

Turnitin: what students need to know

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It is quite possible that you, along with hundreds of thousands of other students around the country will be asked to submit your work to the Turnitin database to check for plagiarism. While Turnitin may be a very useful tool for detecting and preventing plagiarism, the Intellectual Property Caucus of the Conference on College Composition and Communication (CCCC-IP) warns that agreeing to use such a service "presents risks which students might not anticipate or fully understand."

On their website and in their literature, Turnitin represents that the service is perfectly legal and that there are no potential problems. The company advises us that "one of America's top law firms" has formed a "legal opinion that Turnitin's use of student work complies with FERPA, COPPA and copyright laws. . . ." The same document goes on to say that ". . . we have concluded that [Turnitin's] use does not pose a significant risk

of infringement of any copyright in written works submitted to Turnitin for evaluation." Contrary to this legal conclusion, and conspicuously missing from the site is a notice that Turnitin's parent company, iParadigm, is currently being sued for copyright infringement.

According to the Washington Post, in March 2007, two McLean High School students and two Arizona high school students filed a lawsuit in U.S. District Court against Turnitin. Maria Glod

of potential problems. Buried at the bottom of a document titled "Information for Faculty" the university notes "The use of . . . tools like Turnitin.com is somewhat controversial," then cites issues such as "infringement on student copyright and student privacy as well as the free, uncompensated use of student work to generate a profit for a private business."

As demonstrated by the lawsuit, the copyright infringement concern is very real, but what about privacy, profiteering and other concerns?

The Family Educational Rights and Privacy Act (FERPA) governs student privacy. Turnitin says that the service does not violate the terms of FERPA. Citing the recent Supreme Court ruling of *Owasso Independent School District v. Falvo*, Turnitin claims that papers submitted to its database are not considered a part of students' "educational record" at the time of submission and thus outside the scope of FERPA. Also, Turnitin claims that the service does not divulge any personally identifying information.

What Turnitin does not point out is that FERPA compliance relies

upon legal loopholes as well as the cooperation of third parties to remain compliant. For example, Turnitin asks that the student or instructor submit the work before grading or recording in the student's official record. The company sophistically concludes therefore, the paper "is not considered an education record at that time, and FERPA does not apply." Sara Hoff explains, ". . . FERPA only applies to 'educational records,' and papers are only considered 'educational records' after they are graded." Therefore, if a professor grades a paper, and then decides to submit it to Turnitin, there is a potential problem.

If a professor or student forgets to remove all personal identifying information, then FERPA is implicated. Turnitin does not strip off personally identifying information, nor does it check to see if the paper has been graded before submission. Therefore, when using Turnitin, a student's privacy is only as good as the third party submitting the paper.

Turnitin offers some contractual challenges to students as well. In legal jargon, the license to use the service would be considered an adhesion contract.

This means that the terms of the license are offered on a take-it or leave-it basis, and they heavily favor the corporation.

For example, one of the terms of the agreement is that the content of the student's paper survives intact for "future use as part of [the Turnitin]

database." What exactly does that mean? Nobody really knows. It could mean that the twenty-page paper you worked on all last semester will be sold to a third party without consulting you.

Another potential problem for Penn State students is that ". . . arbitration shall take place in Alameda County, California. . ." This means that Turnitin users waive their right to a trial in a court of law.

Instead, "any and all disputes, claims or controversies arising out of or relating to these Terms and Conditions that are not resolved by mutual agreement" must go to binding arbitration on the other side of the country.

You should also remember that Turnitin "may revise these Terms and Conditions at any time, and by your continued use of the Site agree to be bound by future revisions."

To summarize, your intellectual property will be stored indefinitely, potentially eternally, by a third party who may do with it as they please.

They can change the terms of the agreement whenever, and however they like, and the only recourse a student has is to travel across the country to an arbitrator.

Although a small, there is a certain population at Penn State who are minors. By adopting and implementing Turnitin, it seems that Penn State expects minors to enter into an adhesion contract with a third party vendor who intends to use the minor's intellectual property for profit. This seems legally and morally suspect.

Finally, Turnitin creates a dilemma whereby a student's education may be based on agreeing to the terms of a contract with a third party. What happens when a student is unwilling or unable to agree Turnitin's Terms of Use? Penn State does not appear to have a policy covering this.

Besides copyright, privacy and other legal problems, the use of Turnitin offers some moral and ethical problems as well. The first problem is that Turnitin makes a profit from students populating its database.

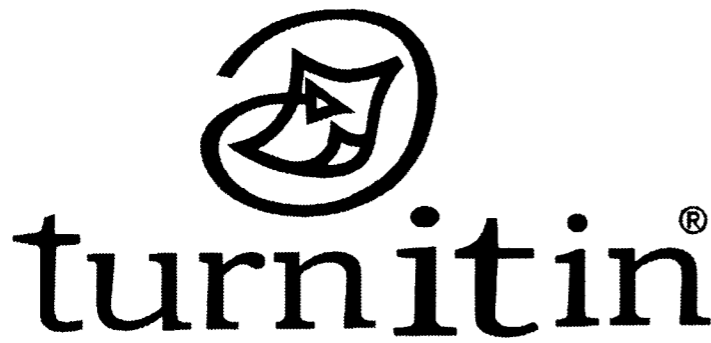
The Turnitin contains over 40 million papers with 100,000 new documents added daily. Steven Longenecker reported that "Turnitin posted profits of \$10 million in 2003."

While Robert Vanderhye estimates that in 2006, Turnitin "made \$80 million with costs that are insignificant." Vanderhye has accused the Turnitin's founder of stealing from students.

Penn State has the duty to enforce academic integrity; that should not be compromised.

Penn State also has a duty to its students, and the legal and moral rights of those students should be balanced while addressing academic integrity.

Ironically, Turnitin copies student's papers to show that copying papers is wrong, and the entire business model relies on collecting, copying and storing student's intellectual property. Because of that, we as student should question whether Turnitin helps Penn State meet its obligations to students.



A service of iParadigms, LLC

Photo courtesy of google.com

explains, "One of the McLean High plaintiffs wrote a paper titled 'What Lies Beyond the Horizon.' It was submitted to Turnitin with instructions that it not be archived, but it was."

Penn State briefly recognizes the dangers that Turnitin presents, but doesn't seem to warn students

Super hero delegates: A guide to the delegate process

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"It's all about the delegates," Senator Barack Obama said in late January. Countless headlines report that Senator Hillary Clinton is wooing the superdelegates and that she is fighting to reset Florida and Michigan's delegates at the Democratic National Convention. Senator John McCain is less than 300 delegates away from officially becoming the Republican presidential candidate. But what exactly is a delegate? If you're unsure, you're hardly in the minority.

Put into simplest terms, delegates are generally party activists or local political leaders from both Democrat and Republican parties who choose their presidential nominees at their national conventions. The delegate system exists in both parties to ensure the most representative and competitive candidates become the presidential candidates.

However, similarities between Democrat and Republican delegates and their delegate processes end there. Not only do delegates and the rules regarding them differ from party to party, but also from state to state and even by congressional district.

In this election, there will be 2,380 Republican delegates deciding their candidate. Most will be pledged delegates whose states' primary or caucus results decide their votes but anywhere from six to twenty percent will be unpledged delegates. Unpledged delegates may choose to support any candidate. Unpledged delegates rarely decide the candidate. To win the nomination, a candidate must only win a simple majority of delegates. Senator John McCain, for example, will likely earn the necessary 1,191 delegates before the Republican National Convention, and therefore will not need to concern himself with wooing the unpledged delegates.

The Republican delegates are distributed among both congressional districts and statewide, depending on the state. This election year a total of 74 delegates will be representing Pennsylvania at the Republican National Convention. All Pennsylvania delegates will be unpledged, since 62 of the total 74 delegates will be elected in the

April 22 primary. The delegates will be proportionally allotted to each congressional district. While other states operate like Pennsylvania, some operate on a winner-take-all system, where the winning candidate receives all of that state's delegates. Still others proportionally pledge delegates to candidates in accordance with the popular vote.

As of now, the Democratic presidential candidate will be decided by 4,049 delegates, of whom approximately 20 percent will be superdelegates. Superdelegates are

Obama have been neck-in-neck in this presidential race, always within hundreds of delegates from each other; neither candidate is close to the 2,025 delegates needed to win.

Pennsylvania will have 188 delegates total, 30 of whom are considered superdelegates. The superdelegates include Governor Ed Rendell, one U.S. Senator, 11 U.S. Representatives, and one distinguished party leader. At the state committee in June, the other three superdelegates will be chosen by the Pennsylvania State Democratic Committee. So far 12 have declared their support for Clinton, three for Obama. They may change their support, however, up until the Democratic National Convention. The 103 district delegates will be distributed proportionally to candidates after the primary, but the winner of the state will also receive an additional 55 delegates.

If, at the beginning of the Democratic National Convention, it is unknown whether Obama or Clinton will emerge with the presidential nomination, it will be the first "brokered" or contested convention since 1952. In a brokered convention, negotiations must take place, but Norman Ornstein, a

U.S. political expert at the American Enterprise Institute, predicts there is only a "30 percent chance" of such a situation. Superdelegates were instated to prevent brokered conventions.

While it may seem as though your voice and vote don't matter in the grand scheme of things, they really do. Super- and unpledged delegates make up only a small percentage of all delegates and most of the remaining delegates are allotted to candidates by proportion of your vote. So vote in the April 22 primary, because your vote will make a difference.

simply what the Democratic Party calls their unpledged delegates. Superdelegates may support any candidate, while pledged delegates are proportionally given to any candidate earning at least 15% of the popular vote in the state.

Like the Republican delegate process, the Democratic candidate needs a simple majority to win the nomination. Unlike the current frontrunner circumstance of the Republican Party, superdelegates are likely to be the deciding factor at the Democratic National Convention. Senators Hillary Clinton and Barack





Democrats »		TOTAL DELEGATES
	Barack Obama	
	Pledged: 1,184	
	Superdelegates: 185	
	Total: 1,369	
	Hillary Clinton	
	Pledged: 1,031	
	Superdelegates: 236	
	Total: 1,267	
Election Center »		Needed to Win: 2,025
Republicans »		TOTAL DELEGATES
	John McCain	
	Pledged: 967	
	Unpledged RNC: 66	
	Total: 1,033	
	Mike Huckabee	
	Pledged: 244	
	Unpledged RNC: 3	
	Total: 247	
Election Center »		Needed to Win: 1,191

Photo courtesy of cnn.com
If figuring out who to vote for was not hard enough, the delegate process of the primaries can make national elections a nightmare for some.

Are you comfortable in your genes: Eating disorders tackled at PSH

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According to the National Association of Eating Disorders, up to 24 million people in the United States suffer from an eating disorder—anorexia nervosa, bulimia, or binge eating disorder. This is triple the amount of people living with AIDS.

Students at Penn State Harrisburg recently had the opportunity to participate in eating disorder education and prevention as part of National Eating Disorder Awareness Week (February 24 to March 1, 2008).

The weeklong program, "Are You Comfortable in Your Genes?" featured eating disorder screenings, information, and "Broken Mirrors: A Program About Eating Disorders, Body Image, and Healing," by actress, comedian, and eating disorder

survivor, Stacey Prussman. Prussman spoke on Tuesday February 26 in the Gallery Lounge of her own struggles with eating disorders and her ongoing recovery.

The three main types of eating disorders are anorexia nervosa, (self-starvation and excessive weight loss), bulimia nervosa (binging-or eating large amounts of food-followed by purging), and binge eating disorder or compulsive overeating (periods of eating beyond being comfortably full often accompanied by fasting or aggressive dieting).

The majority of people with eating disorders are women, but a growing number of men struggle with them

as well. According to the NAED, 10 percent of anorexics and bulimics are male. Men, however, are less likely to seek treatment due to the diseases' stigma as a "feminine" one. Of growing concern is what Arnold Anderson, M.D. has called "reverse anorexia," in which men believe they can never be big enough. They exercise and monitor their food and weight obsessively in order to achieve the "v-shaped torso" and muscular physique which is portrayed as the dominant image of bodily perfection for men in the media.

Prussman is a comedienne and actress. She has had roles on "The Howard Stern Radio Show" on the E! channel, ABC's "Hope and Faith," in feature films and off-Broadway musicals, and has had her work published in several books. She is also an eating disorder survivor and had become an educator.

Her own struggles with eating disorders are the inspiration for her work. Prussman's issues with food and weight loss began when she was only 8 years old, when she auditioned for the role of "Annie" in a theatre production. As she came offstage, she overheard an agent remark "There are no fat Annies," to another child.

She recalls that when she returned home, her mother took away her cookies and replaced them with carrot sticks, and even picked the marshmallows from her cereal.

"She did the right thing, bought healthier foods—but it was the first time my food was being messed

around with, I think that triggered a lot of the control [issues] with food...it was a validation of the bad comment, subconsciously, not even meaning to do anything wrong. And [my mother] was also on a diet herself then. She became weight-conscious, and I saw that."

Prussman stresses that "Eating disorders are serious diseases...we don't know who really has eating disorders—just because you look thinner doesn't mean you have one. We have to take that judgement out."

She notes that if someone suspects that a friend or loved one has potential issues with eating disorders, the most important thing is to approach them and find out what the underlying issues or stressors may be. In a non-judgemental way, offer concern, support, and help.

Additional information and assistance is available through Counseling Services in W-117 Olmsted (948-6025), Health Services in W-102 Olmsted (948-6015), or through the National Association of Eating Disorders' website <http://www.edap.org>



Photo courtesy of google.com
Eating disorders affect many college students so this past week of PSH focused on education and prevention of disorders as part of National Eating Disorder week.

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