioned to pilot the detection software in five subjects, these subjects ranged from Biology to Business Studies. For the purpose of the pilot, a copy of the software 'turnitin' (designed and managed by the US company iParadigms), was placed on the JANET backbone and access to the software from institutions was made using a standard web browser. The software checks students work against over 800 million web sites and its own growing database of resource material.

This report provides a summary of the sites involved in the project and the lessons learned. These include: details of problems experienced and the reactions from staff and students. In addition to this, details have been provided on the legal issues associated with the use of electronic plagiarism, such as ownership of copyright and data protection. Finally, a list of items to consider when purchasing this form of software is also available.

1. INTRODUCTION

In 2000 the JISC Committee for Integrated Environments for Learners (JCIEL) commissioned four projects to look into the area of electronic detection of plagiarism. The projects included

- A technical review of free-text plagiarism detection software
- A technical review of source code plagiarism detection software
- A Good Practice Guide to Plagiarism
- A pilot of free-text detection software

This report summarises the findings of the pilots projects testing of free-text plagiarism detection software. Copies of the reports from the other three projects can be found on the JISC web site at <http://www.jisc.ac.uk/mle/plagiarism>.

1.1 *Aims and Objectives of the Project*

The project set out to review the social and organisational impact of electronic plagiarism detection software. These issues may include

- The impact of training both staff and students on plagiarism issues
- The impact on institutions' current plagiarism policies and procedures
- Interactions with student groups
- Possible cultural issues
- Possible appeal strategies
- Possible issues surrounding the isolated nature of distance learning

In addition to this, the project set out to review how effective a product being used widely in the US was when used in the UK.

1.2 *Description of Pilot*

During the six-month pilot JISC contracted the US company iParadigms to provide their detection software. This software checks the student's work against over 800 million web sites, essays from cheat sites and student material previously uploaded. The software does not identify plagiarism: it simply highlights text that can be found at another source. It does not make decisions about a piece of work or its author, it is just providing information on which a tutor can make a judgement about whether plagiarism has taken place.

Further details on the software can be found at <http://www.iparadigms.com>. The software was placed on the JANET network and made available to sites via a web browser. Each institution was given access so tutors could set up details for their class. When available, assignments were uploaded to the system and results accessed by the tutor. Details of this process are available in Appendix

C. Each site was asked to provide a report at the end of the project detailing their experiences.

At the start of the project, JISC consulted with legal experts in the area of copyright and were advised that permission should be sought from all students whose work would be uploaded to the system. A copy of the generic permission form produced for the pilot is included in Appendix A. This form is discussed further in section 1.5.2 of this report.

1.3 Sites Involved

Five sites were commissioned to trial the software in five subjects each. A summary of each institution and their background is given below in alphabetical order.

1.3.1 University of Aberdeen

“Five departments at the University of Aberdeen piloted electronic plagiarism detection software. All departments have become concerned about the increasing opportunity to plagiarise from the Internet. Instances of electronic plagiarism have already been detected but of more concern was anecdotal evidence suggesting that many more instances remained undetected. The promotion and use of this software was seen to be at the very least a deterrent.

All departments provide students with guidelines and use either their own or the University's policy on plagiarism to deal with instances which arise.”¹

The following departments were involved in the project

- Engineering
- Philosophy
- Zoology
- Drama
- Accounting

1.3.2 Dudley College

“Dudley College is a large further education College in the West Midlands. It offers a range of further and higher education courses, at all levels from foundation level to degree, with a diverse series of attendance options, including full time, part time, evening only part time, and distance learning.”²

¹ Extract from the final report produced by the Aberdeen project manager.

² Extract from the final report produced by the Dudley project manager.

The following departments were involved in the project

- Art and Design
- Business and Management Studies
- Electrical and Mechanical Engineering
- Information Technology and Office Studies
- TEFL (English for International Students)

1.3.3 Liverpool Hope

“Liverpool Hope is an ecumenical college catering for more than 6,000 students who study at Hope Park (a 30-acre landscaped campus in Childwall), Hope at Everton (a second major campus opened in 1999), REACHOut[®] and Network of Hope locations for University of Liverpool degrees and certificates. The College has four deaneries: Arts and Sciences, Education, Foundation, and Hope in the Community. These encompass staff contributing to teacher education and training courses, combined honours BA and BSc courses, single honours courses, part-time undergraduate courses within the combined honours courses, short courses available to the community, and MA, MSc, MEd and PhD courses. The College is accredited by the University of Liverpool, which awards its degrees.”³

The following departments were involved in the project

- Human and Biological Sciences
- Information Technology
- Music
- Theology and Religious Studies
- English

1.3.4 Staffordshire University

“Staffordshire University gained its status in 1992 from the former Staffordshire Polytechnic. It is comprised of (sic.) eight academic schools (Art and Design, Business, Computing, Engineering and Advanced Technology, Health, Humanities and Social Sciences, Sciences and Law). There is a strong emphasis on vocational courses and programmes are taught within a modular framework. There are two main campuses at Stoke-on-Trent and at Stafford and courses are also delivered at the Lichfield Centre, which is run as a partnership with Tamworth and Lichfield College. Over a third of students come from the surrounding areas of Staffordshire, Cheshire and Shropshire and 7% of students are recruited from outside the UK. Over 40% of students are over the age of 21 and there are over 3,000 part-time students at undergraduate level.

³ Extract from the final report produced by the Liverpool Hope project team

The Law School has been particularly concerned about Internet plagiarism in recent years. Isolated examples have been detected but they involved the expenditure of a great deal of staff time. At a University level, Award Regulations have been amended to cope with the problem.”⁴

The following departments were involved in the project

- Biology
- Geography
- Law
- Philosophy
- Politics

1.3.5 University of Wales, College Newport

“UWCN is an Associate College of the University of Wales. As a new university, they recruit mainly from the local community, and have high levels of recruitment from blue-collar households and non-conventional educational backgrounds. A high proportion of students (nearly 50%) are over 25, and most either have part-time jobs, heavy domestic responsibilities or both.

UWCN was keen to be involved in this study because several of their departments have been experiencing problems with suspected plagiarism. Existing detection methods depend on staff spotting familiar passages or recognising that students were using vocabulary that would not be familiar to them. They have had some success by keying characteristic phrases into a search engine and looking for them, but this is inevitably haphazard. UWCN felt they needed to explore more structured detection methods.”⁵

The following departments were involved in the project

- Engineering
- European Business Studies
- History
- Sports Studies
- Information Technology

1.3.6 Dissemination workshops

The project results were disseminated at three workshops open to members of the FE and HE community. The workshops were held the week beginning 16th July in London, Manchester and Stirling. The project teams provided

⁴ Extract from the final report produced by the University of Staffordshire project manager

⁵ Extract from the final report produced by the UWCN project manager.

presentations on the results of their project in the morning. In the afternoon delegates were given the opportunity to discuss in smaller groups the following issues

- Issues raised by the project and possible good practice already being carried out by delegates
- Existing use of electronic detection software
- The way forward for JISC in this area

The results from these discussions have been used to inform this report and the recommendations within it.

1.4 *The Pilot – Lessons Learned*

As with any project several sites experienced problems and although this was unfortunate, these problems have highlighted genuine issues that should be recognised, recorded and, where possible, solutions for the future offered.

1.4.1 Departments withdrawing from the pilot

By the end of the six-month pilot, seven departments from the original twenty-five contracted to take part had withdrawn from the project. These departments gave a variety of reasons including

- No assignments set in period of pilot
- Students did not upload work
- Work submitted in an inappropriate format specific to the subject
- Students did not have the IT skills
- Students only submit hand written work
- Expansion in student numbers and therefore unexpected increase in teaching commitments
- External factors meant the course was substantially amended so time could not be spared for additional commitments

Lack of Time

Two departments felt that they could not spare the teaching time to train the students in using the software. This was a particular problem for one department that had to substantially rearrange the course following the restrictions imposed during the foot and mouth crisis.

Perceived IT skills of students

Two departments withdrew after reviewing the requirements for uploading essays to the database. These departments had either misunderstood the requirements

of the project and had not realised students would need to provide their work in a word processed format, or felt that their students did not have the skills or confidence to do that.

1.4.2 Wrong URL used to access the service

At one of the institutions involved, staff and students were confused by the unusual URL of the service (<http://uk.turnitin.org>) and attempted to use the software available in the US (<http://www.turnitin.com>). This mistake highlights misunderstanding of the Internet but more importantly demonstrates that a simple URL, in a traditional format, is needed to avoid confusion. It also shows that putting in place a hyperlink from the institution's intranet or student pages would be a useful addition.

1.4.3 Student Reaction

The reaction of students to the permission form and project in general varied across the five pilot sites. In general students

- Were not particularly interested (but may have had some areas they wished to clarify)
- Did not have a problem with signing permission forms but never quite got around to submitting work (for the purposes of the project, some institutions made participation on a voluntary basis only)
- Felt the project was a good idea to ensure a level playing field for assessment
- Were unhappy about participation because of concern over how the results would be used

1.4.3.1 Student Reaction to the Permission Form

The following quotations have been taken directly from reports written by the pilot sites. All information provided by these sites has been kept in strict confidence so the quotations have not been referenced.

'The general student reaction was one of caution, but there were no reported examples of any hostility to the concept of signing the letters [student permission forms]'

'Students were initially happy to be involved in the project and we had no difficulty in securing compliance with the consent forms..In general, students do not seem to have felt any unease about their work being checked and some. . . students were keen to use the feedback to improve their referencing skills.'

1.4.3.2 Student Reaction to the Project

The following quotations have been taken from project reports provided by the five institutions.

'The reaction of the students was positive, and the response co-operative.'

'Some students commented on a "Big Brother" style to the software, although when it was explained that it was an opportunity to ensure fairness within the class the students were generally accepting.'

'... there was considerable concern about the use to which the results of the project would be put. . . . Students have expressed concern about the potential consequences of plagiarism being identified by this system.'

Students' concerns over the use of results were expressed at most of the institutions taking part. It is interesting to note that the majority of departments taking part decided not to act on the results and in one institution went so far as not to pass on the results to the lecturers. In the absence of full data from the students on their feelings on plagiarism, it is hard to say whether this concern was based on a fear of detection of intentional plagiarism or concern that the students had inadvertently committed plagiarism. However, it seems likely based on anecdotal evidence that it was the latter. This highlights again a real need for institutions to provide clear guidelines and training on study skills and essay writing.

To support their participation in the project, the Law School at Staffordshire University carried out a survey among their students. The survey provided some interesting and useful results. When asked if they supported a wider implementation of the software in other modules, 82% of students said yes, 60% thought plagiarism devalued the qualification and 36% placed the onus on staff to detect the problem. Although the Law School considers the teaching of study skills and essay writing a priority, 64% of students still believed that more time needed to be spent explaining the nature of plagiarism.

Some students expressed relief at the introduction of electronic detection software. They noted that it would provide a level playing field for all students and were glad something was being done to catch students who cheat. If the introduction of detection software is explained in a clear and positive way, institutions may be surprised at the number of students pleased by its deployment. We have received anecdotal evidence that students at some institutions are concerned about students cheating and potentially degrading an institution's qualifications.

All the institutions in the study took different approaches to the pilot. For example, some did not act upon the results, while others used the results as evidence in their normal disciplinary procedures. It is clear that individual institutions will incorporate this form of software in a variety of ways; they may

choose to use the results to inform their student educational process or as evidence in disciplinary hearing. What is important is that the institution decides from the start how the results will be used and makes this clear to the students. It is also important to note that the reaction from staff and students will depend on the culture of the institution.

1.4.4 Reaction of staff to the project

Although the majority of staff backed the project there were individual instances of negative feedback. In particular we have been informed that one lecturer at a pilot site expressed concern that the project was an infringement of students' human rights. It is important to remember that the software only highlights text found at another source; the tutor has to make an academic judgement on whether it is plagiarism. It is therefore no different from the normal assessment procedure where a tutor manually checks for plagiarism while marking work. However, this is a genuine concern that institutions should take into account and be ready to answer if they introduce this form of detection.

Staff also noted that the IT skills for their students might not be sufficient to use the software. As noted in section 1.4.1.1 of this report, the software is easy to use for people comfortable using the Internet in general. However, for those not web literate it may be daunting. In the six-month period of the pilot, it was not always possible to spend time training students in this area; however, if the service provided had a good user interface this problem could be overcome. This would also fit with every institution's desire to provide key skills training to all its students. It was noted that some of the staff concerned about their students' IT skills may in fact have been concerned about their own abilities. In some instances staff directly commented on this issue. As with students' training, given time to familiarise themselves with the software most staff would have found the software easy to use. The feedback from staff originally concerned has been positive and would back up this theory.

Staff in both HE and FE educations are faced with the difficult issue of retention and ensuring they support students in their endeavours to pass their courses. Although not a direct issue in the pilot, there was concern from some staff involved that pushing students to be involved in this project could mean they lost students from their class or department. This is a genuine issue for institutions as they try to balance academic integrity with a desire to assist students and in the longer term meet government targets

1.5 Issues Relating to Detection Technology

1.5.1 Experience in using the 'turnitin' software

Details of the strengths and weaknesses of the electronic plagiarism detection products are available in the 'Which' style report produced by the University of Luton. The full report can be found on the JISC web site at the following address: <http://www.jisc.ac.uk/pub01/luton.pdf>.

The pilot study also highlighted some additional issues regarding the use of the turnitin product, which are worth noting.

1.5.1.1 Software Strengths

Growing Database of Material

Once the software has compared a piece of work against its database of material, the work is passed into the database and thus becomes part of the data for future comparison. This means that it is possible to detect collusion within an institution and, if deployed nationally, across institutions. It can also detect the sharing or copying of work across an institution or the country, so it would pick up students sharing or selling work to their peers. This growing database then becomes a vital resource in itself. In addition to detecting these forms of cheating, it also means a database of correctly quoted text is built up, another valuable resource if the published document is not available in full in the detection software databases.

Ease of Use

The web site is very easy to use. Only one site reported problems with students navigating within the web site and in that case the problem was with the use of an incorrect URL. With a small amount of training or a simple instruction guide students with minimal IT knowledge would be able to upload their material. However, this has meant the site can be tedious and time consuming to use (see section 'Log On Process' under 1.5.1.2).

Student Use of the Web

One interesting benefit of using the software is that an academic can quickly identify how much material students have gathered from the web. If the particular assignment requires extensive use of the Internet or the academic encourages this form of research, the software will provide a graphical representation of student use. If no material is quoted it is not necessarily an indication that students are not using the web for research but it may be a useful tool when discussing this issue with students.

On the other hand, as the software provides an indication of how much of the assignment is quoted material, it may highlight that the assignment itself contains an unacceptable amount of quoted material. Although this is not an issue of plagiarism it is useful information that may be used by teachers.

1.5.1.2 Weaknesses

Technical Response

As the Luton report noted, the technical response provided by iParadigms was very slow (in their experience an eight-day turnaround). Although the system used in the pilot was robust and no downtime was experienced in the six months of the project, response to queries was slow. This may, in part, be due to the fact that iParadigms is based in San Francisco (an eight hour time difference to GMT). Even if minimum response times were included in a service contract the time difference would seriously affect an institution if problems occurred.

Login Process

It is obvious that the system was designed to be easy to use and in this it is successful. However, this desire for simplicity has resulted in a lengthy login process. From the homepage of the service web site over eleven different pages need to be navigated (six of these pages only ask for one piece of information each). Although student upload is recommended, some sites chose to upload the student's work centrally for the purposes of the pilot. All of those sites have noted that this is a time-consuming process and would recommend student upload in future. However, in some institutions, a central upload facility could be considered the most viable solution where there are concerns over IT provision, or the perceived IT skills of the students are low. In this instance consideration should be given to an alternative to the user interface that allows batch uploads.

IT Skills

As with any electronic interface the system requires some IT skills. A training plan for students not literate in this area would need to be devised; institutions might find that the inclusion of training to upload their material assists them in their endeavours to enhance students' key skills, a particular concern for FE institutions. This area is discussed further in section 1.3.6 of this report.

Speed of Results

Although not highlighted as an issue by the pilot sites, the response time for results by the turnitin software is 24 hours, making it the slowest of all the packages tested by the University of Luton. This can be balanced against the additional facilities this product provides (see section 1.4.1.1 of this report) but it is worth considering as this additional 24-hour delay may cause problems in an institution's assessment processes. This problem is not insurmountable. For example, some sites always set Friday deadlines, but it is something that institutions should bear in mind when considering the use of this detection produce.

Upload of Text

When uploading text to the turnitin software, a copy of the text needs to be taken and pasted into a text box. This removes the document formatting and means the resulting text is badly presented when printed. It also slows down the process of uploading. It would therefore be useful if assessments could be uploaded to the software in a formatted document such as Microsoft Word.

Browser Issues

Some sites encountered problems when uploading material using Netscape. This browser has a word limitation when copying and pasting. Although Netscape only holds 30% of the browser market⁶, it is the default browser at several institutions so will cause a problem if the detection software is widely used.

Detection of Published Material

Staff at the pilot sites also identified the lack of commonly used textbooks and journals in the database as a weakness of the software. Several departments commented that the lack of published material was a deficiency of the software and all five sites recommended its inclusion in any future service. The quotations below are taken from the project reports.

“The effectiveness of the software would be enhanced if the database extended beyond Internet materials to commercially published material. There is an opportunity to liaise with publishers if the software is made available nationally.”

“We also need progress on agreements with publishers to include academic texts in the database for checking.”

“If this software is to be truly effective for science students at University level then it is essential that the primary research literature be included in the databases that are searched.”

“published work (specifically online journals) needs to be included in the search”

“Some subject areas are mainly concerned about plagiarism from texts which are not tested by this software.”

“. . . most plagiarism was from text material, particularly books, and therefore if these could be added to the package as well as the web, it would increase still further the usefulness of the software.”

⁶ Data taken from <http://www.statmarket.com/>.

Although a database of quoted material will be built up over time from student work, this will not happen immediately and may not cover all the necessary areas.

Detection of Images

The software tested was unable to match graphical material such as graphs, pictures and diagrams. This meant that subjects in fields like Engineering are unable to check the majority of work submitted for plagiarism. Although this was outside the scope of the original project it is an important area, which requires further consideration.

1.5.2 Legal Issues

Before starting to use electronic plagiarism detection there are several legal issues to consider.

Purchasing a Service from a Supplier outside the EU

According to the technical review carried out by the University of Luton, there are two models of delivery of electronic detection software,

- i. Software located at the institution and/or tutor's desktop
- ii. Software located at the vendor's premises and accessed by the customer via a web browser

If an institution is considering a private arrangement with a detection software supplier outside the EU they must ensure that the product and database are located in the UK, or they may be in violation of European copyright laws.

Copyright Permission

Secondly, to ensure compliance with EU copyright law, it is advisable to seek signed permission from students that work can be uploaded, stored and cross-referenced against other material. For the purposes of the pilot project, JISC produced (in conjunction with a firm of lawyers) a student permission form, a copy of which is available as an Appendix A. Students taking part in the study were asked to sign the form and return it to their tutor. This form was produced in January 2001 before the new European directive on copyright was published. Details of this directive can be found in Appendix B. Since the new directive allows for the reasonable storage and processing of material, future student permission forms will not need to be so lengthy and detailed. As this form will need to be signed by all students, we recommend that relevant text be included in the institution's student registration process. Where registration is only required at enrolment at the institution, consideration will need to be given to the administration process to deal with students already in the system.

Institutions with existing policies will need to consider the impact or possible conflict these may have on the requirements for the use of electronic plagiarism detection software. Institutions will also need to consider the requirements of postgraduate students. Where students are studying part-time and employed by a private company, a policy on copyright may conflict with the company's contract of employment. Institutions should therefore consider a mechanism where students or employers can claim back the right to use their material or enter into agreement with the institution over joint ownership.

1.5.3 Central versus local detection service

Before considering deploying a national service, it is useful to consider how a service could work at a local level. The table below shows the issues associated with each.

Institutional bases system	National Service
Privacy	Would have to register
Total Control of system	System controlled centrally
Ability to chose the software that best suits the institution's perceived needs	One system provided for the whole community
Ability to broker special deals with software supplier	Central negotiation with selected software supplier
Can specify the locally requirements for uploading material to database	Selection of upload facilities made available (but could not specify)
High start up costs	Available at little or no cost for the first two years
Requires Local Management, but also no direct control if problems arose	Centrally managed

Does not have access to the resources a national database would create (i.e. cross matching of students work across institutions)	Cross matching against all essays uploaded by all institutions using the software
Overheads associated with the training staff	A member of staff would be trained to provide internal training; training material would also be provided.
Local negotiations for required material	Central negotiation with electronic publishers/vendors for generic material
Local negotiation with software supplier	Central negotiation with software supplier in terms of cost and service availability
Could create own procedures for use	Institutions would have to abide by JISC requirements of use

The most important issue to note is that cross-institutional matching (something not systematically available at the moment) and large provision of published material would be costly and difficult at a local level.

1.6 Selecting Detection Software

As previously noted, free-text plagiarism detection software seems to fall into two categories, those located at the institution or desktop and those available remotely. Products available locally provide a lightweight solution that is easy to install and support (in most cases, if a problem arises, a simple reinstallation is the easiest solution). However, these products do not have the benefits of a more complex database product, which stores all student work for future comparison.

During the pilot project we learned some valuable lessons that should be considered when producing a service specification.

1.6.1 Issues to Consider

1.6.1.1 Ease of Use

Delegates were asked at the dissemination workshops what they felt the key to the success of a detection tool would be. The overwhelming response was ease of use. To ensure accessibility for all students (in the case of student uploading) and staff any product should be easy to use and provided with clear instructions.

1.6.1.2 Cross-referencing and collusion identification

When selecting detection software, an institution needs to be clear about what sort of plagiarism they wish to detect. From the five products tested only one

product (turnitin) provided identification of web based material *and* collusion. The other four products provide one or the other.

1.6.1.3 Uploading of Material

Institutions need to consider how the material will be uploaded to the system. If an institution opts for a desktop system, the tutor will upload material. However, if an institution opts for a central service, consideration will need to be made as to:

- The institutional submission process
- Student IT skills
- Provision of IT equipment
- LAN bandwidth

These issues will affect an institution's decision on whether students should submit their work to the system or supply their work by email or on disc for central uploading.

If an institution decides to upload material centrally, they may wish to consider requesting a batch load facility from the software supplier. If they decide to require students to upload material, they should consider whether this should be done by cutting and pasting material or by uploading formatted documents in, e.g., Microsoft Word. Neither of these facilities is currently available in the products tested by the University of Luton (for more details see <http://www.jisc.ac.uk/pub01/luton.pdf>).

1.5.1.4 Browser specifications

As noted in section 1.5.1.2, institutions may experience problems if they wish students to upload material by cutting and pasting the text if the site's default browser is Netscape.

1.5.1.5 Re-analysis Facility

It would be useful if the software allowed work to be re-submitted for checking (excluding the first source found) so staff could identify other possible web sites used. This might be useful when pursuing alleged cases of plagiarism through disciplinary procedures.

1.5.1.6 Response time of software supplier

As with any operational product, a quick response and problem solution is vital. Therefore agreeing acceptable response times and service levels in the initial contract is recommended, particularly if the company is located outside Europe.

1.5.1.7 Integration with Existing Systems

Consideration should be given to how the detection system can integrate with other systems in the institutions. This could include, existing electronic submission and student records system.

Appendix

Appendix A - Example of Student permission form

Participation in pilot of on-line submission

As you may be aware, this department is taking part in a short national study to identify some of the issues surrounding the use of software to enable student materials submitted electronically by a student for assessment to be checked for plagiarism. The software searches the World Wide Web and extensive databases of reference material to identify duplication. The software makes no decisions on whether a student has plagiarised, it simply highlights sections of text that have been found in other sources. In most cases this will be text that has been correctly cited. If you have any questions or concerns on the correct way to quote material please see your student handbook or your tutor.

The project will run between January 2001 and approximately June 2001 and during this time, work submitted by students will be stored electronically in a database or databases used for the project and may be compared against work submitted by the students of other departments within this [University] or from other institutions taking part in this project. It will therefore be necessary to take electronic copies of your materials for transmission, storage and comparison purposes and for the operational back-up process. To do this, we require your permission. At the end of the project all your materials will be erased and no copies will be kept.

Information regarding the identity and/or other details about students will be processed during the course of this project and therefore we require your specific permission to process this.

Please sign the section below and hand back to your tutor as you leave.

I agree that for the duration of the project, any materials I submit may be copied and stored and used for all purposes in connection with the project.

I hereby consent for the processing of my personal data (including my name, matriculation number and other necessary information) for the purposes of the project.

Name (block capitals) _____

Signature _____ Date _____

Appendix B – Legal Details of new EU Directive

The following text has been supplied by Manches Solicitors, 3 Worcester Street Oxford OX1 2PZ

'Transient' Electronic Copying

Copying of all or a substantial part of a copyright work will amount to copyright infringement. Copying includes storing the work in any medium (which can itself be electronic) by electronic means. Consequently, every dealing that an HEI or FEC has with a student's essay submitted in electronic form (whether receiving it, saving it, emailing it on, etc) will involve copying the essay, and therefore will amount to infringement of the student's copyright, unless some contrary agreement has been reached.

Such an agreement may be (1) an express assignment or licence of the student's intellectual property rights, effected as part of the matriculation process, or (2) an implied licence, when submitting the essay electronically, that the institution can copy it for the purposes of saving it and reading it and (if appropriate) forwarding it to other people at the institution for the purposes of assessment (in much the same way as there is an implied licence when accessing a web site for the user's PC and server to copy the web site). In the absence of express agreement as suggested in (1), whether the implied licence referred to in (2) will exist depends very much on the circumstances, and the common usage or practice. The safest course is to obtain express consent.

Amendments to copyright law are required to be implemented by December 2002, as a result of the recent EC Directive "on the harmonisation of certain aspects of copyright and related rights in the information society". Two of these amendments that may be of relevance in this context are:

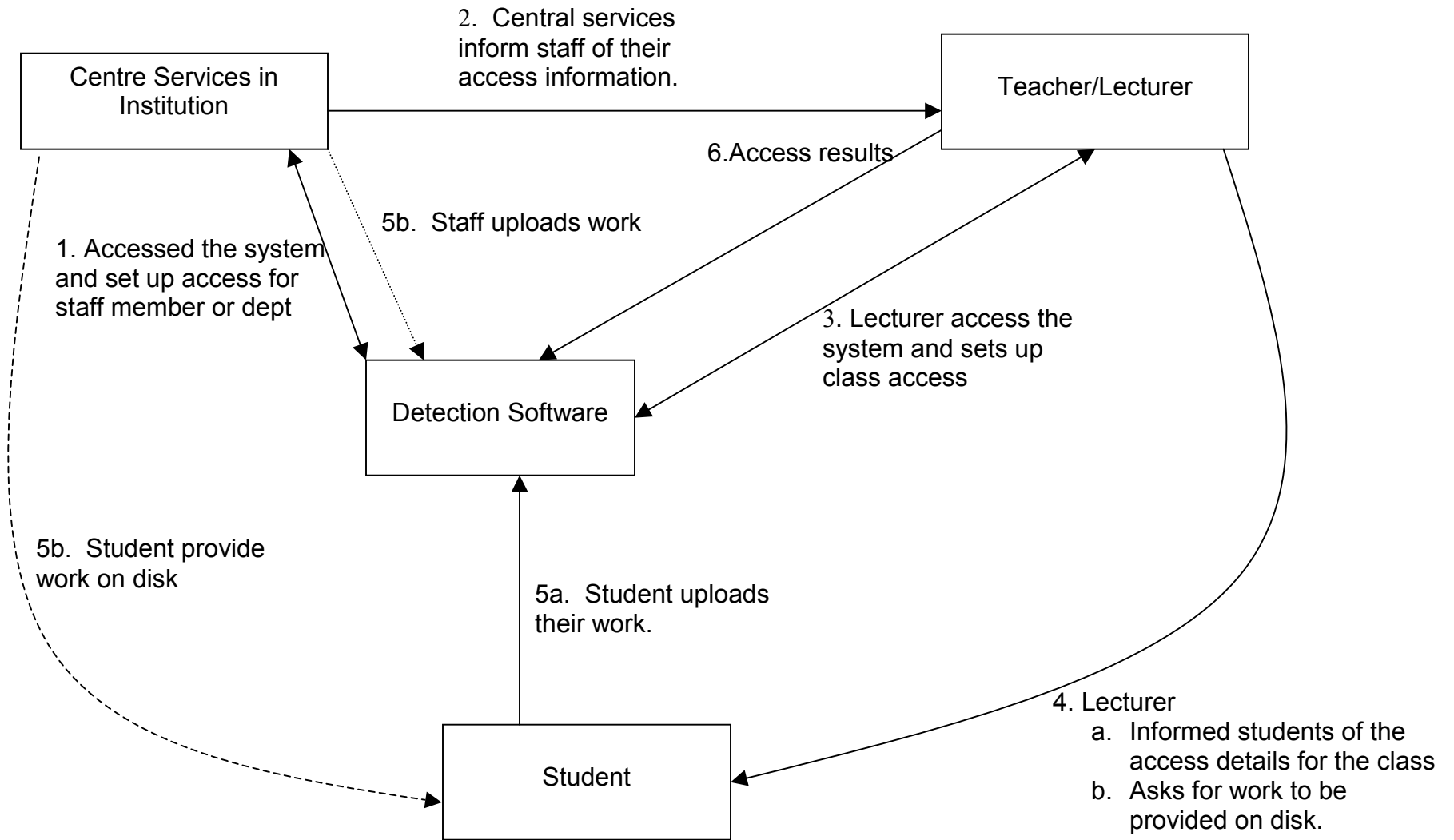
- Temporary acts of copying which are transient, incidental and an integral part of a technological process, and whose sole purpose is to enable:
 - (a) a transmission in a network between third parties by an intermediary, or
 - (b) a lawful use

and which have **no independent economic significance**, shall not amount to copyright infringement.

- Member States can decide to include additional exemptions for specific acts of copying made by educational establishments, which are not for direct or indirect economic or commercial advantage.

The first new exception is fairly limited, and seems to apply mainly to ISPs. At the very least, however, it should avoid liability in the case of receipt and storage of an emailed essay. The second possibility depends on what the UK Parliament decides to implement, and there is no guidance at this stage on whether, or to what extent, it will add to the existing education exceptions in English law.

Appendix C – Diagram of Uploading Process



Appendix D – Disclaimer

The information contained herein is believed to be correct at the time of issue, but no liability can be accepted for any inaccuracies.

The reader is reminded that changes may have taken place since issue, particularly in rapidly changing areas such as Internet addressing and consequently URLs should be used with caution.

The JISC cannot accept any responsibility for any loss or damage resulting from the use of the material contained herein