



The Outlook

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Web Site Causes Legal Concern

VirtualRatings.Com Allows Students To Rate Professors Anonymously

By Jennifer Cyr

Editor-in-Chief

Over the past two weeks, news of the web site, Virtualratings.com, has come to the attention of the University community. The purpose of this commercial site is to allow the public to rate such things as movies, automobiles, services and faculty members of colleges and universities across the country. This system of rating how good or bad professors and instructors are has caused some concerns around campus, particularly from teachers and administration.

These concerns stem from the anonymity of the postings as well as some of the negative comments posted on the web-site that include inappropriate language and defamatory comments regarding individual instructors. As a result, issues of legality have come into question in relation to both professors and students' rights.

According to the web site's Terms and Conditions of use, it states "The Web Site, among other things, contains certain discussion forums, bulletin board services, forums and/or other message or communication facilities... You agree that you are responsible for your own postings and for any consequence thereof... By way of example, and not as a limitation, you agree that when using a Forum, you will not: Defame, abuse, harass, stalk or otherwise violate the legal rights (such as rights of privacy and publicity) of others; Publish, post, upload, distribute or disseminate or offer to do the same (hereinafter "Post") any inappropriate, defamatory, infringing, obscene or unlawful Content or information."

However Grey Dimenna, vice president and general council for the University, points out that a number of the comments posted by students rating University teachers are not in agreement with these terms and conditions. "A number of the comments are clearly obscene, probably defamatory and certainly are questionable in terms of legality... the site will only protect the anonymity of the person posting if they use the site responsibly," Dimenna said.

Dimenna continued that this means if the University wanted to contact the site and say they feel a certain posting is defamatory to one of their professors, then the site would disclose the name or names of the persons involved. The University can then bring the student or students in question up on charges for going against the Student Code of Conduct. He reinforces that this could only be the case if the posting is slanderous, going beyond the line of what is and is not acceptable, appropriate comments. Some examples he included as slanderous comments are "psycho," "idiot," and "moron."

"Defamatory comments are not protected by First Amendment rights," Dimenna added.

In order for students and teachers to fully understand their rights, Dimenna is currently working on letters to be sent out to both parties, addressing these issues. "The letter to the faculty is going to discuss general issues surrounding the legal aspects of defamation and generally what types of comments do and do not constitute defamation. I will be advising them as to the steps the University is taking with the web site." He continued, "The letter to the students will be an effort to educate the students as to the possible legal ramifications for their postings, both defamation actions as well as student disciplinary action. I will also be educating them as to the policies of the web site and the fact that the web site does not allow individuals to retain the

anonymity if the person makes libelous or slanderous comments.”

Before the University decided that this would be their course of action, another possibility was considered. This was to revoke students’ access to the web site from University computers.

“The Cabinet decided that it would not be appropriate to sever the University’s connection to the commercial web site,” Provost Thomas Pearson wrote in a letter to University faculty. “Not only would such an action raise serious concerns about free speech in an academic environment; in general it could open the door for other ominous restrictions on the use of the Internet,” he added. In agreement with this, Dimenna said, “The whole purpose of a university is for people to discuss views. Blocking the site would stifle comments and views...It’s not a door we wanted to open.” Still the question has been raised that if students are partaking in the use of the web site, than has the University’s own system of evaluating professors failed?

Pearson disagrees that the current system is not working. “I know some students and some faculty do not take the Student Instructional Reports (SIRs) and Faculty Peer Observations seriously. The University, however, takes both of these evaluation instruments seriously, and they are important elements in the tenure and promotion decisions we make, as well as providing valuable feedback for the faculty’s professional development,” Pearson said.

Travis Wetzel, a junior Math major, feels that although the SIRs may help with the “faculty’s professional development,” it does not allow other students to see comments their peers are making towards their teachers.

“Virtualratings.com allows students to discuss professors and adjuncts they have received instruction from. This includes posting their opinions regarding their style of teaching, how hard the tests are, if they give a lot of homework and whether or not they are interesting as lecturers,” Wetzel said. “Although some students have gone overboard in their descriptions, attacking some personal characteristics such as whether or not they are sexist, most of them are simply stating their feelings about the professors they have had.”

In response to this, Pearson states, “Student feedback is helpful to other students, and in principle I have no objection to students reading the comments of other identified students, provided the comments are appropriate and address the issues of the course objectives and demands and the quality of instruction.” He adds, “After all, even anecdotal information has a source – the recipient can judge the value of the information from the source that provides it. That characteristic seems to be absent in the current web site postings.”

“I am concerned about the tastelessness and vulgarity of some of the comments, which reflect very poorly on the students making them, and I regret the “anonymity” of the web site postings. Students should feel responsible and empowered enough to make their comments directly to the faculty,” Pearson said.

However Wetzel feels that if this were done before the end of the semester some professors may retaliate by giving the student a lower grade than they deserve. “Most professors are more professional than this. Still, the possibility is still there. If students should directly confront their teachers with concerns for their teaching abilities, why then are the SIRs completed anonymously,” Wetzel asks.

Several University professors were asked to comment on the topic of the web site by way of email. None of them responded to these requests. However President Rebecca Stafford had this to say, “I am deeply distressed that some of our students have used this web site to make inappropriate remarks about our faculty. It reflects poorly on the University and the students.” It could not be determined if some of these negative comments posted online could have a negative effect on future enrollment and admissions to the University, turning away prospective students.

“Personally, if I was a student looking at the comments, given the juvenile comments posted, I wouldn’t take them too seriously,” Dimenna said.

Editor’s Note: For further information and discussion of this topic, please turn to page 16 for the Editorial.