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Term Papers Over the Internet: New Threat to Educational Integrity

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Cheating in school has never been easier. With several dozen term paper “mills” now available over the Internet — including a number of free Web sites — students are only a mouse click away from downloading ready-to-submit term papers. Copying and handing in some previously-used term paper has been a recurring fact of student life for years. Frat houses are popularly thought to have extensive files of such papers, and the phone numbers of term paper “mills” that will generate an essay for a fee have been circulated

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and even advertised in the back of *Rolling Stone* since the 1960s. But the quantum leap in ease and availability made possible by the World Wide Web has suddenly made this traditional problem acute.

According to **Dean Lunt** in *The Patriot Ledger*, some sites boast more than 8,000 term papers and essays on file; some provide the original grade received and some solicit custom orders — credit cards or money orders accepted. One site, for example, offers to “prepare your research document based on your specific research requirements, not some generalized document passed along to hundreds of people or submitted by college students and resold over and over.”

Other Web sites such as “School Sucks,” “Evil House of Cheat,” and “Cheat.com” offer their wares for free. The sixteen-year-old founder of Cheat.com is quoted as saying that his site signs up eighty to one hundred members and gets about 13,000 hits daily. The twenty-something founder of School Sucks claims to have had 800,000 hits since he began the site last year.

One university has decided to strike back against the trend. **Boston University** has filed a federal RICO Act lawsuit against eight Internet term-paper companies in seven states. The complaint, which is the first such suit of such kind, alleges that the online services “devalue” the university’s degree programs.

The Racketeer Influenced and Corrupt

Organization Act (known as “RICO”) provides in part as follows:

“It shall be unlawful for any person employed by or associated with any enterprise engaged in ... interstate ... commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise’s affairs through a pattern of racketeering activity.” [18 U.S.C. 1962(c)]

The term “racketeering activity” is defined in 18 U.S.C. 1961(1)(B) as any act indictable under certain federal criminal statutes, including the mail fraud and wire fraud statutes. A “pattern” of racketeering activity requires at least two acts of racketeering activity occurring within ten years of each other. 18 U.S.C. 1961(5). Although the conduct used to support a civil RICO action must be “indictable,” it is not required that there be a prior criminal conviction — or even an actual indictment — regarding the conduct that forms the predicate act of the civil RICO claim.

The university’s lawyers used an undercover agent (actually a law student at the university) to contact various Website operators. She explained that she needed a term paper fast and made clear that she was simply going to hand in whatever they sent her. Without exception the companies dutifully complied, one even printing her course number and the professor’s name on the cover.

Twenty-five years ago, in the pre-Internet era, Boston University brought a similar suit against a group of term-paper companies that were selling papers to students and won. The situation led to the 1973 enactment of anti-fraud legislation in Massachusetts (and eventually in 15 other states). The Massachusetts law provides in pertinent part as follows:

“Whoever ... sells to another ... a theme, term paper, thesis or other paper ..., knowing or having reason to know that such ... paper or research results ... will be submitted or used by some other person for academic credit and represented as the original work of such person at an educational institution in the Commonwealth or elsewhere without proper attribution as to source ... shall be punished by a fine of not more than one hun-

dred dollars or by imprisonment for not more than six months, or both.” [Mass. Ann. Laws ch. 271, 50]

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Lawmakers in Texas approved a similar one just this summer, which amends the state penal code to provide that: “A person commits an offense if, with intent to make a profit, the person prepares, sells, ... or delivers to another person an academic product when the person knows, or should reasonably have known, that a person intends to submit or use the academic product to satisfy an academic requirement of a person other than the person who prepared the product.” Texas Penal Code, Section 32.49(B).

It is unclear whether any prosecutions under these types of statutes have ever been brought or what their deterrent value has been. In any event, the ready availability of term papers over the Internet has raised red flags throughout the academic world and generated front-page articles in newspapers around the country, including the *Washington Post* (November 5, 1997) and the *Chicago Tribune* (December 8, 1997). Not everyone agrees that the term-paper sites should be shut down.

In an October 27th editorial, the *Daily Tar Heel*, the student paper at the **University of North Carolina at Chapel Hill**, opposes the

legal attack on the online term-paper companies: while passing off a purchased term paper as one’s own is ethically reprehensible, the university should not interfere with these companies’ right to conduct business or a student’s right to decide whether

he or she will uphold the Honor Code.

Educators may in time learn how to search the free-sites on the Internet to see if suspect papers are cribbed, but searching the pay-sites is not currently possible. The real answer to the problem, however, involves teaching an increased sense of honor and integrity to students, and that — to be sure — is no easy task. 

NB: A version of this paper was presented at the Charleston Conference, November 6, 1997. — KS

