STUDENT CODE of CONDUCT in the ONLINE CLASSROOM:  
A CONSIDERATION of ZERO TOLERANCE POLICIES

Michael Traina, MBA  
Northern Kentucky University  
Department of Mathematics & Computer Science  
United States of America  
trainam1@nku.edu

Denise Doctor, MA Ed.  
Central Arizona College Signal Peak Campus  
United States of America  
ddoctor@centralaz.edu

Erik Bean  
University College  
University of Phoenix  
United States of America  
deado@uophx.edu

Vernon Wooldridge  
University of Phoenix  
United States of America  
rwooldridge@email.uophx.edu

Abstract: The rapidly changing world of technology is creating unique challenges for today’s educators of higher learning. In particular, e-learning programs throughout the world have created an increasingly complex set of issues related to acceptable student conduct in cyberspace. One of many challenges that educators and administrators must face is how to establish and enforce an effective student code of conduct. This inquiry presents potential dangerous scenarios that exist in educational cyberspace. Increasing abuses of online systems have created a possible need for educators to consider a zero tolerance approach to e-learning programs. Further, a contrasting view of traditional and online codes of conduct is offered. Ultimately, it appears that traditional classroom codes of conduct do not address the range of student behaviors that are possible in cyberspace. Educators in higher learning institutions must ensure that their code of conduct keeps pace with the unique freedoms associated with e-learning programs.

High velocity changes in technology are creating workplace requirements that pose unique challenges to today’s educators. Higher education is responding by providing innovative educational delivery systems. The ideal system “prepares individuals for a very different workplace—one that is characterized by interorganizational mobility, flexible work arrangements, teamwork, technology, and international relationships” (Brown, 2003, p. 1).

In recent years, higher education has found ever increasing uses for the Internet. The growth of the online classroom over the Internet and e-learning specifically over the past few years has been dramatic. “Fifty-six percent of two and four year colleges offer on-line courses, and an additional twelve percent of colleges have indicated they will begin offering these courses over the next three years” (Rimlinger, 2003, p. 2A). The Department of Education reports that over 3,000,000 students in the United States are now enrolled in some type of on-line learning (Rimlinger, p. 2A).

Unfortunately, the onslaught of e-learning programs has also brought with it a complexity of issues. One question that educators and administrators must face is how to establish an effective student code of conduct.
Traditional classroom codes of conduct do not necessarily cover the range of student conduct that is possible in cyberspace.

In fact, some “school officials have turned to zero tolerance policies with respect to certain types of speech they deemed offensive” (Hudson, 2004, p. 1). What exactly is zero tolerance? “As the name suggests, zero tolerance policies allow for absolutely no levels of tolerance or compromise for violators of the law in question. Punishment under such policies is unwaveringly severe” (Wikipedia, 2005, para. 1). Are zero tolerance policies required in the online learning environment? Is zero tolerance in the e-learning environment different than traditional environments?

Behavior, codes of conduct and resultant policies are markedly different in the online environment than in traditional on-ground environments. In 2000, the Institute for Higher Education Policy prepared a report entitled, Quality on the line: Benchmarks for success in internet-based instruction. The authors of that report wrote,

It has been only ten years since the coding language for the World Wide Web was developed by Tim Berners-Lee in Switzerland, and Wide Area Information Servers and Gopher protocols became the first tools for surfing the net. It seems clear to most observers that the Internet and WWW profoundly influence society in general and colleges and universities in particular (p. 5).

After an historical investigation of zero tolerance policies for the online environment, it is abundantly clear that there is a need to articulate zero tolerance policies in the online learning environment.

Zero Tolerance Policies for the Online World

Waterhouse and Rogers (2004) indicated e-learning course syllabi must articulate policies for email, plagiarism and intellectual property, submission guidelines, and student code of conduct. Student code of conduct is of utmost importance when considering e-learning policies. Just as on-the-ground student code of conduct is put forth in student handbooks, e-learning course instructors and institutions must follow suit.

One area of procedures and rules is zero tolerance. Historically, zero tolerance equates with violence, weapons, and gangs in on-the-ground settings. In cyberspace courses, zero tolerance needs to be calibrated to eliminate nonsensical policies, and add policies to handle all too possible conduct issues such as harassment, gender bias, racial bias, religious intolerance, ethnic slurs, age discrimination, disseminating pornography to children, and appropriate e-mail topics. Someone cannot be shot in cyberspace, after all, but they can have their identity stolen.

“Zero tolerance has become a leading priority for school leaders as they respond to a wave of violence that has struck public schools throughout the United States” (Essex, 2005, p. 89). Three hundred forty eight deaths have occurred in the United States between 1992 and 2000 as a result of school violence (Essex).

Zero tolerance as it pertains to school safety became prominent in the 1990’s in the United States. Early zero tolerance programs were aimed mainly at preventing weapons and drugs on school property. In 1994, the United States government passed the Gun Free School Act that “mandates expulsion of students who bring a weapon to school”.

While the aim of zero tolerance programs is certainly honorable and well intentioned, it also has received much criticism because of inflexibility and inappropriate applications of the policy. Some students have felt that schools have infringed on their rights because of over zealousness of school administrators.

Some organizations believe that zero tolerance policies are unnecessary. One such organization, The National School Safety and Security Services, believes that “the real problem is therefore the absence of common sense, not the presence of intentionally harsh actions committed to fuel a master nationwide plan called zero tolerance” (2005, para. 4).

The Institute for Higher Education Policy (n.d.) defines guidelines and targets for Internet-based distance education. According to the Institute, “the National Education Association, and Blackboard, Inc., asked The Institute to attempt to validate those benchmarks that have been published by various entities, with specific attention to
Internet-based distance education” (p. 1). It seems prudent to address the zero tolerance component of student code of conduct policies. The establishment of zero tolerance policies for the online learning environment on the institutional level and on the course level needs to be actualized.

The National Education Association (n.d.) asked the question, “Why are standards needed for online learning?” (p. 2). The NEA articulated goals for online learning but omitted a discussion of zero tolerance in the online environment. However, it stands to reason that student codes of conduct must include the online environment. Along with this comes the need for delineation of zero tolerance items that reflect and uphold legal and ethical conduct. While some schools do have codes of conduct for online education, this research did not find any specific zero tolerance policies related to online learning.

One could argue that zero tolerance should only apply to guns, weapons, or drugs. While it is true that a student cannot shoot someone over the Internet, that does not preclude the possibility of violent actions in cyberspace. This shows why this inquiry is necessary. Schools must understand that improper conduct in cyberspace can be extremely damaging to another person.

**Does e-learning require a separate code of conduct?**

A separate code of conduct for e-learning is imperative. The National Education Association (n.d.) in its Guide to online courses specifies a protocol for instructors modeling appropriate conduct online but does not go beyond stating “the online teacher models personal attributes that support a learning environment” (NEA, n.d. p. 17). According to the Brookings Institution web page (2005), the Computer Ethics Institute of the Brookings Institution, Washington D.C., recognizes that as technology continues to develop, there is a need to address and respond to ethical issues.

Furthermore, school activity in an e-learning environment is much different than traditional schooling. E-learning is growing at phenomenal rates, yet educators often continue to maintain traditional codes of conduct. The problem lies at times with the abuse of the freedoms that students have. A school administrator at the University of Virginia recently reported on what he felt was extreme misuse of online privileges, calling a student’s website the “worst abuse he’s ever seen” (Grigg, 2005, para. 7). Through use of his online privileges, a student there had constructed a website that featured necrophilia, sodomy, and extreme fetishism. Universities often provide space for student websites, thus a possible breeding ground for inappropriate behavior.

In some cases, schools have already instituted specific policies for behavior in cyberspace. Washburn University has instituted a Cyberspace Citizen Code that specifies proper student behavior in the e-environment (2005). Categories of conduct include copyright, libel, invasion of privacy, obscenity, hacking and cracking, spam, and harassment and threat (Washburn University).

Other universities specify regulations geared towards behavior on school computers. The Northern Kentucky University website lists the following items as inappropriate uses of school computers: sending harassing, fraudulent, threatening, or discriminatory communications, including chain emails, breaking into or obtaining unauthorized access to any computer, or other person's password or user account, and any other illegal actions, including copyright violations (Northern Kentucky University, 2005).

However, do current school policies go far enough? Are they unintentionally leaving themselves open to potentially dangerous situations? In order to answer these questions, one must understand what makes the e-learning environment different.

**E-learning delivery methods**

Often, students do not ever have face-to-face contact with their instructor or fellow students. Thus, traditional codes of conduct that are geared towards on-campus conduct need to be reconsidered. For example, since
there is only a virtual campus, policies against bringing drugs, alcohol, or firearms to school fail to make sense. For students who rarely if ever see each other, the need to prevent guns and drugs from entering a school becomes a non-issue. However, is the danger of violence lessened merely because there is limited face-to-face conduct? Violence can occur in more ways than physical confrontations, and perpetrators can use cyberspace to carry out violent acts that have names such as cyberterrorism, and cyberstalking among others.

The largest area of differentiation between e-learning and traditional classrooms is the delivery method. In order to make some determination on zero tolerance policies, it is important for educators to fully understand these methods. In the virtual world of the e-classroom, most communication is done via the written word. Programs such as WebCT, Blackboard, and Microsoft Outlook Express are examples of popular e-learning tools that allow students and faculty to easily communicate. Secondly, students and faculty have the ability to download and upload attachments. These attachments may consist of submitted assignments, exams, and course material, and can consist of any type of electronic data. This data can be in the form of text, audio, or sound files as well.

A third method of delivery that is possible but not as widely used is videoconference or teleconference. Some distance learning programs consist of a teacher at one site providing live instruction to students at remote locations. This is accomplished via web cameras and special software.

Possible Zero Tolerance Conduct

Schools also must have awareness of what they should consider as zero tolerance items in e-learning situations. Each of these has some unique danger that is not seen in traditional education. Schools should carefully consider the danger of this type of conduct from their students.

Cyberterrorism

Can terrorism actually exist in an e-learning environment? Because a school often provides server space and communication software for their students, this seems to be an especially suitable breeding ground for activities that could contribute to terrorist causes. Terrorism on the web “serve at least eight purposes: psychological warfare; publicity and propaganda; data mining; fundraising; recruitment and mobilization; networking; sharing information; and planning and coordination” (Emigh, 2004, para. 13).

As such, schools that provide web access, server space, and communication software may be contributing unknowingly to the spread of terrorism. In fact, terrorists do not always perpetrate terrorism. According to experts, “a breach in a network's security is much more likely to be the work of a maladjusted teenager or a disgruntled employee than a terrorist group” (Emigh, 2004, para. 16).

Computer viruses are also a form of terrorism and can be terribly damaging, especially in a school environment. Viruses can cause numerous problems, including loss of data and loss of computer usage. Computer viruses can even lead to the need for system replacement. A 2000 joint study by Price Waterhouse-Coopers and Information Week Research estimated virus attack losses at 1.6 trillion dollars worldwide, with 266 billion dollars of loss in United States organizations (Kelly, R. 2003).

College environments are often the breeding grounds for virus creation and spreading. Current known viruses number in the thousands, and while computers can be protected from these through virus protection software, it is the in-the-wild viruses that are especially damaging. These are new viruses for which there is no current antidote. Viruses can take many forms and are categorized as worms, trojan horses, time bombs, and logic bombs.

Recognizing that the spreading of a computer virus is criminal, the State of Pennsylvania passed a law in 2000 that for the first time defined a computer virus. This law states that anyone “intentionally spreading a computer virus faces a seven-year prison sentence and a $15,000 fine” (Keegan, 2000, para. 1).
Cyberstalking

Cyberstalking is analogous to traditional forms of stalking, in that it incorporates persistent behaviors that instill apprehension and fear (Ogilvie, E., 2000). There are an estimated 500,000 victims of cyberstalking every year. More than 90 percent of the victims are women. In some cases that totally spiral out of control, the victim of the cyberstalker also ends up as a murder victim.

Internet chat rooms and e-learning communication software provide easy methods for cyberstalkers to find easy victims. Schools must at least put policies in place whereby students who feel they are being harassed in the e-classroom know how to lodge complaints, and feel confident that the school will take their complaints seriously.

Hate Speech

Schools will need to define their boundaries of free speech over the Internet, which in many cases are the same boundaries as free speech in other types of communication. Hate speech extends past these boundaries and is becoming more and more of a significant problem over the Internet. If not policed in e-learning situations, it is possible that those students who feel attacked may simply drop out. Worse yet is the fear of retaliation.

The danger of free speech in cyberspace crossing over to become language that perpetuates hatred and provokes violence is a very real threat. This threat manifests itself in two primary forms. First, young Internet users who may be easily influenced are exposed to hate-filled ideals and values, often without any regulation or guidance. Secondly, hate-filled speech may go beyond simply altering an individual’s thoughts and may in fact lead to crimes of death and destruction arising from the exposure to such ideas (Burch, 2001).

A Pennsylvania court ruled that students who use “fighting words, speech that incites others to imminent lawless action, obscenity, certain types of defamatory speech, and true threats” are not protected with freedom of speech laws (Wheeler, 2004).

Child Pornography

The United States has “declared severe penalties for sexually exploiting or abusing children”. Recent legislation in the United States is specifically targeted to protect children and punish those who would exploit them sexually. This legislation “targets the increased use of the Internet to prey on children and trade in child pornography, specifies severe penalties for its use, and holds ISPs responsible for knowingly allowing their customers to do so (Wired Kids, 2004).

This legislation also, interestingly, maintains a zero tolerance policy on child pornography to the extent that there cannot be even one item of child pornography on a computer. In an educational setting, students can easily store, email, upload, or attach pornographic images to the school email server. The implication is that e-learning schools may have some liability if they allow these types of images on their servers.

Other Dangers

In addition to the e-learning dangers we have listed, e-learning organizations must be aware of other misuse and abuses of the environment. Plagiarism is easier than ever, and students have an easy avenue of copying directly from websites into their own documents.

Software piracy, copyright infringement and illegal downloads are also currently hot topics. Illegal activity over the Internet cost software manufacturers and authors of web available copyrighted products many billions of dollars in revenue annually. Many universities have established regulations that prohibit students from using school computers for illegal downloading of music and other popular copyrighted material.
E-Learning Code of Conduct: One University’s Mantra

What precipitates the need to develop such an e-learning student code of conduct, let alone one that incorporates a zero tolerance policy as well as that which could be recognized as a worldwide doctrine? Perhaps the most widely experienced phenomenon is that of plagiarism and on a separate note, the need to keep such e-learning forums open to free speech, as is now widely experienced in traditional classrooms the world-over. Of course, a student’s demeanor can be taken from the context of his or her writing. This could significantly affect the ambiance of the e-learning setting, particularly when these written contributions are condescending or lack little consideration for their fellow students. More often than not situations like this are left to the autonomy of the online instructor. However, he or she would want to consult such an e-learning student code of conduct in order to maintain control over the classroom as well as determine the best method of correction unique to the adverse behavior detected.

Rules should be sufficiently definite in providing students with adequate information regarding expected behavior. They should be stated in such a manner that students of average intelligence are not necessarily required to guess at their meaning (Essex, 2002, p. 43).

Issues regarding student behavior, therefore, have sprung up in many e-learning environments. While schools have put some policies in place to combat them, such a worldwide doctrine would provide standardizations of student expectations, regardless of whether they are participating in an asynchronous, synchronous, or hybrid e-learning versions. The University of Phoenix Online, for example, has put into place an online student code of conduct. This is available in downloadable form to students through an online student course catalog accessible aboard their proprietary university supplied student websites.

One of the first policies the University of Phoenix discusses is that of harassment. This would include: cyberstalking, hate speech, and pornography or sexual advancements of any kind. A Code of Student Responsibility is immediately followed by Standards of Student Behavior. One dozen student responsibilities are identified in the Code of Student Responsibility. Of particular interest to the e-learning community is the need to, “Recognize and embrace the diverse contributions of fellow students, faculty members, and staff in creating an environment embodied in the principles of mutual respect and acceptance of difference” (University of Phoenix, 2004-5, p. 21). The University of Phoenix Online only offers e-learning courses in an asynchronous mode. Therefore, while this example demonstrates a contribution that might help such a global e-learning student code of conduct, it would have to be re-examined for a synchronous platform application.

Among the greatest reasons to maintain an enforceable zero tolerance policy is to protect all students from possible harm, and to ensure that students understand behavioral expectations in the online classroom and practice good conduct. However, as Rowe points out in one example, it is virtually impossible to police such rules as they pertain to cheating on e-learning exams, their postings, and student communications. For example, in many instances it is possible for students to receive assessment answers in advance. It is also virtually impossible to expect all online faculty to rewrite such exams (Rowe, 2004). The University of Phoenix Faculty Handbook does not go into the responsibilities of how faculty should administer their own test assessments online to combat this. Subsequently, Rowe points out what Olt said earlier, it is difficult to ensure that all students will simultaneously take an online exam. This allows them to supply both the questions and answers to those who have not yet taken such as test. “Another serious problem with online assessment is that it may be possible for students to retake an assessment multiple times until they are satisfied with their performance, even if that was not the intention of the instructor” (Rowe, 2004, para 15). While Rowe refers to Web CT and Blackboard as the modalities where this can happen, the University of Phoenix offers such assessments through some HTML delivery sites that are open to such redundancies.

One could argue that much of the burden of this should be placed on the instructor’s shoulders. “Instructors’ understanding of their own roles in the online classroom is also an important part of ensuring academic honesty” (Course design, monitoring help ensure academic honesty”. 2005). This encompasses faculty who should use a variety of test questions and answers so the likelihood of cheating is reduced. While the University of Phoenix Online example is a slice of the online code of student conducts that have been published, a global approach to cordon off the most wide scale discipline situations that zero tolerance speaks to would significantly help e-
learning to police itself in a more responsible fashion. In a learning environment that is so heavily predicated upon student writing, the electronic discipline should go far to document what it considers to acceptable behavior with complete definitions and scenarios it knows has taken place.

Conclusion

Behavior, codes of conduct and resultant policies are distinctly different in online and traditional on-ground environments. Schools are mandated to provide a safe and secure educational environment in which students can pursue their goals without fear of violent acts of others. A zero tolerance approach to in the online learning environment provides a cybersecurity foundation that is often overlooked in discussion of codes of conduct. As noted, e-learning programs must consider not only zero tolerance policies for the online culture, but a separate code of conduct for this environment: e-learning delivery methods, cyberterrorism, cyberstalking, hate speech, and child pornography.

As e-learning delivery does not feature the benefit of face-to-face contact, to facilitate interpretation of behavior, delineation of expectations for student conduct must be clearly outlined. As discussed, unique challenges for today’s educators are ongoing due to high velocity changes in technology. Furthermore, the asynchronous, synchronous, and hybrid technological modalities that incorporate both traditional and online classroom time would surely benefit from unique, globally adopted cyber-policies. The advent of e-learning programs is accompanied by a complexity of issues that mandate clear, strong polices to support a safe learning environment even in cyberspace. Therefore, as an outcome of this conference, it is highly recommended that higher education institutions with e-learning programs consider a mandate for a separate code of conduct which includes zero-tolerance items.

References


Course design, monitoring help ensure academic honesty. (2005). Online Classroom (pp. 1): Magna Publication Inc.


