Are you in control of sequence? If not, who or what is? This is a fundamental success question.

At the close of the fourteenth year of publishing Teaching For Success and writing about success, I’m convinced that one of the fundamental keys to success is possessing the courage to take control, assume responsibility and accept consequences.

When you decide to take control of instructional or life events, you choose a far different life path than chosen by those who waste their time and energy on blaming, creating imaginative excuses and finding fault.

A life of great achievement, like outstanding instruction, results from a controlled sequence of small events that, chosen intelligently and purposefully, add up to something significant.

The more you must do and the more tasks and responsibilities you have, the more you need to develop superb sequentiality—a key component of management—a critical success factor of life and teaching.

David Foster has developed superb sequentiality in his teaching and in his life as an artist. He is always focused on the future he is creating. As an accomplished sculptor, working with bronze and marble, he is a teacher who can teach and do, too.

David is a tour de force for art in the Lake Tahoe region. He created and leads an outstanding art department, teaches a full-time load of art classes, has raised four children, has continuously developed his artistic talents and contributes many efforts to the betterment of the Lake Tahoe community.

“He’s just lucky,” you say? Not a chance. A list of personal and professional achievements such as this doesn’t come easy. It rests on a foundation of clear purpose, solid character, an acceptance of responsibility, a focus on the future and superb sequentiality. David has taken control of his time and the results are spectacular.

I want to be more like David, perhaps you do too. Sequentiality is key.

David Foster, Chairman, Art Department, Lake Tahoe Community College, teaches a summer art class touring the art treasures of northern Italy. He dialogues with his students at St. Mark’s Square, Venice, Italy.

New, TFS QuickCourses!
Learn how to quickly and easily:
- Ensure Quality Testing.
- Construct an A+ Syllabus.
- Plan a Successful Lesson.
- Create Positive Discipline.
- Give Better Presentations.
- Improve Group Learning.

Details? Call 800-757-1183. Free sample at <teachingforsuccess.com>. E-mail: jack@teachingforsuccess.com
Aesop (Mid-6th Century B.C. Greece) offers us many fables where the moral tells us not to pretend to be things we are not. In the fable that I want to address, I see a definite connection to teaching and also an extra caveat that applies to our personal lives as well.

The fable
Chased by a wolf, a young goat who strayed from his flock turns to his pursuer and says “I know you’re going to make a meal of me, but I want to die with due ceremony. Please play the flute for me to dance by.”

The noise from the flute-playing brought herd dogs to the scene, and as the wolf was chased off by the dogs, the wolf said, “Serves me right! When I had a butcher’s work to do I shouldn’t have tried to be a musician.”

The moral
S.A. Handford, in his Penguin Classics translation of *Fables of Aesop*, tells us the moral is “people who act without due consideration of the business in hand lose even what they have within their grasp.”

Stick to the knitting
The business in hand for an instructor is to lead, teach, manage and evaluate subject-matter learning.

So far so good, but what happens when your students come to you with issues that are not directly related to the subject of your course?

Students often come to instructors with questions and topics that the instructor may or may not be qualified to discuss and impart advice.

For example, a student may ask for help with:
- Financial aid.
- Finding employment.
- Failing grades in another course.
- Locating child care.
- A failing marriage or relationship.
- Health problems.

Since you care and want to help them, you will do your best to give them good advice and information. But how can you be sure the advice and information you offer is really what they need, really what will help them?

If you find yourself with a student discussing problems and needs in areas outside of your responsibility as instructor or beyond your expertise or experience, try referring them to experts instead of giving advice.

Offer resources
Of course, you care about your students’ problems and wish to help. But the best approach may be to point them in the right direction to professional resources who have the knowledge and resources to provide the needed services or counseling.

Your college or university likely has range of trained staff who can help students with administrative red tape, health concerns and personal problems.

It’s a good idea to keep a list of these services in your briefcase or with your class notes and lesson plans.
Making copies is quick and easy, but is it within the law?

Internet research usage continues to skyrocket among college students, with an estimated 85 percent owning a computer and 70 percent surfing the Net daily. Questions and inconsistencies over copyright code abound.

Recent case
One of the most recent, well-known and flagrant violations of copyright law occurred last year in Kansas City, and included a group of biology students now known as the ‘Piper 28.’ It was reported that the case was born when a Piper High School biology teacher assigned a project on the subject of leaf identification; the grade was worth 50 percent of the final course grade.

As the instructor started the grading process, she began by using an Internet program to check for originality; a copyright checker, to be sure. She discovered that 28 of her students had copied at least some of their work from Web sites and known publications, also failing to give proper credit.

The resultant protest over falling GPA’s involved the students, their instructor, administrators, parents and the school board. The story mushroomed into the national media and cost the teacher and at least one administrator their jobs. This example illustrates how even copyright violations at the individual level can be very costly and complex issues for all involved.

Internet authors, including college instructors and students alike, report citation and copyright issues as top plagues, opening ethical questions at every turn. From research to personal E-mail, popular dilemmas include invisible authorship, absent page locators or contact information, add fear of system overload.

Lax patterns of data and fact usage are commonplace, as Web pages keep on coming and going over time. Most campuses now have copyright statements linked to their home pages, informing students and Web users of their rights when using their Internet systems. How do we cool this alphabet soup?

Copyright Defined
The first step toward success is to know the beast! Copyright law protects the author, or owner, of any creative work. Everyone should be concerned about copyright rules, but what exactly is a copyright?

In the United States, copyright law automatically protects anything created after April 1, 1989, even if the work has not been legally registered. The definition of “creative work” has recently been expanded to include the fields of architecture, software and Web design, graphic arts, movies and musical recordings.

Artistic creations such as fashion design, drawing, painting, carving and crafting are also considered to be creative works. A creative work also includes anything you draw, write, photograph, sculpt or put on tape or CD/DVD. It cannot be a replication or repeat of fact, but must be an original work.

The original author can copyright a scholarly reorganization of facts. Thoughts in your head, heart or your dreams must be put on paper (or CD) to be protected by copyright rules of law.

There are only two quite narrow and specific exceptions to the rules of copyright definition and protection. One exception is design fonts used in typing, printing or typesetting onto paper. The second exception from copyright protection is anything at all created or printed by the U.S. government.

Myths Debunked
Myths abound, the most common being ‘if I don’t charge for my work, there is no copyright mistake.’ This is false, and money exchanges make no difference in the law. There can be large monetary damages awarded in court, though, if you are found guilty of giving away someone else’s creative work. The only exception is in the case of the personal copying of music.

The second most popular myth in copyright law concerns fair use and common domain policies. Public domain materials are any works that are not protected by copyright law. For published works that were copyright registered before January 1, 1978, they become part of the public domain 95 years after their registration date.

Anything that is inherently not copyright material, such as blank forms, ideas, historical facts, names and titles, just to name a few, are already considered to be part of the public domain.

continued on page 4.
Confusion on the Internet often arises with the false assumption that anything posted to a Usenet automatically grants permission to copy. That is not true, and permission must be granted.

Moreover, using the Internet as an oversized copy machine is dangerous. In general, any work done before January 1, 1923 is considered available within the public domain, and permission to use and/or copy is automatically assumed. Any author may grant their work to the public domain, thus removing it from copyright protection.

**Fair Use**

Fair use policy is most relevant to college teaching, and it helps instructors determine exactly what materials they can copy and use without permission. Resources used in teaching, research and news reporting or critique are considered fair use materials in all cases, and do not require permission for usage.

In general, don’t use more information than is necessary, and don’t use it in a way that will earn money or harm the future marketability of the original work. Fair use rules stop you from exploiting the work of other people; quantity and quality of usage are the keys.

Important clarification tips to remember:

- Derivative works belong only to their original author, unless editorial transfers have occurred prior to publication.
- Don’t confuse copyright with trademark. You cannot use someone else’s logo in any way that devalues it.
- Copyright violations worth over $2,500 are a felony, so be informed. Remember that technology is still ahead, as the law remains focused on surveillance and jurisdictional issues at this time. Things are quickly changing, though, with penalties for computer crimes escalating.
- It is up to the original author to release their creative works for other uses. You must ask them, preferably in writing, for permission to use their work within your own.
- E-mail is considered to be citable, if you wrote it. If it is E-mail from another person, it is private, and you must obtain consent from the writer to use it in your own work. E-mail is not public domain information, as many instructors wrongly assume.

**Copyright Law**

Current laws are changing almost as fast as the technology, moving mostly from the civil to the criminal arenas. The pressures involved with technology changes and regulatory impact keep Internet rules confusing. Copyright law is defined and author’s rights are protected and administered under Article I, Section 8 of the U.S. Constitution. Under this mandate exists the U.S. Copyright Act (17 U.S.C.$$101-810).

It gives the original author exclusive rights to ownership and licensure of their original creative work. These laws are adjudicated and monitored by the Copyright Office at the Library of Congress in Washington, D.C. Copies of these laws are widely available online.

The U.S. Copyright Office Home Page is located at (http://lcweb.loc.gov/copyright/).

Internet research is not necessarily or primarily about fact finding. Good authors set out to get a broad, topical overview of their subject. It is in this situation as specific facts are used to back up a position, often to persuade readers, when copyright rules become critical.

**Proper citation**

Remember, bibliographic citation alone does not guarantee protection against copyright violation. Proper reporting, interpretation, format and quotation usage must be employed. When you are working to put your own training materials on the Net, make sure to provide linkage, maybe from every page, to a permission request form, as well as an authorship statement to protect your own copyright status. This is especially important to Distance Learning course delivery systems.

**Protect yourself**

Often copyright cannot be defined in wholly tangible terms. In general, when using the Web for research, copyright grants exclusive rights to reproduce, distribute, display and modify. When in doubt, don’t use someone else’s work, and if you must, get written permission.

Protect yourself and your work by staying informed; consult a copyright professional if you have to.

**Editor’s Note:** The purpose of this article is solely to share information with our readers, not to give legal advice.
Testing—Can You Do it Right?
Test Yourself

Brian R. Shmaefsky, Ph.D
Biology & Environmental Sciences
Kingwood College
Kingwood, TX
brian.shmaefsky@nhmccd.edu

Tests are the bane of students and faculty alike. Students generally dislike tests because of the stress of wondering whether they are reviewing and retaining the correct information. Faculty feel the burden of wondering whether their tests adequately evaluate student knowledge and comprehension.

Educational researchers long ago have come up with strategies for effective test design. Unfortunately, the principles of test development have not made their way fully into the college classroom. This is not due to a lack of desire on the part of faculty. It results from insufficient training and poor-quality tests provided in college textbook test banks.

Fundamentals of test design

The first principle of proper test designing is overcoming the notion that testing merely involves writing a bunch of questions. It starts with lectures organized to facilitate test taking; this does not mean teaching to the test.

An organized lecture stresses and expounds the major concepts being tested. Tests should not be a guessing game for students. They should know what material to emphasize in their studying by the importance placed in the lectures or presentations.

Clear terms crucial

Terms and concepts appearing on tests need to be thoroughly explained with applications and examples. For example, defining the term “species” means nothing without instances of how biologists interpret and use the term.

So, different breeds of dogs, although they appear to vary greatly in size and appearance, belong to the same species because they can interbreed freely and successfully. However, African and Indian elephants, which look strikingly similar, do not belong to the same species because they cannot interbreed.

Designing questions

Objective questioning is the preferred testing format for many faculty. The questions are difficult to design, however, they are simple to grade. There is only one correct answer and they can be graded using keys or electronic means.

Typical objective questions include definitions, fill-in-the-blank, matching, multiple choice, short answer and true-or-false questions. An important concern when designing objective questions is having one distinct correct answer. The distracters, or incorrect answers, should be easily identifiable and obviously erroneous.

For example:
Charles Darwin is noted for:
A) Cell theory.
B) Theory of evolution.
C) The development of vaccines.
D) Sociobiology.
A student learning about Darwin from lecture or the textbook would know the answer is B. This then becomes an approximate measure of student knowledge.

The following example is an improperly designed multiple choice question that can trip up students rather than test their comprehension under the stress of a test:
Charles Darwin most noted for:
A) Theory of devolution.
B) Theory of evolution.
C) Theory of revolution.
D) Law of evolution.

Matching questions

Matching questions also should avoid ambiguity. Each term should have a distinct description in the answer column that does not overlap with other terms.

For example:
1. Horse A. Toe nail forms a single hoof.
2. Lion B. Capable of winter hibernation.
3. Bear C. Talons used for catching predators.
4. Eagle D. Male keeps a harem of females.
5. Duck E. Eats diet of predominantly aquatic vegetation.

However, avoid this situation:
1. Horse A. Has a mane.
2. Lion B. Claws used for hunting.
3. Bear C. Eats diet high in fish.
4. Eagle D. Eats plant material.
5. Duck E. Lives in family units.

Fill-in-the-blank questions

Lastly, fill-in-the-blank objective questions should have one blank for each concept being tested. Faculty too often

continued on page 6.
use fill-in-the-blank questions that test the verbatim memorization of textbook and lecture note excerpts. An accurate fill-in-the-blank question is as follows:

“A mouse that learns to perform a task by being rewarded after doing the task is exhibiting ____ conditioning.”

This example assesses the students’ knowledge of the term and forces them to discriminate it from other terms used in psychology. The following example is too confusing and does not accurately measure student learning:

“A mouse that ____ to perform a task by being ____ after doing the task is exhibiting ____ conditioning.”

The essay

Essay tests appear simpler to write because faculty do not have to conjure up specific questions with distracters that do not confound the students. Nonetheless, like objective questions, there must be measurable outcomes that are obvious to faculty and students. The question should have several possible answers rated from good to bad, rather than right or wrong. Essay questions should be reserved for higher order thinking that tests reasoning skills. This is best achieved by asking students to “agree or disagree,” “analyze,” “compare and contrast,” “rate the outcomes of,” or “what are the benefits and costs of.”

Bloom’s Taxonomy

An exposition on test development is not complete without the mention of Bloom’s Taxonomy of learning domains. Student assessment at the college level requires six measures: knowledge, comprehension, application, analysis, synthesis and evaluation. Knowledge is a basic skill needed to perform higher-order reasoning skills. Comprehension, application, analysis, synthesis and evaluation measure higher-order thinking. A successful curriculum encourages students to apply and evaluate the information learned in class.

Knowledge

Knowledge questions ask students to: cite, define, describe, draw, identify, label, list, match, name, outline, recite, recognize, select and tabulate.

Comprehension

Important words for assessing comprehension include: articulate, associate, characterize, classify, compare, contrast, defend, detail, differentiate, discuss, distinguish, elaborate, example, explain, infer, interpret, predict, rewrite and summarize. Questions that focus on knowledge and comprehension are important for assessing how well students apply higher-order thinking.

Application

College-level assessment should stress application, analysis, synthesis and evaluation questions. Application questions can be recognized because they ask students to: apply, ascertain, assign, calculate, complete, compute, construct, demonstrate, derive, employ, examine, graph, illustrate, investigate, manipulate, plot, prepare, relate, show, simulate, translate, use.

Analyze

Questions asking students to analyze the subject matter use terms such as: analyze, break down, characterize, confirm, contrast, diagnose, discriminate, examine, explain, illustrate, summarize and transform.

Synthesize

Synthesis terms include: abstract, arrange, construct, create, depict, explain, formulate, generalize, generate, improve, organize, prepare, prescribe, reconstruct, revise and summarize.

Evaluate

The highest order of thinking involves the ability to evaluate the accuracy of logical of the subject matter. Essay questions are the best tool for measuring evaluation skills. Students can be assessed for the ability to evaluate with questions having the following directions: appraise, assess, compare, conclude, contrast, critique, estimate, evaluate, explain, interpret, judge, justify, predict, rank, recommend, score, support, validate and verify.

Faculty wishing to find excellent assessment examples should peruse ACT, Advanced Placement, GRE and SAT study guides. The questions in these examinations are developed to measure Bloom’s categories of reasoning skills and have been validated as accurate and fair on numerous students. Also, educational psychology textbooks provide a wealth of information on valid testing.

Editor’s Note: To see more tips for improving testing, ask your administrator to consider purchasing the TFS, “Ensure Quality Testing” QuickCourse. See a sample TFS QuickCourse at: <http://teachingforsuccess.com/QuickCourses/QCTitles.html>.
Intellectual property issues seem to crop up everywhere for college instructors: in the photocopier line, preparing a lesson, in the classroom, grading papers, writing articles, researching, instructor web sites, and online courses.

Because this issue is so central in all phases of college teaching, it is important for you to be aware and informed about copyright and intellectual property laws.

Until recently, I have to admit that I lacked basic knowledge in this important area and was not sure where to go to research the information I needed.

I had a vague idea of what the law allows, but I had not taken the time to learn the details.

Why? You are probably like me and have about a thousand things to do and researching copyright law hasn't made the top ten, right?

Well, I'd like to make learning about copyright law easier for you. In this review, I feature two integral sites on copyright issues and point you to the most useful sections in each.

Furthermore, I compiled a list of useful websites to visit as you encounter more complex situations regarding plagiarism. Included is a list of sites that provide papers for sale. The number of online sources for papers is disturbingly impressive.

Internet sites
To see my list of websites, go to <http://teachingforsuccess.com/IssueSupport2/Nov02_CopyrightRef.html>; this is a page housed in the “Issue Supplement” section of the Teaching For Success website.

United States Copyright Office—Library of Congress:
http://www.copyright.gov/

There’s no better place to start than the United States Copyright Office. This site is well organized and extremely comprehensive; however, it is so comprehensive that it is possible to get bogged down. Let me show you the best areas to investigate.

First, I suggest looking at “Copyright Basics.” This gives a brief overview of the major issues surrounding copyright law in easier-to-understand language than the actual legislation. Starting here will give you some background knowledge and help you to make sense of the more complicated issues in other sections.

Next, move to the “Publications” section, and there you will find very useful circulars, brochures and fact sheets. Don’t miss “Reproductions of Copyrighted Works by Educators and Librarians.” Also, Fact sheet FL 102 “Fair Use” gives further explanation about the fair use clause provided for in copyright law.

Another area of interest for educators is the “Law and Policy” section. Here is where you can find the actual text of copyright laws. (Make sure you’ve had a cup of coffee before you start reading section J).

This section also includes current legislation and Federal Register notices regarding copyright. The Copyright Office Study on Distance Education is located in this section as well.

Copyright and Fair Use—Stanford University Libraries:
http://fairuse.stanford.edu

The Copyright and Fair Use web site of Stanford University Libraries contains four main sections: Primary Materials; Current Legislation, Cases and Issues; Resources on the Internet; and Overview of Copyright Law.

In the “Primary Materials” section, you will find things like statutes, judicial opinions, and federal regulations.

This site is very well organized. I found it easier to find statutes on this site than the U.S. Copyright Office. So if you are looking for a particular judicial opinion or federal regulation, I would start here.

Of course, in the “Current Legislation, Cases and Issues” section, you will find exactly what the title advertises.

Make sure to explore the Fair Use and Multimedia section. It contains all of the information an instructor needs to keep informed and in compliance with the law.

The “Resources on the Internet Section” contains an excellent and comprehensive collection of pertinent articles on the subjects of copyright and intellectual property law.

The final section on this site, “Overview of Copyright Law,” includes several more useful resources like a link to the Copyright Management Center and a link to FindLaw Internet Legal Resources Index.

Finally, I especially enjoyed the timeline of copyright history in the U.S. It organizes copyright history in a very clear and concise format.
Editors’ Notebook—The Promise

Penny Shrawder        Jack H. Shrawder

Branding is a powerful concept in marketing, and it applies to teaching too. Cut to the core, branding is about the promise. Whether you are a professional offering a service or a manufacturer/retailer offering a product, you, knowingly or not, make a promise to your customers.

Good, successful businesses or institutions keep their promises and strive to make their promises clear, concise and meaningful.

What is your promise to your students? Is your brand trustworthy?

QuickTips

In order to involve more students in the rewriting process, I stopped grading their essays. It worked!

Stop Grading and They Start Revising

Waneta Marple, Instructor, Paralegal Studies
Burlington County Community College
Mount Laurel Campus
Mount Laurel, NJ
wmarp@reedsmith.com

Many English composition instructors have a difficult time stressing the importance of revision in the writing process.

The result is that many students fail to understand that revision is crucial to the development of their writing, thinking and reading skills.

I allow my students to revise their essays. Yet, I find that the majority of my students, especially those who really need to revise, do not take the opportunity to do so.

Encourage rewrites

I’ve decided that the reason for this low number revising their papers is because the students are satisfied with the grades they earned, even if they were “C’s” or “D’s,” which are passing.

In order to involve more students in the rewriting process, I stopped giving grades on their essays. Now they receive their essays with my marginal and terminal comments, which stress what to do in the revision. Students do not receive any grades.

By withholding grades, I find that about two-thirds of the class will rewrite their essays. Instead of focusing on grades, they now focus more on learning to write.

Students have one week from when I hand back the essays to revise them. After that week and after I collect revised essays, I hand out grades to the students who didn’t revise. Students who did revise receive their grades on the revised paper.

Goal achieved

Even if some students tend to complain at the beginning of the semester, most of them tell me that they were glad I forced them to concentrate on revision rather than grades.

Now my students learn good writing skills through the process of rewriting.

When my class is approaching a mid-term or final exam, we have a review session.

Prior to the review session, I assign chapters to each student from the text that we have covered. Each student is responsible for formulating five to ten questions (they may be fill-in-the-blank, true/false, definitions or multiple-choice questions) from the chapter in the text that they are assigned.

Students may also formulate questions from any other chapter that they have questions about. During the review session, each student takes a turn quizzing the rest of the class. Sometimes they choose to stay at their desk, other times, students like to take center stage at the podium.

Benefits

Either way, I have found the review session to be beneficial on many levels. It helps promote review when students formulate questions, and it encourages interaction between students.

In addition, the relaxed atmosphere of a review is a wonderful forum for question-and-answer sessions that lead to more in-depth learning and understanding.

Review Sessions—Don’t Test without One

Kristine R. Dassinger
Genesee Community College
Batavia, NY
kdassinger@yahoo.com

When my class is approaching a mid-term or final exam, we have a review session.

Prior to the review session, I assign chapters to each student from the text that we have covered. Each student is responsible for formulating five to ten questions (they may be fill-in-the-blank, true/false, definitions or multiple-choice questions) from the chapter in the text that they are assigned.

Students may also formulate questions from any other chapter that they have questions about. During the review session, each student takes a turn quizzing the rest of the class. Sometimes they choose to stay at their desk, other times, students like to take center stage at the podium.

Benefits

Either way, I have found the review session to be beneficial on many levels. It helps promote review when students formulate questions, and it encourages interaction between students.

In addition, the relaxed atmosphere of a review is a wonderful forum for question-and-answer sessions that lead to more in-depth learning and understanding.