Case 3.2 “It’s Never Right to Copy Software”

**Ethical Dilemma:** Roger Gleason is a mathematics teacher at City High School. He is rather ambitious and hopes that the transfer to City High School will enhance his career. The school has an excellent academic reputation in spite of being in a district of low income families as well as having limited funding and much needed resources. Many students enter City High School from their earlier primary schools below the academic standard and are particularly behind in math and English. Gleason as well as many of the teachers at City High School put in a substantial amount of extra effort and hours in helping the students reach the standard academic level. A generous donation of 22 Power Macintosh PC’s was given to the school and it was decided that 14 of the 22 computers were going toward a new mathematic computer lab that Gleason was appointed run. During a meeting with the highly regarded Principal of City High School, Mary Lou Duffy, the question arose of how to acquire the software for this new math lab. Principal Duffy made it abundantly clear that there was no room in the budget and they had no funding to purchase new software licenses for the computers and without a software program, there would be no math lab. MATHTUTOR is an educational software program and was the best candidate for the aspirations of this new math lab. However, the company that owns the rights to MATHTUTOR does not donate or offer any special deals for their product. To cover just 10 of the 14 computers would have an estimated cost of around $7,000 that the school did not have. The school currently has one license for the MATHTUTOR program, and Principal Duffy has suggested they simply make copies of the software for the other computers. Both Principal Duffy and Rogers know that this wrong to do, and she has left the decision up to Rogers since he was head of the department. MATHTUTOR made hefty profits the year before and when Rogers considers the deprivation and circumstances of the students, he becomes conflicted on the right course of action. Is It morally ethical to take another’s intellectual property/ software, even if the company/ owner is financially stable and has had made their return on their investment? If such act is selfless, with no monetary value and the overall benefit is for the children/ students who already face economic turmoil and hardship, is it acceptable to make copies of another’s work, the help someone less fortunate? Should Gleason make a copy of the software?

**IT Components:**

1. The donated 22 Power Macintosh PC’s (with 100 megabytes of memory)
2. MATHTUTOR the software on a series of diskettes that the school wants to use for their math lab.

**Stake Holders:**

1. Roger Gleason: Right to provide his students with the best education and resources available. As well as create a resource for himself and other teachers to help take off some the load and pressure bestowed upon them. Also has a right to protect himself against any legalities that may arise, in which he would likely be held most responsible.
2. Principal Mary Lou Duffy: Right to provide her students with the best education and resources available as well as help her faculty and staff by creating more resources for the students than just the teachers. Also has the right to place the decision in Rogers Gleason’s hands since he is the coordinator, which will ultimately make him responsible.
3. Students: Have the right to all resources needed to help them learn and achieve the knowledge needed to better their future, no matter the social/ economical background they came from.
4. MATHTUTOR: Has the right to profits for their product/ intellectual property.

Roger Gleason’s Alternative Course of Action:

1. **Make the copies of the software**: Easiest and simple method of acquiring the program. Sympathetic to his cause, however it would more than likely get leaked out that the school is using the software and Gleason who ultimately made the decision would probably be held the most responsible and could face legal charges. This would hurt his reputation and go against everything he has worked hard to accomplish. I do not think this is his best course of action.
2. **Ask MATHTUTOR for a donation AGAIN**: Since someone has donated the computers maybe this would change their mind. If accept the request, then great. If they deny, then Gleason could maybe go to the media and public disgrace the company for their unsympathetic policies, especially toward students who have proved they are working hard and trying to overcome the obstacles bestowed upon them unwillingly.
3. **Fundraising:** Gleason could put together some fundraisers since he is the coordinator of the department. He could also go to the media and explain the situation. Hopefully get more donations.
4. **Report Principal Duffy to the Board:** If he reported the suggestion to make the copies by Duffy to the BOE, then possibly this could catch their attention and hopefully find funding within the budget for the software. She will possibly face termination and they still may not provide the money.
5. **Or just go to the BOE and ask for additional funding.** Possibly find money in the budget somewhere without jeopardizing Principal Duffy because her intentions were good. She is highly respected by the faculty, students and members of the BOE. Possibly she could make his request.

**Deontological:** Do not make the copies. The act of copying the software is wrong, no matter what that means for the students and school. Teaching the students that stealing is an acceptable way of getting what you want/ need is not the morally correct action. Also indorsing lying with this approach.

**Teleological:** Make the copies. Many obstacles in the way to successfully have the lab up and running and none of which are guaranteed. The students who are our future, will benefit from this lab as well as future students. **OR** Do not make the copies. The future of software development, the way of the world, could not sustain such infringement. Installing the idea of stealing and lying as acceptable to the students will not help the students overall.

**Normative Response:** I believe Roger Gleason needs to first explore his other options such as fundraising, going to the media for further donations and approaching the BOE for additional funding. After these options are exceeded, if they have not reached their goal, then possibly go to MATHTUTOR and ask them for a donation on the difference. This approach is much longer than simply making a copy, but this is the ethically/ morally right thing to do. If they make the copy they are teaching the students it is acceptable to lie and steal. Even faced with extreme difficulties, it is never morally correct to lie, cheat or steal to reach your goals. This option may not guarantee that the school will get the money to get the software they so desperately need and deserve, but as teachers and role models, they are installing a much more needed value in today’s world and that is truth, honesty and working hard to obtain ones goals. If everyone took the copy approach, our economy will not flourish and will diminish the future growth for software development, a direction the whole world is going.