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Section: CIS 150-76
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Case Name: "It's Never Right to Copy Software"
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Part 1: Ethical Dilemma

The ethical dilemma with this situation is that Mary Lou, the principal has recommended that Roger illegally copy the software instead of buying new versions for the recently donated computers. This particular software is quite expensive and the school has no money for new software. She figures that only a limited number of copies will be made and that it would not pose a big problem. However, if City High School is ever caught, then there would be serious consequences. How should Roger respond to the Principal's suggestion to copy the MATH-TUTOR program onto the donated computers?

Part 2: Role of I.T.

The I.T components that would be included are the computers, software, and the school's network servers. City High School will be receiving 22 Power Macintosh systems with 100 megabytes of memory. The computers will be responsible for running the software which makes it a critical component. The diskettes would be another component as this is where the software is stored and will be used to install the software on the computer. Also, the learning software, MATH-TUTOR is another component since this is what the dilemma is centered on. This is subject to copyright infringement where there can be dire consequences. Lastly, the school's network servers and databases play a part in the dilemma. The software would be running on the network's server which could potentially be tracked.

Part 3: Stakeholders

1. Roger Gleason: Roger is the mathematics teacher at City High School. Of his many responsibilities, one is to uphold the high school's reputation of academic excellence. In past years, 70-80% of graduates from City High School has gone off to college. To achieve this number, Roger not only has to follow his teaching criteria, he must also put in extra hours for the students that need additional help. Roger is also the head of the math team that reached the semifinals of the statewide math contest. Due to the donation of several computers, Roger has been assigned as the coordinator for this math lab, and must choose a software to help assist students in learning. Roger Gleason has the right to choose which software that is to be on the computers in the lab, along with not being forced to break the law by copying software licensed for one user.

2. Principal Mary Duffy: Principle Duffy is looked up to and respected by the students at City High School, along with the school board. She has met with the math department several times to decide what the best use of the donated computers would be. She has assigned Roger as the coordinator for the computer lab and will take his choice in software programs as a final decision. She has a budget to go by, and does not have any money for additional software, unless it is free or donated as well. She has the right to make sure her students are receiving the best education possible, while staying within her budget that is set out for her.

3. Software Company (MATH-TUTOR): MATH-TUTOR has been very successful in past years, with more than \$100 million in profits. They have the right to sell their product at a rate which they feel is fair to their customers, while being able to run their company adequately. Their software is most likely licensed to each individual user, unless specified otherwise, so if any user goes against it, they have the right to take legal action.

4. Students and faculty of City High School: City High School is looked upon as a great school to send students to. They have a high rate of students attending college, along with a low dropout rate. They are considered as a school of academic excellence and will want to continue that reputation for years to come. City High students have the right to receive the best education possible while attending school there. The faculty has the right to do their appointed job, without the fear of losing their job if any legal issues come the school's way.

Part 4: Alternative Actions and Consequences

1. Refuse to copy the software: Roger has a critical decision to report to the Principle, that has several pros and cons with each. He can either save money and provide the students with a great software program, with the expense of possible legal issues in the future, or decide not to copy the software, but have no program to help the students. If Roger refuses to copy the software, Principle Duffy may be a little irritated because they have all these donated computers, with no great use for them in the math lab. With this decision, Roger will be saving the school from any legal issues and can still provide his students with a great education. The faculty will have to continue to put in extra hours to help students, and hope in future years there are funds available for software or possible donated software as well.

2. Copy Software: The principle of City High School has suggested to copy the software from MATH TUTOR that they already purchased in the past. Doing this is would go against their

agreement when they purchased the software. It was intended for the use of only one computer, not for the additional donated computers as well. If word got out that the principal and Roger copied the software, it would possibly cost them their jobs, along with bad reputation coming to City High School. MATH TUTOR has the right to take legal action and get the money they are supposed to for their product.

3. Fundraise: City High School has a strict budget, and has no room for any software expenses. The school has recently received donated computers that has the potential to effectively help the students, with the right software installed. To cover the high costs of the software, City High could start a fundraiser that would help offset that expense. The students and faculty could offer anything from selling goods such as a bake sale, to providing services such as a car wash.

4. Report Principal: Principle Duffy has suggested that Roger should copy the software from MATH-TUTOR they already have, onto the donated computers. This is an illegal action and goes against the fair use policy. If they want the software on each donated computer, they must buy software for each or try to make a deal with the software company. Roger has the option to report Principle Duffy which would make the school look bad in the eyes of the public if word got out they copied software illegally. The text states that Principle Duffy is highly admired and looked up to, but if people found out she copied the software, much respect would be lost for her. Roger would still have to find a way to put software on the donated computers, but now with Principle Duffy possibly out of a job.

Part 5: Deontological Perspective

From a deontological perspective choosing not to copy the software is the morally right thing to do. While it is true that the school would benefit from Roger copying the MATH-TUTOR program over to all the new computers that were donated, when viewing this case from a deontological perspective you must judge the action independently from its outcome. Copying the software amounts to stealing from the company that produces the software. Roger has the right to run the math lab as he sees fit and do his best make sure it benefits the students, but that does not outweigh the right the software company has to not have their software copied without being paid for it. It doesn't matter that the software company is making more than \$100 million in profits, their success doesn't give Roger the right to duplicate their software. According to Immanuel Kant's first formulation of the categorical imperative, one must "Act only according to

that maxim whereby you can at the same time will that it should become a universal law without contradiction.". In simpler terms, it means that you should only behave in a way that you would want everyone else to behave. If every school and institution that uses the MATH-TUTOR program only purchased one copy, then installed it on all the computers it is unlikely that the software company would be able to stay in business and continue to provide tutoring software.

Part 6: Teleological Perspective

The Teleological Perspective is one that focuses on results. As long as the ends justify the means, a decision will be considered ethical following this approach. By this reasoning, the decision to copy the software would be the morally correct approach. First let us analyze why the other possible choices would not be a good one in the terms of this theory. Reporting the Principal would be the worst choice, because the Principal only suggested the idea and isn't forcing Roger to do anything, she is simply saying that she will look the other way if you make the decision to make the copies. It is also stated that most students and faculty like her, and under her direction the school has a reputation for excellence. That reputation would be muddled if the Principal were to be fired for unethical practices and it is very possible that the next principal that comes in will not be able to run the school as effectively. This decision will most likely only bring bad press and possible decreased funding for the school and would do harm all around. The decision to not copy the software doesn't have any negative effects, however other than showing off how moral Roger is, it doesn't have any positive effects either because the students will be left with computers without much purpose or use because it doesn't have the necessary software. This is basically a null decision, where you might be able to get the money in the future, but you also might not. The fundraiser is a very good idea in theory, you can legally raise money to buy the programs as well as promote a good sense of community within the school and district. However this fundraiser will most likely not work, because most of the students come from an impoverished neighborhood, where many are on social welfare and don't have any money to spare. Asking for \$7000 from families that can barely support themselves would be asking for a lot and most likely is too much to ask for. The likely end result being a failed fundraiser, everyone becoming overly conscious about how poor they are and feeling bad, and now the option to copy the software is gone because everyone will know its is acquired illegally because the goal wasn't reached. This leads to no benefits and a lot of harm all around. So the only choice left is to copy the software. The benefits will be great as teachers get less of a workload put on them, and students get more help and are able to work at their own pace, thus encouraging struggling students by giving them needed support to

do better. The harm is the \$7000 profit lost to the company, but that is a very small percentage of their \$100 million profit and won't be noticed, as well as the risk of the school getting in trouble for being found out for the copies. However, if Roger really cares about his students he will notice the Utilitarianism of the choice, in which the benefits to the group as a whole greatly outweighs the harm, and he will decide to be altruistic and take the risk for the sake of his school and students.

Part 7: My Recommendation

Our normative recommendation would be for Roger to stand firm in his stance that copying the software is wrong and bring up the idea of fundraising with the students within the school. Fundraising is still a feasible option even in a place that is poverty stricken. The first step to this is making the parents care about what they may potentially putting their money into. Roger should use the reputation of the school to his advantage. People usually associate highly sought after academics in middle to high class areas. Yet, City High is one of the top schools within the district in math and science. This is even so with their hair thin, highly lacking budgetary means. Rogers needs to use this success to convince parents why they should donate.

Since the neighborhood is not very economically sound, Roger also needs to convey to the parents or potential donors that any amount is sufficient. \$7000 is needed to buy ten of the programs. A single program cost around \$695 a piece. So if the school was even able to raise a fraction of the whole \$7000, it would still lift the burden off of the staffing that would have to pursue remedial courses of action for students who are lacking in their math skills. That is the idea that Roger needs to get across, because telling people outright that \$7000 would be needed is a ludicrous idea. It would give people the feeling of the unreachable, especially so given the circumstances of the schools surrounding populace.

Another option that Roger has considered, is copying the software. Copying the software is a feasible idea, but it is also theft. Theft is never tolerated even if it is for the most righteous of reasons. Let's say Roger did copy the software. It wouldn't cut into the school's budget, it would save Roger the hard work of pushing forward through a fundraiser, it would also get the software into the hands of the students very quickly. For arguments sake, let's also say that Roger got caught, eventually. He would be jailed or have to pay a fine because he infringed on copyright laws. These actions could seriously damage Roger's teaching career as well as damaging the school's reputation. This narrative may be unlikely, yet it is within the realm of possibility.

In closing, Roger should approach the principle with an in-depth plan on fundraising that uses tactics listed above to raise enough money for even one or two programs that students may be able to use instead of illegally copying the software.