

Legal, Ethical and Social Issues for Higher Education  
Technology and the Academy

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Ethical

## Teaching Issues:

1. Technology will replace faculty (NEA, 2002)
2. Technology enhanced cheating
3. Credibility

1. a huge fear in higher ed brought on by the proliferation of technology  
faculty believe administrators are pursuing the use of technology to cut down on personnel costs  
therefore, faculty believe that if they develop technology in their teaching, they will work themselves out of a job
2. many believe that technology is actually enabling cheating  
If this is the case, the question becomes how do faculty and administrators deal with this issue?
3. How do educators and students alike trust the information that is so readily available--used to be more difficult to have things published, so you had a better chance that the information was credible.

## Administrative Issues:

1. The U.S. Patriot Act
2. Freedom of Expression and Censorship
3. Email

1. One of the scariest ethical issues for higher education. some examples:
  - a. allows ISPs to voluntarily disclose content and other information from its users in situations it deems to be an emergency.
  - b. opens the door to allowing law enforcement to secretly install software by trojan horse emails (for more info. see Harrison, 2002)
  - c. SERVIS students not protected by FERPA (Family Educational Rights and Privacy Act)
2. an example of this is university-hosted web sites. Hate speech is generally recognized and universities have policies about it, but what about “undesirable” speech?

Social

## Teaching Issues:

1. Equity/Access
2. Technology is masculine
3. Distance Education and the individualization of learning

1. an issue of race, class and gender  
this could also be an administrative issue  
if you use technology in teaching, how can you, as a faculty member, guarantee that students from lower SESs have access to the required equipment/software? If these students do not have access, does this not create an equity issue?
2. males are more comfortable with technology. does this disadvantage females?
3. students are no longer having the socializing factors that come with a F2F education. How with this phenomenon shape the future of higher education? Will the changes this brings be positive or negative?

## Administrative Issues:

1. Commodification of Knowledge
2. “Computer Think”

1. the use of computers has accelerated the trend (begun during the industrial revolution) of turning skills, relationships, knowledge and leisure into commodities. In education, computers commodify thought and communication (see Bowers)

How do universities prepare students to market their knowledge, and how will technology fit into this?

2. learning to think like a computer, which means, essentially, inside the box, a box which has been designed by the computer programmers. This design represents another person’s interpretation and culturally specific way of knowing (see Bowers again).

Legal

## Teaching Issues:

1. Intellectual Property
2. Academic Freedom
3. Compensation

1. Who really owns the online course? What does ownership mean for faculty?  
See Twigg, 2000
2. Network admins limiting faculty access (see Fino)  
distance education threatens the benefit gained by academic freedom in terms of economics, replacing faculty with technology, and eliminating faculty (see Simmons, 2001)
3. how are faculty paid for their work in technology? what kind of compensation packages are there? who decides? Talk about how it works at UA

## Administrative Issues:

1. Copyright
2. FERPA
3. P2P

1. who owns the copyright to works created with technology?  
how do administrators keep faculty from violating copyright?  
how do administrators keep students from violating copyright?
2. How does administration honor FERPA (Family Educational Rights and Privacy Act) when so much information is available online?
3. to what extent should universities be involved in the peer-to-peer file sharing issues?

do universities need to police their networks? does this violate academic freedom policies?

## References

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