



Copyright and Privacy

Turnitin Promotes Fairness and Integrity

IN THE NEWS

Recently, there has been healthy debate on several campuses about Turnitin and its implications for student privacy and intellectual property rights. We feel that a thorough discussion of the facts about Turnitin will help reassure both current and potential users that our system promotes fairness and academic integrity, values the privacy and intellectual property of students, and operates within relevant laws.

- The legality of our services has been confirmed by our nationally recognized law firm, Foley & Lardner, and law firms throughout the world.
- We comply with all relevant privacy laws: FERPA, COPPA, PIPEDA, and others.
- Turnitin ensures the security of student information through industry-standard SSL encryption.
- Schools are permitted to use student intellectual property for the purposes of performing student evaluations. Turnitin is an important part of these evaluations.
- The archiving of digital fingerprints of papers is permitted under the current laws of the United States, the United Kingdom, Canada, Australia, and New Zealand, among others.

THE ORIGINS OF TURNITIN

Turnitin's plagiarism prevention service is used successfully by millions of students and educators in over fifty countries every day. The system was created at UC Berkeley in the mid-nineties as a way for students to collaborate and review each other's work electronically. Digital plagiarism was such a problem in undergraduate classes that we added a plagiarism check as part of the system.

As word spread about Turnitin and Plagiarism.org, the overwhelming need in the academic community for the Turnitin system became clear. Educators felt powerless to stop student plagiarism, and they felt like they lacked the tools to detect it. We endeavored to create the most thorough and accurate—yet fair and intelligent—plagiarism search possible, and we believe that we have succeeded.

THE VERDICT

Students whose papers are screened by our system are never declared "guilty" or "innocent." Instead, our system shows instructors any text matches found in our databases along with the sources of those matches. Instructors then decide whether plagiarism has occurred, using their common sense and the best available evidence.

In short, plagiarism checking is already a part of the evaluation process for student work; Turnitin is simply a

powerful tool that educators can use to perform that part of their evaluations.

Moreover, schools are not only entitled but obligated to award grades and degrees based on original student work, rather than on plagiarized work or the input of others. Because of the unfortunate prevalence of plagiarism in all academic settings and across the curriculum, schools are adopting Turnitin as the most reliable way to prevent awarding fraudulent grades and degrees.

Read the documents prepared by Turnitin's legal team from Foley & Lardner at www.turnitin.com/static/legal

INTELLECTUAL PROPERTY

Because we are concerned with respecting privacy and intellectual property laws, Turnitin engaged the services of several highly respected law firms in the United States, Canada, and Australia to evaluate the possible legal implications of our system. The response of our counsel was unanimous: Our service is 100 percent in compliance with all relevant laws of all the countries in which we operate.

Whether Turnitin should be used on a given campus and whether new intellectual property protections are needed for students are both topics open to debate. However, when students claim that Turnitin violates the law or engages in "commercial exploi-

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tation” of their copyrights, that claim is simply not based on fact. Students who maintain that Turnitin should pay them to be able to check other papers for plagiarism against theirs are speaking from a viewpoint that is not supported by any current law.

As always, students are free to advocate changes in the laws of their countries or in the policies of their institutions, but claiming that Turnitin violates current laws or forces students to give up their copyrights is inaccurate.

PRIVACY

Turnitin abides by a strict privacy policy to protect sensitive data—so much so that many traditionally conservative institutions have entrusted us with their intellectual property. Student information and papers are secured digitally through industry-standard SSL encryption and physically through stringent security measures at Turnitin’s server facilities.

We welcome the opportunity to describe the specifics of how Turnitin complies with the law, and we invite anyone with legal concerns about our system to email our legal department at legal@iparadigms.com.



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COMMON MISCONCEPTIONS ABOUT TURNITIN

“Turnitin treats students like criminals—guilty until proven innocent.”

Student papers are no more deemed plagiarized (“guilty”) or original (“innocent”) before evaluation by our system than they are of passing or failing before being given a grade. Our system doesn’t deliver guilty verdicts for students. Instead, it generates Originality Reports that provide extensive documentation of any text matches from our databases. Trained faculty then make the determination if plagiarism has occurred. Honest students have nothing to worry about; more often than not, the system discovers only minor citation irregularities with papers. If a paper hasn’t been plagiarized, our system reads it the same way a teacher would—with fresh eyes.

“We don’t need Turnitin because we have an honor code.”

Unfortunately, the best available evidence strongly suggests that cheating at many academic institutions has outpaced all conventional efforts to stop it. In a Center for Academic Integrity study, 38 percent of students, including many at schools with honor codes, admitted to cut-and-paste Internet plagiarism in the United States last year.

“Turnitin is making money by stealing my intellectual property.”

Multiple law firms have concluded that Turnitin operates in full accordance with the intellectual property and privacy laws of the United States, Canada, the United Kingdom, Australia, and New Zealand. Not one legal challenge to our service has emerged from the thousands of secondary schools, colleges, and universities who successfully use our service around the world every day. Schools have a right and an obligation to use the best system available to weed out plagiarism and fairly grade student work.

“Turnitin makes students submit papers to them or the student gets an F.”

In one highly publicized Canadian case, a student refused to submit a paper to Turnitin and received a failing grade from his instructor. Unfortunately, most of the press surrounding the incident didn’t present an accurate picture of the issues involved. This student chose to violate a stated policy of his instructor and his institution, which resulted in the initial consequence of receiving a failing grade. And while we recognize and respect the rights of students to raise concerns about our service, student objections do not change the fact that Turnitin operates in full accordance with the law.

“Turnitin is in violation of the law because the school is disclosing protected educational information to an outside party.”

A recent U.S. Supreme Court ruling, *Owasso Independent School District v. Falvo*, held that individual student papers do not fall under the category of “student education records” as described in the Family Educational Rights and Privacy Act (FERPA). Therefore, student submission of papers to our system does not implicate FERPA. Furthermore, in all cases involving student information, Turnitin abides by a strict privacy policy that prevents disclosure to any outside party.