

ETHICS IN E-LEARNING¹

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ABSTRACT

e- Learning environments require policies balancing different expectations of participants and considering how the users perceive ethics during online learning. As in the case of face-to-face classes; learners must show respect and tolerance among each other, and conduct civil relations and interaction based on pre-determined rules.

Starting with a literature review, the purpose of this study is to analyze the opinions of the instructors and 3rd - 4th year students of a distance education program about ethical conduct and interaction. The research methodology is case- oriented. Learner diversity, behavioral and legal regulations in the online environment are the parameters chosen for surveying the instructors and learners. Following the analysis of results, the opinions of the students and those of the instructors are explained and discussed.

Keywords: Ethics, e- Learning, ethics in e- Learning, distance education.

INTRODUCTION

To begin with, in general terms, ethics is about ‘what people should do’. Ethical questions arise, when different interests of individuals conflict and thus there is need for a higher level of principles that are fair to the rights of all concerned (Schultz, 2005). These principles are fair in the sense that all members of the society accept them as binding, in order to solve the conflict of interests. So the principles are shared by the community, for every one’s well being. A learning environment is no exception to this mentality. There is a social contract about norms and expectations for all interactions. In this connection, ethical principles mean cooperative and rational norms that have higher priority when compared with self-interests of the participants. This is why ethics in a learning environment denotes sensitivity to multicultural understanding, tolerance and civility (Schultz). Ethical considerations in e- Learning are derived from both communication ethics and instructional ethics.

Contrary to the understanding that there must be some norms, there are academicians that assert; using codified solutions, rigid rules does not lead to the real solution of the ethical problems at higher education institutions. Macfarlane argues that an understanding of ethics depending on detailed codes of rules and regulations is very restrictive and takes professionals’ autonomy away also limiting their critical thinking about their own practice (Haughey, 2007). However problems arise when there are no red lines. At the very beginning, the institution must determine what is expected from the instructors and the students.

On the other hand, collaboration of different professionals may ease solving the ethical issues, since the combination of different experiences can lead to some constructive decisions (Loui, 1999) as guide to be followed by users of learning environments. Such an approach if supported with the feedback of the users, and reviewed via both internal and external evaluation, can be a better way of bringing general acceptability to the relativism inherent to the concept of “ethics”.

In this study, learner diversity, behavioral and legal regulations for conduct at online courses are the parameters chosen for surveying the participants of an online learning environment. The case oriented, explanatory study focuses on the opinions of the students and instructors.

Theoretical Background

In the last two decades, online education has become very popular. Due to the increase in it use, special interest has grown about ethical issues of online learning. Besides emphasis on instructional ethics, instructors are faced with different issues of concern encountered at online spaces (Zembylas & Vrasidas, 2005). Since the Internet erases the boundaries and limitations to educational opportunities, there are new challenges to be managed by distance educators.

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According to Lengel, online ethics emanates from computer ethics and the ethical implications of technology (2004). In order to understand online ethics, Lengel drives attention to the Code of Ethics developed by Association for Computing Machinery (ACM) as the world's largest educational and scientific computing society. ACM has 92.000 members from over 100 different nations (<http://www.acm.org/membership/acm-at-a-glance>). The Code of Ethics lists the general moral imperatives as (1) contributing to society and human well-being (2) avoiding harm to others (3) being honest and trustworthy (4) being fair and taking action not to discriminate (5) honoring the property rights such as copyrights and patents (6) giving proper credit for intellectual property (7) respecting the privacy of others (8) honoring confidentiality (<http://www.acm.org/about/code-of-ethics>). This list provides a general framework for online learning environments with its emphasis on civility of communication and using/sharing information. This framework can lead institutions to develop their own guidelines for users.

Gearhart compares online interaction with face-to-face interaction when studying ethics. She informs that netiquette (Internet ethics) issues are mainly related with the psychological distance. According to her, this emanates from the fact that during face-to-face interaction, one can see the results of inappropriate and unethical behaviors immediately. However, online interaction feels less personal since the other person in the exchange is not generally seen or heard. This is especially why online communication is more demanding and necessitates more care. Gearhart proposes that this situation can be managed by institutions in two ways: (1) by setting a policy that provides a model for students to follow and (2) involving technology ethics issues in the curriculum (Gearhart, 2001). As part of the legal issues in ethics for e- Learning, research ethics must be a responsibility of the users however monitored by the related institution.

Academic fraud is another important issue with distance education in general. It may be more problematic than the conventional on-campus classes, since it is more difficult to ascertain whether the distance student is doing the work and the assignment is indeed done by the student enrolled or not. Gearhart reminds that it is the educational institution that should inform the students on collegiate ethics and academic honesty (2005). She complains that students coming from high schools do not understand these issues. This must be a universal problem that each higher education institution faces. Providing this academic vision to students is vital for both traditional and distance programs. However developing a guide for distance students must be more content rich as Gearhart has listed: (1) Ethics of examinations (2) use of sources on papers and projects (3) writing assistance and other tutoring (4) collecting and reporting data (5) use of academic resources (6) respecting the work of others (7) computer ethics (8) giving assistance to others (9) adherence to academic regulations (2005). It is important to keep in mind that in distance education, the student population is more diverse.

Researchers have suggested different approaches to prevent academic dishonesty. Hinman (2000), has suggested three approaches. The first one seeks to develop students who do not want to cheat. Secondly, the prevention approach seeks to eliminate or reduce opportunities for students to cheat. The third one is the police approach that seeks to catch and punish those who cheat (Isa, Samah ve Jusoff, 2008). The policies have to be made accessible to students, notifying the users, both instructors and students regularly.

Online interaction is important for instructors as well. Successful online interaction (a/synchronous) is important for facilitation purposes (Hawkes, 2006). Hawkes classifies course interactions in two groups:

1. between instructor and learner in the form of motivational messages
2. between learners,
 - a. on the content and protocol of the course itself
 - b. on social exchange.

When the quality of the interaction and thus its success is taken into consideration, the ethical nature is important as well. Hawkes suggests that linguistic strategies may be used to compare and understand the nature of the interaction. Both qualitative and quantitative analyses can be utilized. Qualitative, text based analysis seems to offer more when compared with quantitative analysis, such as taking number and length of posted messages into consideration. Besides, the interaction as a requirement of the online course is vital, making social exchange an important ingredient of e- Learning. Forums are the venue where learners socialize, however this experience also can be an opportunity when carried out according to specific rules that protect the rights of all users.

McMahon, on the other hand drives attention to the ethical problems that may arise on the side of the instructors, facilitators and designers when preparing an online course (2007). He argues that the course integrity problem which he explains as course approval and revision process is needed for quality control. The misrepresentation problem that may arise in case information on the web does not match the catalog information about the course,

intellectual property problems (whether the content belongs to the institution or the instructor) and the succession planning problem (deciding who is to monitor the course with its online interpretation) are the important issues to be managed. These hard core issues are organically linked with the valorization and accreditation of courses and programs as well. Under the light of regular evaluation and tracking by institutions; academicians and practitioners may collaborate in a systematic approach.

Instructional ethics requires granting educational opportunities to anyone on an equal basis; disregarding nationality, gender, ideological differences or mental/physical disabilities. Through this perspective, online learning environments have an important potential, owing to the nature of the learning environment, to reach large audiences. Ethics in e- Learning, considering the number and diversity of students in these environments necessitate policies balancing different expectations and studying how the users perceive proper conduct. It is mainly the responsibility of the higher education institutions to prepare the related frameworks and monitoring them. This is crucial for both the successful functioning of the system and meeting the expectations of the users.

Rationale of the Case- Study

The main aim of this study is to examine the opinions of a distance English language teacher training program's instructors and students, as regards ethics in online learning environments.

In this respect, the present study addressed the following questions:

- What are the opinions of the instructors and students with regard to the learner diversity within the online courses?
- What are the opinions of the instructors and students with regard to the behavioral and legal regulations within the online courses?

METHODOLOGY AND RESEARCH DESIGN

The Program under spectacles is a four-year undergraduate program offered via utilizing distance education techniques. The aim of the program is to meet the demand for English teachers in the primary and secondary schools. What is unique about the program is that the first two years' courses are offered face-to-face and the last two years' courses are supported with online learning. However the online courses are a supportive material, not the core learning material. There is no obligation for the students to participate.

As regards the behavioral and legal codes of the e-Learning pillar, general instructions for the use of the online environment are given at the entrance page of the site. These are named under the heading "orientation" to the program. Ethical codes and legal regulations for proper communication at the discussion board are listed at the entry page to the forum.

The study has an explanatory case oriented research design. A survey research was conducted to collect data and examine the opinions of the users of an online learning environment. The descriptive analysis of the opinions sheds light for decision makers. For developing the questionnaires, Badrul H. Khan's "Ethical Checklist" has been referenced and adapted to 5 point Likert type scales, responses ranging from (1) strongly disagree, (2) disagree, (3) undecided, (4) agree and (5) strongly agree. The two measuring instruments adapted from Khan's checklists for students and instructors were translated to Turkish and the back translation was completed with relatively high consistency.

Khan has classified the ethical considerations in e- Learning as: (1) Social and political influence (2) cultural diversity (3) bias (4) geographical diversity (5) learner diversity (6) digital divide (7) etiquette (8) legal issues (2005). In this study, learner diversity, legal and behavioral regulations are the parameters examined. As regards learner diversity, an e-Learning environment should respond to different learning styles. Besides individual differences, special needs of the learners such as disabilities need to be taken into consideration (Khan, 2005). Bearing in mind that diverse learners have different learning needs; the instructor, course designer and discussion moderators must be sensitive and innovative about involving them in the e-Learning environments.

The interest towards the environment and identification with the learning community necessitates behavioral codes. They also motivate learners to be cooperative. Khan defines *etiquette* as the framework for the civility of interactions, via providing standards of considerate behavior. For example during both a/synchronous communications, participants should be prevented from challenging each other personally. This can be achieved via predetermined rules for forums. There is an institutional responsibility arising here for developing e-Learning guides and rules based on preventive measures. Khan reminds that institutions should also "inform" the students about the rules of conduct, such as prohibitions about using others' personal information, not forwarding private

e-mails to third parties without permission. Plagiarism and copyright are two other sensitive areas about which instructors and students must be informed and warned about. They must be encouraged for academic research, however referencing previous scholarly works and being sensitive about the intellectual property rights of the learning materials must be highlighted.

Data Collection

The research was carried out during the 2006-2007 academic year with a population of 2767 3rd year students and 3461 4th year students, enrolled at the language program. The population of the instructors was 31. Among these students, living in each province of Turkey, 10 % of the total number of students was determined as the sample population. As regards the instructors, the whole population was addressed for surveying.

The student questionnaire was uploaded to the program website and was answered by 250 students. The instructor questionnaire was sent to 31 instructors' e-mail addresses and 23 of the questionnaires were answered and sent back. Both questionnaires were composed of two sections on (1) learner diversity (2) behavioral and legal regulations. The items related to these headings were given on 5 point Likert scales.

Data Analysis

For the descriptive analysis of the survey data, the frequencies of the student and instructor opinions have been presented, comparing the ideas and expectations of these two groups of online learning environment users.

RESULTS

Opinion by students and instructors with regard to learner diversity

As tabulated in Table 1, opinions of students and instructors are similar about conducting surveys related with learning style, hardware ownership, physical disabilities of students. More than 90% of the students and instructors mention that the jargon, idioms, humor and acronyms must be explained in the course content to make it more understandable and facilitating. All instructors (100%) state that links to the resource site(s)/glossaries, where interpretations of jargon and terminology are available, should be used within online courses to facilitate the student comprehension.

Table 1. Opinions of Students and Instructors on Learner Diversity

LEARNER DIVERSITY	Student (n=250)										Instructor (n=23)										
	SD		D		UD		A		SA		SD		D		UD		A		SA		
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	
Surveys to assess the learning styles of target population should be done.	5	2.0	19	7.6	17	6.8	96	38.	4	1.6	1	4.3	2	8.7	0	.0	12	52.	2	8.7	34.
Surveys to assess the hardware ownership of target population should be done.	7	2.8	22	8.8	22	8.8	77	30.	8	3.2	1	4.3	0	.0	3	13.	8	34.	1	4.3	47.
Surveys to assess the physical disabilities of target population should be done.	9	3.6	23	9.2	31	12.	88	35.	2	.8	0	.0	0	.0	5	21.	10	43.	5	21.7	34.
Hardware ownership of the students should be taken into consideration during the design process of online courses.	6	2.4	13	5.2	14	5.6	78	31.	2	.8	0	.0	1	4.3	3	13.	12	52.	2	8.7	30.
Only the essential multimedia elements should be used in the course to reduce bandwidth problem.	13	5.2	26	10.	4	1.6	74	29.	6	2.4	3	13.	0	.0	5	21.	7	30.	4	17.4	8.7
The course should allow students to remain anonymous during online discussions.	53	21.	47	18.	34	13.	57	22.	8	3.2	1	4.3	7	30.	0	.0	4	17.	4	17.4	4.3
The interpretations of jargon and terminology should be explained within the online courses to facilitate the student understanding.	4	1.6	3	1.2	6	2.4	71	28.	4	1.6	0	.0	1	4.3	1	4.3	14	60.	9	39.1	30.
The courses should have links to resource site(s), a glossary, where interpretations of jargon and terminology are available.	4	1.6	6	2.4	8	3.2	85	34.	0	.0	0	.0	0	.0	0	.0	16	69.	6	26.1	30.
The courses should be designed to accommodate the needs of visually impaired.	8	3.2	9	3.6	15	6.0	80	32.	0	.0	0	.0	0	.0	6	26.	1	4.3	8	34.8	39.
Multimedia elements (graphics, audio,	7	2.8	6	2.4	11	4.4	89	35.	137	54.	0	.0	0	.0	4	17.	9	39.	1	4.3	43.

video) should be accompanied by text equivalents to be accessible by people with disabilities.									6	8									4	1	0	5
The courses should offer equal opportunity of access to interaction among students and with instructors.	3	1.2	3	1.2	2	.8	52	20.	8	190	0	0	.0	1	4.3	1	4.3	10	43.	1	47.	8
The synchronous counseling schedules should be determined taking the students' working hour into consideration.	5	2.0	13	5.2	9	3.6	89	35.	6	134	6	0	.0	4	4	6	17.	26.	43.	5	13.	0
The synchronous counseling schedules should be determined taking the students' opinions into consideration	5	2.0	8	3.2	10	4.0	91	36.	4	136	4	0	.0	3	13.	7	30.	52.	2	1	4.3	

Although 67,6% of the students indicate that only the essential multimedia elements should be used in the course in order to reduce the bandwidth problem; 39,1% of the instructors agree with this assertion. The higher percentage of students can be related with their concerns about the technological opportunities they do/do not have. Students can experience bandwidth problems if their technical infrastructure is insufficient. This is why, students think multimedia elements used in online courses and the problems about their use should have priority, while determining the online course media in the design process. However, instructors first consider the content related instructional issues and the advantages multimedia elements offer them; so their priority is not technical problems like the bandwidth concern.

Almost 90% of the students point out that the synchronous counseling schedules should be determined with an eye to the students' working hours and preferences, while the percentage of instructors supporting this assertion is 56,5%. This result indicates that the instructors do not attach sufficient importance to the students' working hours and preferences, at least not to the extent demanded by the students themselves. On the other hand, when the large number of students enrolled at the distance education programs is taken into consideration, it is easily seen that the students have the majority in this system. It is worth and vital taking their considerations and feedback into account. Another subject the students and instructors do not share the same opinion about is the use of anonymous names during online discussions. Although 46,4% of the students prefer that student names remain anonymous during online discussions; 21,7% of the instructors express that names should not remain anonymous.

Opinions by students and instructors with regard to the behavioral and legal issues

According to the data tabulated in Table 2, almost 93% of the students indicate that they must be clearly informed about the behavioral issues (superior communication and interaction issues) and about their responsibilities (exams, assessments, practices) within the online courses. As would be expected, all instructors (100%) share the same idea with the students.

Table 2. Opinions of Students and Instructors on Behavioral and Legal Issues

BEHAVIORAL AND LEGAL ISSUES	Student (n=250)										Instructor (n=23)													
	SD		D		UD		A		SA		SD		D		UD		A		SA					
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%				
Students should be clearly informed about the behavioral issues (superior communication and interaction issues) in the online courses.	5	2.0	9	3.6	3	1.2	91	36.	4	142	8	0	.0	0	.0	0	.0	5	21.	1	78.	3		
The course should clearly inform students about their responsibilities within the online courses.	4	1.6	4	1.6	8	3.2	81	32.	4	153	2	0	.0	0	.0	0	.0	7	30.	1	69.	6		
If a student fails to follow the etiquette of the course more than one time, he/she should get warning and punishment.	20	8.0	1	4	54	21.	6	76	4	69	6	2	8.7	1	4.3	2	8.7	5	21.	1	56.	5		
If a student fails to follow the etiquette of the course more than one time, he/she should be put on probation.	16	6.4	8	2	11.	49	19.	10	42.	6	4	51	4	2	8.7	2	8.7	8	34.	8	26.	1	5	7
If a student fails to follow the etiquette of the course more than one time, he/she should be penalized by lowering grades or	14	56.	4	17.	12.	30	12.	12	4.8	22	8.8	4	17.	4	17.	4	10	43.	5	4	17.	4	1	4.3

points.																			
If a student fails to follow the etiquette of the course more than one time, he/she should be removed from the discussion forum	38	15.	4	16.	22.	25.	20.												
The students' participations to the online courses should be taken into consideration while determining the students' marks.	99	39.	3	15.	22	8.8	43	17.	18.										
The course should comply with the University's privacy policies and guidelines for online postings.	22	8.8	0	8.0	49	19.	6	72	28.	8	87	34.							
The course should get previous students' permission to use their online discussions, postings or any other data that belong to them	29	11.	2		12.	37.	29.												
The course should get students' permissions to share their projects with other students	19	7.6	2	8.8	26	10.	10	43.	30.										
The course should get students' permission to share their personal web documents with other students.	14	5.6	0	8.0	19	7.6	3	11	45.	2	84	33.							
The course should get students' permission to share their e-mail addresses with other students.	6	2.4	0	4.0	16	6.4	5	10	42.	0	113	45.							
The course should get students' permission to share their telephone numbers with other students.	5	2.0	7	2.8	12	4.8	82	32.	57.										
The course should get students' permission to share their posting addresses with other students.	5	2.0	9	3.6	13	5.2	98	39.	50.										
The course should clearly inform students about the consequences of any forms of plagiarism.	8	3.2	9	3.6	12	4.8	1	11	44.	4	110	44.							
Cheating/ plagiarism interferences of the students should be punished by assigning a failing grade in the course.	51	20.	6	24.	64	25.	35	14.	15.										
Cheating/ plagiarism interferences of the students should be punished by assigning a failing grade on that particular paper	43	17.	5	20.	59	23.	6	57	22.	8	39	15.							
Cheating/ plagiarism interferences of the students should be punished by dismissal from the University.	12	49.	5	22.	34	13.	6	17	6.8	19	7.6								
Cheating/ plagiarism interferences of the students should be punished by showing up their names on the list of cheaters in the University.	73	29.	6	24.	42	16.	8	37	14.	8	37	14.							
Cheating/ plagiarism interferences of the students should be punished by sharing the student's cheating record with other academic institutions.	50	20.	5	20.	62	24.	8	55	22.	0	31	12.							
The course should provide a mini lesson on plagiarism that involves examples of plagiarism.	8	3.2	4	1.6	20	8.0	9	12	51.	6	89	35.							
The course should provide appropriate information about copyright laws concerning learning activities at the Internet.	7	2.8	4	1.6	26	4	5	10	12	50.	0	88	35.						
Students' opinions about the ethical rules	5	2.0	7	2.8	14	5.6	12	49.	100	40.									

related to the online courses should be taken into consideration								4	6		0							0	4	9	4
Surveys should be carried out about the extent the students obey the ethical rules in online courses.	6	2.4	6	2.4	21	8.4	8	47.8	2	99	6	0	.0	0	.0	1	4.3	2	52.2	1	43.5

Results tabulated in Table 2 reveal that the opinions of students and instructors differentiate about the sanctions to be applied when the students fail to follow the etiquette of the course more than once. Although 78,2% of the instructors mention that punishments are required for the students who fail to follow the etiquette; only 52% of the students support the idea of application of punishments. With the same token, these findings demonstrate that students expect a flexible approach from their instructors when they fail to follow the rules. Accordingly, 62,8% of the students mention that they should be put on probation while only 47,8% of the instructors support giving probation to the students. These data can be explained by the instructors' assertion that students do not pay enough attention to their online courses if they do not get dissuasive punishments.

It is interesting that almost half of the instructors (43,5%) are fair-minded about lowering students' grades and only 21,7% of the instructors support the idea of lowering grades. On the other hand, 13,6% of the students approve this preventive measure. One of the most preferred punishment method for both students and instructors is removing students from the discussion forum with 46% approval by students and 65,2% by instructors.

Students' and instructors' opinions are compared via the survey, as regards taking students' participation to the online courses as a criterion during the assessment stage or not. 55,2% of the students prefer that students' attendances are not taken into consideration while determining the students' grades. Only 34,7% of the instructors agree with the students in this case.

When the items related with "getting permission from students about the use of their personal data" are examined in Table 2, it is seen that most of the students and instructors share the idea that students' permissions should be taken before sharing their projects (73,2% by students and 82,6% by instructors), web documents (78,8% by students and 86,9% by instructors), e-mails (87,2% by students and 78,3% by instructors), telephone numbers (90,4% by students and 91,3% by instructors) and posting addresses (89,2% by students and 86,9% by instructors). Also 66,4% of the students emphasize that their permission should be required before using their online discussions, postings or any other data that belong to them and 82,6% of the instructors approve this assertion.

Table 2 also reveals students' and instructors' opinions about the consequences of any forms of plagiarism. It is expressed that, although 47,8% of the instructors support the idea that cheating/ plagiarism interferences of the students should be punished by assigning a failing grade in the course; only 29,6% of the students share this idea. Students prefer to be punished by getting a failing grade on that particular paper with 38,4%. The percentage of instructors preferring to punish students in this way is 78,2%. The lowest percentage of students (14,4%) and instructors (13%) are behind the idea of punishing students by dismissal from the university. This is one of the most intensive methods of punishment for cheating or plagiarism interferences. In this connection, it can be evaluated that both students and instructors are against such intensive punishment means. Another punishment for cheating/plagiarism is showing up the students' names on the list of cheaters at the University. Only 29,6% of the students and 47,8% of the instructors approve this measure. Finally 34,4% of the students and 43,5% of the instructors indicate that cheating/ plagiarism interferences of the students should be punished by sharing the student's cheating record with the other academic institutions.

The last items given in Table 2 are about the copyright laws and ethical rules concerning online courses. All instructors (100%) agree with the item expressing that appropriate information about copyright laws should be given in online courses and 85,2% of the students agree with this. The opinions of students (89,6%) and instructors (78,3%) are positive about the importance of students' feedback on ethical rules. On the other hand, both groups mention that further research should be conducted about the extent students obey to the ethical rules of online courses.

CONCLUSIONS AND DISCUSSIONS

Brown asserts, it should be acknowledged that the basic intent of e-Learning is a moral good. Since e-Learning attempts to provide educational opportunities for high number of people and in many cases to people deprived of education, he is right to consider it an ethical task. However there are vulnerabilities that the users need to be aware of. Institutions need to be on alert and publish clear definition of academic fraud in online learning and set

policy providing codes for students and instructors to follow. It would be an important step forward for institutions to give ethical issues in the curriculum of online/blended programs (Brown, 2008).

According to this study, the responses to the first research question reveal that, most of the students and instructors believe surveys should be conducted related with learning styles, hardware ownership, physical disabilities of students. As Khan (2005) has stated, learners have their own styles for meaningfully gathering and organizing information for their learning purposes, and have different learning needs due to their different educational and social backgrounds. This is why instructors, course designers and discussion moderators must be sensitive about the students' characteristics and should be innovative about involving diverse learners in e-Learning environments. Another dimension is that hardware ownership and physical disabilities of students must be determinant on the design processes of the online courses. In the face of digital divide, it is important to use educational media that can be operated with most of the computers. Among these technological issues there is also the bandwidth problem that students face. To reduce the effect of this problem, students explain that only the essential multimedia elements should be used in the courses. To design more effective courses, detailed research on hardware ownership and learning styles of the students can be realized by institutions.

Contrarily, instructors do not agree with the idea of using only the essential multimedia elements within the online courses. Instructors consider the instructional quality and the advantages of the media first; e.g. their priority is not the bandwidth problem. They prefer to use the new technologies that offer better instructional opportunities; but it is a fact that all the students may not have the required technologies. This is related with the digital divide that underlines the importance of information accessibility in e-Learning environments. Khan (2005) defines digital divide as the gap between those who have access to the Internet and other information technologies and those who do not. The reasons may be economic, cultural, physical or geographical. Related to the economic problems, institution may support students to have better computers and technologies. Some campaigns in collaboration with technology firms that provide computers more economically can be utilized. In this way, the students will have better technological opportunities.

By the same token, some courses that introduce the basic characteristics of the Internet and computer literacy can be organized for students; so technological and digital culture of the students can be improved via these courses. Physical disabilities are also effective on the digital divide. Students with disabilities cannot make proper use of some educational media as the other students.

The responses to the second research question are related with the behavioral and legal regulations, where students and instructors have some different opinions about assessing students' behaviors. Findings reveal that students expect flexible approach by instructors like having probation or removing students from discussion forum instead of lowering their grades or points, when they fail to follow the behavioral etiquette more than once. On the other hand, instructors think that students do not attach the required importance to the online courses if they don't get dissuasive punishments. Related with this subject, the behavioral regulations that are applied when the students fail to follow the behavioral etiquette more than once must be determined and announced to the students before they take the courses.

All the above findings and literature direct the discussion to the point that institutions should have e-Learning policies, guides on especially legal issues like preventive privacy, plagiarism and copyright. In this sense, there need to be some regulations about cheating /plagiarism attempted by the students. The students' and instructors' opinions are different about the regulations for cheating/plagiarism. As mentioned in the methodology, online courses are not the core material of the program in case-study; students are not obliged to attend to these online courses. Because of this flexibility, students do not think they can be punished when they fail to follow the etiquette rules and/or cheat. However it is a fact that developing online courses requires certain amount of time, money and effort. The instructors mention that some obligations are necessary for more effective and efficient use of online courses. However, instructors also state that students' participation to the online courses should not be taken into consideration in student assessment.

The final subject among the legal issues is related with getting students' permission when using and sharing students' personal data. The institutions should inform students beforehand about whether they intend to share students' personal data, text dialogs or not. Private e-mails should not be forwarded to third parties, without permission. Both students and instructors agree with this assertion.

As final words, feedback by all the users of the online courses is vital for the design processes; not limited with the ethical issues only. This study has been realized to evaluate the opinions of students and instructors about the learner diversity and behavioral/legal regulations related with ethical issues of e- Learning. In this connection,

further surveys can be structured about cultural diversity, bias, geographical diversity, social and political influences etc. based on different dimensions of individual differences.

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