

AP 4105 DISTANCE EDUCATION**References:**

Title 5 Sections 53200, 55200 et seq.;
34 CFR Section 602.17;
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended;
42 U.S. Code Sections 12100 et seq.;
29 U.S. Code Section 794d;
ACCJC Accreditation Standard II.A.1.

Per Title 5 Section 55200, distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. All distance education is subject to the general requirements under Title 5 as well as the specific requirements of articles 55200 and 55204. In addition, instruction provided as distance education is subject to the requirements that may be imposed by the American with Disabilities Act (42 U.S.C. Section 12100 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794d).

The U.S. Department of Education defines distance education as education that uses one or more technologies [outlined in paragraph (1) through (4) of the definition] to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously. (Title 34 Subtitle B, Chapter IV Part 600 Subpart A section 600.2)

College of Marin offers Distance Education courses via two delivery modes: online and hybrid:

- 1) Online: a course in which 100% of instruction takes place entirely online with no mandatory face-to-face meetings, synchronous visits, and/or campus visits. Instructional time follows the Carnegie unit, which means that faculty must plan an approximate one-to-two ratio of instructional time to homework and study.
- 2) Hybrid: a course that provides instruction both online and face-to-face with at least one mandatory on-campus meeting. Mandatory meetings are regularly scheduled and the dates are posted in the schedule of classes. Students are informed of mandatory meetings in the schedule of classes. Instructional time follows the Carnegie unit, which means that faculty must plan an approximate one-to-two ratio of instructional time to homework and study.

Course Approval

Each proposed or existing course offered by distance education shall be reviewed and approved separately. Separate approval is mandatory if any portion of the instruction in a course or a course section is designed to be provided through distance education.

The review and approval of new and existing distance education courses shall follow the curriculum approval procedures outlined in AP 4020 titled Program and Curriculum Development. Distance

education courses shall be approved under the same conditions and criteria as all other courses.

Each proposed or existing course offered by distance education shall be reviewed and approved separately by the District Education Committee (DEC). Separate course outlines are required for each on-line or hybrid version of a course. Each course outline must include the Distance Education addendum of the Course Outline of Record template.

If any portion of the instruction in a proposed or existing course or course section is designed to be provided through distance education in lieu of face-to-face interaction between instructor and student, the course shall be separately reviewed and approved according to the district's adopted course approval procedures. (5 CCR Section 55206).

Distance Education Faculty Certification

When approving distance education courses, the Distance Education Committee will certify the following:

- **Course Quality Standards:** The same standards of course quality are applied to the distance education courses as are applied to traditional classroom courses.
- **Course Quality Determinations:** Determinations and judgments about the quality of the distance education course were made with the full involvement of the Distance Education Committee and Curriculum Committee's approval procedures.

Duration of Approval: All distance education courses approved under this procedure will continue to be in effect unless there are substantive changes of the course outline.

Faculty Training:

Before a distance education course is assigned, faculty must earn a certificate of completion in the *Online Education Standards and Practices (OESP)* course through the @One Project sponsored by the California Community College Chancellor's Office Telecommunication and Technology Infrastructure Program.

The cost of the OESP course will be reimbursed from the Distance Education budget.

Whether teaching hybrid and/or online courses, faculty must demonstrate proficiency in the technical and pedagogical aspects of such courses using the approved District Learning Management System (LMS) before being assigned to teach such a course. Prior to the launch of the course, faculty are required to meet at intervals with the Distance Education Coordinator and Instructional Technologist to review their curricular plan, receive appropriate training on course design, and review their final course product.

Waivers and Evidence of Equivalency

Faculty who have completed equivalent professional development in online pedagogy and teaching best practices at an accredited institution within the past three years may be exempt from the required faculty certification. Faculty will need to arrange a meeting with the Distance Education Coordinator and Instructional Technologist to present an example of an on-line a course they have developed, and show evidence of professional development and on-line teaching experience.

Instructor Contact

Each section of the course that is delivered through distance education will include regular effective contact between instructor and students.

Title 5 sections 55204 and 53200 require “regular and effective contact” in all distance education courses. Federal regulations require not only regular and effective contact, but also “substantive” interaction between the students and instructor. Each course or portion of a course delivered through distance education will demonstrate instructor-to-student(s), student-to-student, and student-to-content interactions.

Best practices for Establishing Regular, Effective, and Substantive faculty-initiated contact:

- Specify course policy in the syllabus regarding frequency and timeliness of all contact initiated by the professor.
- Provide response time in syllabus for student questions and assignment feedback (e.g. 24 - 48 hours)
- Explain course policy regarding student initiated contact (where to post questions, assignments, etc.) in the syllabus
- Clarify important dates, such as assignment and assessment deadlines, not only in the beginning but also throughout the course

Best Practices for Ensuring Ongoing Regular and Effective Contact:

- Assign and monitor weekly assignments and projects that promote collaboration among students
- Pose questions in the discussion boards that encourage critical thinking skills and promote interaction among all course participants
- Participate regularly in discussion activities with students and ensure that discussions remain on topic
- Monitor student engagement to ensure that students participate with depth
- Include means for varied types of interaction in the course design
- Maintain an active presence in discussion boards, chat rooms, and other interactive forums
- Give frequent and substantive feedback throughout the course

Methods of Establishing Regular and Effective Contact

- Course announcements (e.g., videos, weekly summary, weekly review, textbook readings)
- Personalized feedback on assignments
- Interactive discussion boards (e.g., question and answer forums)
- Videoconferencing (e.g., Skype, Zoom, CCC Confer)
- Collaborative projects (e.g., group blogs, group discussions, wikis)
- Instructor-created lessons and documents
- Instructor-created created modules or lectures (e.g., recordings, streaming videos, slides with audio narration, podcasts, webinars, screencasts)
- Emails, private messaging, and chat sessions

Accessibility Compliance

All distance education is subject to the requirements of Title 5 as well as the requirements imposed by the Americans with Disabilities Act (42 U.S. Code Sections 12100 et seq.) and Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S. Code Section 794d). Distance Education courses will be reviewed by Student Accessibility Services (SAS) to determine ADA compliance. The College’s Assistive and Instructional Technologists will assist faculty in meeting ADA compliance obligations when needed. Faculty must engage in relevant training from the College to ensure that they understand accessibility as it relates to instruction and curriculum. Likewise, any material or technology in support of any

instructional activity must be vetted for accessibility compliance by a designated campus authority.

The term “accessible” means that a person with a disability is given the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and integrated manner, with equivalent ease of use (Office of Civil Rights (OCR), 2011).

Distance education courses must closely mirror current compliance requirements or as ADA has been interpreted by ongoing litigation and/or OCR Letters-of-Instruction. That is, distance education courses must be developed with an interface, design, and content that facilitates equitable access to all material or experiences either through industry standard assistive computer technology or any other accommodation. Additionally, instructional materials should closely align with emerging Universal Design best practices.

All course content delivered via distance education must be accessible to all persons including those with disabilities.

All activities and instructional media shall be accessible, including:

- Accurately captioned videos
- Transcribed audio files
- All objects (including images, formulas, tables and charts) have meaningful alternative text
- Readable course materials and html pages using effective font, color contrast, and spacing
- Meaningful hyperlinked text
- Documents that are accessible and reflect best practice standards (e.g. including the use of headers, alt text, a readable font, document tags, OCR etc.)
- Provision of an ADA statement and contact information for Student Accessibility Services in the course syllabus.

Accessibility also applies to websites, software, and other required course materials not contained within the District Learning Management System (LMS).

FERPA Compliance and LMS Course Merging

Faculty may merge their courses in the District Learning Management System (LMS) to save time distributing the same course content to students across multiple course sections. However, due to the Family Educational Rights and Privacy Act (FERPA) regulations, students can only have access to other students’ information in the course in which they are enrolled. This means, students may not interact in the LMS with students from another course section.

To comply with FERPA when distributing course content in merged courses, Faculty must restrict students’ ability to view and interact with other students in another course section. Recommendations for meeting FERPA guidelines in the LMS and a Merged Course Request Form are available on the Online Learning website.

Enrollment, Attendance, and Participation in Distance Learning Courses

Students will register and enroll in distance learning courses in the same manner as traditional courses. All distance education courses follow College of Marin’s attendance and drop policies (AP 5070 and AP 5075). The U.S. Department of Education views attendance in an online class as active engagement, such as writing in discussion forums, submitting assignments, taking quizzes and/or exams, or other interactive

class activities. Due to the potential for financial aid fraud in online programs, the U.S Department of Education has determined that there should be “regular and substantive interaction between students and faculty” in online courses. Hence, the “Last Day of Attendance” counted in the online classroom is the last day of class participation by the student.

Based on the aforementioned guidelines, the instructor should determine the last day of attendance for students via the following methods:

- 1) Prior to the first census date, the instructor will initiate activities that require student participation.
- 2) The instructor will include various robust assessments and assignments on a frequent basis throughout the semester.

Participation and drop policies must be clarified in the online syllabus and align with the College’s policies.

Scheduling of Distance Education Courses

Area deans (in collaboration with department chairs) determine and approve faculty assignments for all courses, including distance education sections. Faculty will be assigned to teach distance education courses after completing the aforementioned certification process and meeting state and federal requirements.

Faculty Office Hours

For office hour obligations, faculty must refer to the UPM contract.

Student Authentication

Consistent with federal regulations pertaining to federal financial aid eligibility, the District must authenticate or verify that the student who registers in a distance education or correspondence education course is the same student who participates in and completes the course or program and receives the academic credit. The District will provide to each student at the time of registration, a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any.

The Chief Instructional Officer shall utilize one or more of these methods to authenticate or verify the student’s identity:

- Secure credentialing/login and password;
- Proctored examination; or
- new or other technologies and practices that are effective in verifying student identification

The District utilizes a Learning Management System (LMS) whereby students must authenticate their identity. In order to access the LMS, students must log into the MyCOM Portal with their College of Marin-issued student user name and password.

The Chief Instructional Officer shall provide a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any, to each student at the time of registration.

Test Proctoring

Some distance education courses may require that exams be taken in a proctored setting and faculty will clearly communicate in their syllabus if there are any proctoring requirements for the course.

Distance Education Support Services

The District provides online assistance in the following areas:

- Learning Management System (LMS) technical support through an on-line help center
- Online writing assistance through the Online Writing Center (OWC)
- Research assistance through the Library's "Ask a Librarian" service
- Tutoring appointments through the Teaching and Learning Center
- Counseling services through "Ask a Counselor"

The Assessment and Testing Center provides proctored exams with an instructor's approval. Specific instructions about taking an exam in the Assessment and Testing Center can be found on the Assessment and Testing Center's Webpage.

Office of Primary Responsibility: Assistant Vice President of Instructional Support

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