Give Credit Where Credit is Due:
Avoiding Plagiarism and Copyright Infringement

By Alliant Los Angeles librarian Stephanie Ballard

Plagiarism is defined as "any passing off of another's ideas, words, or work as one's own." It is a form of cheating and a violation of academic integrity, and is taken seriously by reputable universities such as Alliant. Most students are honest, ethical, and hard-working, but a few take shortcuts in their coursework and some commit plagiarism inadvertently because they do not understand what it is. This is unfair to those who exercise due diligence to avoid plagiarizing. Ignorance is not a legitimate excuse. Students should take the responsibility to become familiar with the specifics of plagiarism. When in doubt, check with your instructor and ask for clarification.

In the chapter Understanding and Preventing Plagiarism of the book *Learned Lessons*, Joshua Landau suggests ways to reduce plagiarism and identifies three possible reasons for it:

- Intentional theft—due to peer pressure, competition, and the belief that "everyone is doing it"

- Source-memory error—due to laziness, i.e. the failure to trace an idea or passage to its source

- Ignorance—students may not know how to paraphrase material

Copyright infringement is defined as "the unauthorized or unlicensed copying of a work subject to copyright." Because the principles of copyright and fair use are pertinent to a discussion of plagiarism, they are included as well. For example, it is considered fair use to photocopy or print out one chapter of a book or one article from a journal issue, but not the entire work. Rules governing the use of copyrighted materials in classrooms and in course reserves are of particular concern to faculty, who are expected to become familiar with and apply them in their course preparation. To comply with fair use guidelines, for example, faculty may supply students with citations and ask them to duplicate the articles themselves, rather than hand out multiple copies in class.

This instruction guide is designed to inform the Alliant community about the problems of plagiarism and copyright infringement and to reduce their occurrence. It will help you to comply with the law and with academic policies. It will help you to use "another's ideas, words, or work" without presenting them as your own. The best way to avoid plagiarism is careful citing of materials used in your writing, whether verbatim or paraphrased. Quotation marks must enclose any sentence, phrase, or even an unusual word lifted "as is".

A variety of informational resources are presented below, along with basic concepts that everyone in higher education should know. Sections include: Legal Information, Alliant Resources, APA Resources, Electronic Resources, and Library Books.

I. Legal Information

The principles of Copyright and Fair Use are of particular interest to governments. Here are some United States resources from the federal Copyright Office:

1. Copyright

Copyright is based on the idea that we are all entitled to the fruits of our labors. It is the ownership of intellectual property, like the patent, the trademark, and the trade secret. Copyright is a legal concept giving the creator of an original work of authorship exclusive rights to it, usually for a limited time, after which the work enters the public domain. Generally, it is "the right to copy", but also gives the copyright holder the right to be credited for the work, to determine who may adapt the work to other forms, who may perform the work, who may financially benefit from it, etc.

The Copyright Act of 1976 remains the primary basis of copyright law in the United States, although it has been amended several times. Title 17 of the U.S. Code spells out the rights of copyright holders and provides for the protection of intellectual property. To qualify for copyright protection, a work must be original, creative to a minimal degree, and in a fixed or tangible form of expression. It does not cover: works in the public domain; facts and ideas; works that lack originality; and freeware. The Act also outlines the Fair Use Doctrine, which permits the use of copyrighted material for educational purposes.

2. Fair Use

An important part of copyright law is the Fair Use Doctrine. It was designed to balance the rights of a work's creator with the work's potential benefit to society, as well as free speech rights. Fair Use allows the photocopying, downloading and printing of copyrighted works, without securing permission, for these purposes: criticism, comment, news reporting, teaching, scholarship, and research. The following four factors must be considered when determining if the use or duplication of a work is legal:

a. Purpose and character of the use

OK for educational but not commercial purposes. You cannot make a monetary profit.

b. Nature of the copyrighted work

A rather vague concept, it refers to a range of protection depending on whether the original work is factual (less protected) or creative/fictional (more protected).

c. Amount of the portion used in relation to the whole work

OK to duplicate a small amount, specifically:

- Single chapter from a book

- Single article from a journal

- Short story, essay, or poem from an individual work

- Chart, graph, diagram, drawing, cartoon, or picture per book, journal or newspaper (provided that the individual illustration is not copyrighted)

d. Effect of use on the potential market or value of the copyrighted work

Duplication should not harm the commercial value of a work, that is, it is not a substitute for actually purchasing a book, music recording, etc.

3. Educators and researchers

There are further restrictions on the duplication and distribution of copyrighted materials for the classroom and course reserves. Fair Use of these materials must meet the tests of brevity, spontaneity, and cumulative effect. Each copy distributed must include a notice of copyright. It is the responsibility of faculty members to secure permissions. Additional considerations are applied to electronic course reserves. (See section II. 4. Library Policies.)

a. Brevity

For works under 2500 words, use is limited to either (a) a complete article, story, or essay, or (b) an excerpt from any prose work of not more than 1000 words or 10% of the work, whichever is less. For works over 2500 words, 500 words may be copied.

b. Spontaneity

The educator's inspiration and decision to use the work must occur so close to the time it is needed that there is not sufficient opportunity to secure permission.

c. Cumulative effect (all 3 of these tests must be met)

- Use for one course in the school only. (Interpretations of what defines a "course" are available.)
- Use is limited, per course/semester, to: one article/story/essay/poem or two excerpts per author; or three from a collected work or journal volume.
- Maximum allowed is nine instances of duplication, per course/semester.

Prohibitions against duplication

- Cannot substitute for the purchase of textbooks, compilations, journals, or reprints.

- Cannot be repeated by the same educator from semester to semester.

- Students cannot be charged more than the actual cost of duplication.

- No works intended as "consumable" such as workbooks and standardized test booklets.

There are some materials it is *never* OK to duplicate, such as protocols (scoring sheets) and parts from test kits in the Library's collection. Because psychological and educational tests must be administered by licensed professionals, they are subject to stricter rules. In addition, the use of existing testing instruments for research purposes requires the permission of the author and/or publisher.

Disclaimers

- Despite the above permitted uses, it is wise to exercise caution when using copyrighted work. Binding agreements such as contracts or license agreements may take precedence over Fair Use.

- The parameters of copyright and Fair Use do evolve over time with new litigation and legislation. Please consult current sources of information if in doubt.

II. Alliant Resources

The issues of plagiarism and copyright compliance are addressed in several university documents. All can be accessed through the Alliant intranet portal; if you have trouble finding them, please ask for help from a faculty or staff member.

1. **Graduate Student Handbook**

   a. Computer Labs and Computing Services states in its Intellectual Property policy: "Members of the Alliant community are expected to respect intellectual property rights of others and to abide by copyright laws. Copyright is the right of authors to control the reproduction and use of their creative work. Software, graphic designs, photographs, drawings, audio-visual presentations, musical works, and literary works may all be protected by copyright."

   b. Student Rights and Responsibilities: "Registration as a student shall signify that you agree to abide by the rules, regulations, and requirements of the University. In recognition of this fact, students sign an acceptance of these rules, regulations, and requirements..."

   c. The *Student Code of Conduct and Ethics: Academic* describes the Scientific Misconduct Policy: ".....Scientific misconduct is defined as falsification or fabrication of data, *plagiarism*, or other actions that seriously diverge from those accepted by the scientific community....."

d. The Disciplinary Process: Depending on the severity of the violation, it can range from a warning letter placed in the student's file, probationary status, work assignments, temporary suspension from a class or the University, or even termination from the University.

2. University Catalog

See *Student Code of Conduct and Ethics: Academic* for examples of violations, including plagiarism.

3. Copyright Compliance Policy

The Alliant legal counsel and Provost's Council adopted a policy in 2007 to guide copyright compliance. Topics include: Fair Use guidelines, course packs, course reserves, educational multimedia, software copying, and obtaining permissions.

4. Library Policies

Alliant instructors who use Library course reserves are expected to know and observe Fair Use guidelines of the Copyright Act, which restricts the materials they can place on reserve. If interested, ask a Library staff member for the document *Copyright Guidelines for Electronic Course Reserves*. (Those who choose to upload documents directly to the Moodle course management system will presumably be bound by the same rules.)

5. Anti-plagiarism software

Alliant has purchased the anti-plagiarism program Turnitin for instructors' use. By enrolling in a course, students agree that all assignments are subject to submission for purposes of plagiarism screening by computerized detection systems.

When you plagiarize, not only do you break the rules, you also cheat yourself out of a good education. Dr. Jonathan Troper, of the Organizational Psychology program at the Los Angeles campus, makes a convincing case for avoiding plagiarism:

> "At the graduate level, students produce assignments to analyze and synthesize information. You show what you know and produce something new. In an assignment, you might answer a question, solve a problem, or propose a theory or model that explains some phenomenon. This builds your skills and expertise in producing meaningful, original work.
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> When you analyze information, you may report what other people have said, but then slice and dice it in new ways to draw your own conclusions. Mostly, reporting others information involves paraphrasing it in your own words. You might quote a small piece of what they said when their words say it so well that you can't think of a better way to say it.
>
> When you synthesize information produced by other people, you also paraphrase and maybe quote small bits of information from other people. Then, you put the information together in new ways and draw new

conclusions. If you simply quote other people's information and don't add new explanations or analysis of your own, that's not producing something new. A paper or presentation that simply quotes or paraphrases what other people have said is unacceptable. If you took someone else's paper and presented it as your own assignment, simply citing the source you got it from doesn't change the fact that taking someone else's paper and presenting it as your own assignment is plagiarism.

So, when you're putting together a paper or presentation, always ask yourself what new patterns you see, what new conclusions you can draw, how that information provides answers to an interesting or important question, or what new explanations you can make using old information. Producing something new is what makes you a professional." (quote used with permission)

III.   APA Resources

1. ***Ethical Principles of Psychologists and Code of Conduct (2002, 2010 Amendments)***

   [Plagiarism and Publication Credit](#) are addressed in the American Psychological Association ethics code.

   8.11 Plagiarism
   Psychologists do not present portions of another's work or data as their own, even if the other work or data source is cited occasionally.

   8.12 Publication Credit
   (a) Psychologists take responsibility and credit, including authorship credit, only for work they have actually performed or to which they have substantially contributed.

   (b) Principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status. Mere possession of an institutional position, such as department chair, does not justify authorship credit. Minor contributions to the research or to the writing for publications are acknowledged appropriately, such as in footnotes or in an introductory statement.

   (c) Except under exceptional circumstances, a student is listed as principal author on any multiple-authored article that is substantially based on the student's doctoral dissertation. Faculty advisors discuss publication credit with students as early as feasible and throughout the research and publication process as appropriate.

2. ***Publication Manual of the American Psychological Association*, 6th edition**

These two principles are discussed on pages 15-16 of the new APA style manual (2010), and Chapter 6 is devoted to Crediting Sources. Quotation marks are required when using the exact words of another. The manual also stresses that not only must you credit a source in the text when you paraphrase an author, but you must do so *every time* you paraphrase. These rules apply also to personal communications, such as notes taken in class lectures, face-to-face conversation, emails, etc.

If a written work is intended for publication, the APA also requires proof of permission to use material from copyrighted sources. This permission must be footnoted for material that is quoted at length, and the original author's letter of permission must accompany the manuscript. This rule applies to figures and tables as well, and credit to the author or copyright holder must be included in the caption.

IV. Electronic Resources

1. **Fair Use Chart**

Here is a link to a useful chart that describes various media and explains what a teacher can do with each.

2. **Organizing Sources**

The electronic availability of information resources makes it easy to copy and paste blocks of text, and equally easy to plagiarize, whether intentionally or unintentionally. To save yourself from this mistake, carefully note the sources of information you collect. When doing research using electronic documents, there are tools to help:

- Many literature databases allow you to print, email, or save citations to a storage device or electronic folder, and even automatically format them in APA style. In EBSCO databases, for example, item records include a Cite icon that provides a reference formatted in various styles.

- Bibliographic management software, such as RefWorks and EndNote, are sophisticated programs that organize citations from literature searches and simplify record-keeping. Free programs, such as Mendeley, Zotero and EasyBib, are available too.

- Web browsers allow you to save web pages in a Bookmarks or Favorites folder for future retrieval.

3. **Persistent Links**

Some instructors require the addition of hyperlinks to electronic resources that are cited in class papers, so that they can check your sources. These are called "persistent links" and are included in the full records of items retrieved through database searches.

a. EBSCO databases often add a DOI to citations formatted in APA 6th edition style. This is an acronym for Digital Object Identifier, a string of numbers that serves as a permanent address for an electronic resource. When DOIs are included, the database name and item URL are not needed in the citation. For example: Chou, C., Chan, P., & Wu, H. (2007). Using a two-tier test to assess students' understanding and alternative conceptions of cyber copyright laws. *British Journal of Educational Technology, 38*(6), 1072-1084. doi:10.1111/j.1467-8535.2006.00695.x

b. In the Alliant Library's classic catalog, each item record includes a link labeled *Persistent link to this title*, which provides a URL that can be pasted into documents and electronically point to the record.

4. University of Maryland University College's Center for Intellectual Property has a web page with extensive lists of detection services and bibliographies about various plagiarism topics. http://www.umuc.edu/distance/odell/cip/links_plagiarism.shtml

5. Dr. Ronald B. Sandler, a Massachusetts attorney, has created two informative web pages:

   - [Some Observations on Copyright Law](#)

   - [Plagiarism in Colleges in USA](#)

6. On the web site Virtual Salt, Robert Harris, author of *The Plagiarism Handbook*, offers instructors *Anti-Plagiarism Strategies for Research Papers*. He discusses what motivates students to cheat, how to detect cheating and plagiarism, and instructional strategies to minimize it. One strategy is to discuss the benefits of citing sources. Harris says:

   > "Many students do not seem to realize that whenever they cite a source, they are strengthening their writing. Citing a source, whether paraphrased or quoted, reveals that they have performed research work and synthesized the findings into their own argument. Using sources shows that the student is engaged in "the great conversation," the world of ideas, and that the student is aware of other thinkers' positions on the topic. By quoting (and citing) writers who support the student's position, the student adds strength to the position. By responding reasonably to those who oppose the position, the student shows that there are valid counter arguments.

   > In a nutshell, citing helps make the essay stronger and sounder and will probably result in a better grade. Appropriate quoting and citing also evidences the student's respect for the creators of ideas and arguments--honoring thinkers and their intellectual property. Most college graduates will become knowledge workers themselves, earning at least part of their living creating information products. They therefore have an interest in maintaining a respect for intellectual property and the proper attribution of ideas and words." (quote used with permission)

V. Library Books

- *Copyright law and the distance education classroom* / Tomas A. Lipinski Lanham, Md. : The Scarecrow Press. KF 4209 E38 L57 2005 (San Francisco and Fresno campuses)

- *Crisis on campus [electronic resource]: confronting academic misconduct* / Wilfried Decoo. Cambridge, Mass.: MIT Press, c2002. (online via Alliant Library catalog)

- *The plagiarism plague: a resource guide and CD-ROM tutorial for educators and librarians* / edited by Vibiana Bowman. New York: Neal-Schuman Publishers. PN 167 B68 2004. (San Francisco campus)

- *Publication Manual of the American Psychological Association,* 6th *edition*. Washington, D.C. : American Psychological Association. BF 76.7 P83 2010 (all campuses)

- *Technology and copyright law : a guidebook for the library, research, and teaching professions* / by Arlene Bielefield and Lawrence Cheeseman. New York : Neal-Schuman Publishers. KF 3030.1 B533 2007 (San Diego campus)

- *Terms of use : negotiating the jungle of the intellectual commons* / Eva Hemmungs Wirtén. Toronto : University of Toronto Press, c2008. K 1401 H454 (San Diego campus)

- Understanding and preventing plagiarism / Joshua Landau. In *Lessons learned; v. 2: practical advice for the teaching of psychology* / edited by Baron Perlman. Amer Psychological Soc. BF 77 L641 2004 (Los Angeles campus)

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