Chapter 68

Ethical and Legal Issues in Teaching and Learning in Second Life in a Graduate Online Course

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EXECUTIVE SUMMARY

As a growing number of faculty use SL as a teaching platform, outside of anecdotal articles and the legal literature, no research exists on the many legal and ethical issues that affect course development. Ethical issues include abuse ("griefing") nudity and lewd behavior, and false/misleading identities. Legal issues include creation and use of copyrighted and trademarked items, faculty intellectual property rights in objects and course content, and criminal behavior. Following the experiences of the instructor and 5 students, their 12-week journey is documented through interviews, journals, weekly course activities, SL class dialogs, and in-world assignments. Additionally, 5 faculty and staff experts who teach or train in SL at this university were interviewed and consulted, as well. This study provides insight for designing courses that foster exploration of rich learning opportunities outside a traditional classroom-both real and virtual.

BACKGROUND

As of December 1, 2008, the number of universities, colleges, and community colleges, participating in Second Life, reached over 300 institutions in the U.S. and the combined total for the U.S. and

overseas was well over 500 (SimTeach, 2008a). Educational institutions, schools, and associations have created private islands and immersive environments where students practice new building design concepts, become familiar with the components of operating rooms, perform dangerous experiments in safety, learn to plan events, and explore the history in 3-D (Romme, 2003).

The number of education groups, libraries, museums, associations and institutions, both national and international, participating in Second Life (SL) grows monthly (SimTeach, September, 2009), with over five thousand educators on the Linden Labs Educators Mailing List as of 2008 (SimTeach, 2008b). Educational associations in SL include the International Society for Technology in Education, Sloan-C Consortium, The New Media Consortium, Eduserv, and many special interest user groups in educational associations (Wong, 2006). SL also maintains a wiki for non-profit resources - the SL and Nonprofits listserv, and SimTeach. Various research and ethics groups and listservs have been created around Second Life and virtual worlds, such as Second Life Grad Student Colony, Social Second Life Educators (SLED), Real Life Education in Second Life, RezEd, Educators Working with Teens Mailing List, Second Life Researcher, Slrl Digest, etc., as well as two new journals, the *Journal of Virtual Worlds Research* in 2008, and the Journal of *Virtual Worlds Educational Research* Journal in 2009. The International Journal of Cyber Ethics in Education will be forthcoming in 2011.

In response to educator and researcher requests, SL also provides free space (an island with its own intranet) for research programs through the SL Campus Life program, which accepts eight research proposals a semester. The Second Life Campus region is the main hub for classes participating in the Campus: Second Life program. It has public meeting area, a sandbox for temporary building, and a public picture board for sharing photos, among other features. However, in order to take full advantage of all SL has to offer, venturing out into the various SL regions can be fulfilling and frightening. Just as with any exploration, there are dangers which good teaching strategies can be used to avoid in order to enhance student learning and minimize risk, both ethically and legally.

Ethical Issues

"Ethics" is a set of beliefs about right and wrong behavior. Ethical behavior conforms to generally accepted social norms, many of which seem universal (Reynolds, 2007). SL has created its own ethics code, called the "Community Standards" (Second Life, 2009). Professional educational associations with presences in Second Life that have codes of ethical behavior are the National Education Association, Association for Computing Machinery, Association of Information Technology Professionals, and EDUCAUSE.

There are many ethical issues in virtual worlds, yet, outside of the legal literature and legal blogs, most discussions of ethics are to be found on legal and educational blogs (Acello, 2008; Kittross, 2003; Romme, 2007). More than one author has noted that these user-initiated actions seem to be detached from the fear of consequences in the "real world" so that teleportation to various places may or may not be allowed or even desirable in certain instances due to the behaviors and practices of various people and groups (Kerbs, 2005).

"Griefing" is defined as "purposefully engaging in activities to disrupt the gaming experience of other players" (Mulligan & Patrovsky, 2003). Griefing is fairly common in the public regions of SL, particularly against "newbies"- those new to SL (Boostrom, 2008). Ethical issues arise when educational groups, including universities, schools, state groups, associations, and companies own land or host events and seminars. Nudity is not allowed in public in SL, except on nude beaches and private spaces. Avatars must not "bump into" other avatars, etc., according to the Terms of Service Agreement of SL. Moreover, ethics and legal issues intersect in SL, since to violate the SL community standards is to also violate the agreement (Second Life TOS, 4.1, 2009), for which the user can be banned and not be able to log in again (Bragg v. Linden Lab, 2006).

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