SOUTHWEST TENNESSEE COMMUNITY COLLEGE

Distance Education Guidelines

Revised April.27, 2023

Contents

I. PURPOSE

The purpose of this set of guidelines is to describe the procedures for implementing, maintaining, and evaluating Distance Education Courses at Southwest Tennessee Community College (Southwest). The guidelines are an implementation of Southwest Policy No. 2:05:00:00/12.

II. DEFINITIONS

A. Distance Education

As defined by TBR (Tennessee Board of Regents) Policy 2:05:00:00, "Distance education occurs when there is a physical separation of the teacher and learner and when communication and instruction take place through, or are supported by, any technological means such as telephone, radio, television, computers, satellite delivery, interactive video, or any combination of present and future telecommunication technologies."

B. Intellectual Property

As outlined in the TBR guideline, "the legal rights and responsibilities of creators, and distributors of distance education/telecourse materials in the Tennessee Board of Regents system, including ownership of copyright on distance education materials created by TBR faculty and employees," are provided in TBR Guideline No. A-075, Distance Education and Intellectual Property.

C. Copyright

Under Federal law, copyright applies to any "original work of authorship fixed in any tangible medium of expression." (17 U.S.C. § 102(a)). Generally, the owner of a copyright has the exclusive rights to reproduce the work, to prepare derivative works, to distribute copies by sale or other transfer of ownership, and to publicly display or perform the work. (17 U.S.C. § 106, § 106A).

The law allows for exceptions "for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research" under of Fair Use. It also provides a four-point test determining whether or not a particular use of a copyrighted work is exempted under Fair Use (17 U.S.C. § 107). Fair Use for Distance Education is further clarified by the TEACH act of 2002.

TEACH Act of 2002
http://fairuse.stanford.edu/primary_materials/legislation/teach.html

For more information, see Copyright Issues in Distance Education.

D. Course Master Copy

For each Distance Education (DE) course, a Master Copy (MC) will be maintained. MC updates must be completed before the cloning dates announced by Digital Learning (DL). DL will clone the course material from the MC to sectional courses. If updates are made to the MC after the announced cloning date the developer/owner will be responsible for making the same updates in the sectional courses.

E. Course Shells

A course shell is a DE course without any course material. When a course is scheduled in Banner an empty course shell is created in PAWS. Course material from the MC is cloned into the course shell prior to the start of each semester adherent to the copyright and intellectual property guidelines.

F. Faculty Roles in the Learning Management System

- **Developer**

Faculty assigned as Developer is responsible for maintaining and updating the Master Copy course content. Developers will have access to edit the course through the Learning Management System.

- **Teacher**

Faculty assigned to teach a course created and maintained by a Developer. Individuals with the Teacher role have the ability to make changes in scheduling and the addition of accessible supplementary materials to the course content in their respective course(s) without affecting the content of the Master Copy course that is maintained by the Developer of record. Due to the stringent review process, accessibility guidelines, and the SACS-COC accreditation rules, it is important that all preapproved materials remain.

III.   IMPLEMENTING DISTANCE EDUCATION COURSES

A. Development of Distance Education Courses

   Types of Distance Education Courses –

   1. Online Course: Any course that is offered solely by the means of the Internet using the learning management system. Such courses will be categorized as follows:

      i.   **Level 1 and Level 2:** Those developing a Level 1 or

Level 2 course will go through the full course development process. -Faculty will complete the "Getting Started" module and one course content module (or one to two chapters of their action plan and curriculum map) with the feedback of an instructional designer. Once approved, faculty will begin to work in their developer course shell. All developers will maintain and update the course as needed for 3 years as part of their contract.

Level 1: Courses built primarily by the faculty member.

Level 2: Courses using publisher-created digital content with significant revision and additional faculty member-created material (minimum of 50%).

- A minimum of one piece of non-publish (NP) learning content in each module. This content should support the TBR policy of student-to-content, student-to-student, or student-to-faculty interactions. Examples of NP content include, but is not limited to, developer created/sourced videos, PowerPoints, podcasts, infographics, articles, websites and OER content.

*Due to the varying level of resources and assessments available from publisher/third-party, the developer and the instructional designer will collaborate to determine what constitutes the minimum requirements. This ensures that the college recognizes the role of faculty in the control of curriculum while also meeting the needs of best practices in curriculum delivery.

Course Review: Initiated by the college, a course review requires the developer to make minor changes to a course without compensation to ensure it meets all college policy and governmental requirements for online education. If the required changes are great enough, this may lead to a Course Redevelopment.

Course Redevelopment: The developer may move to request compensation for course redevelopment. This would be any adjustments beyond the scope of the normal updates to the course shell. Redevelopment can consist of one or more of the following: textbook changes, preapproved curriculum changes, and updating technologies as part of course curriculum.

2. Web-assisted Course: Course that utilizes significant online technologies to enhance student learning but does not utilize web-based technology to supplant on-campus class meetings. Course assignments outside of class require the use of the web.

3. Hybrid Course: A course that utilizes the learning management system to reduce the number or time of traditional, on-campus meetings. No more than 50% of the meeting time can take place in a virtual setting.

4. Virtual Meeting (Online Live): A course that utilizes web-conferencing technology alone to deliver during a set time. It replaces in-person instruction with synchronous web instruction.

5. Digital Twin: A course using videoconferencing technology to connect two or more classrooms to deliver college course content to students both in-person and at a distance. A course using videoconferencing technology to deliver college course content simultaneously to students in-person and at a distance.

6. Steps in Development of Online Courses: The first step in developing an online course is for a faculty member to submit an "Intent to Develop an Online Course." Approval is then needed from the department chair and dean in which the course resides. If the faculty member is in a department different from the one in which the course resides, the signatures of both department chairs and dean(s) are required. Once the necessary approvals are obtained, the development process with the Center for Teaching and Learning Excellence (CTLE) that is described in section A.1. a) i. will begin. As work begins on the online course, the faculty member needs to sign a "Work for Hire" agreement prepared by CTLE.

7. Course shells for credit courses will be created only for courses that exist in the Southwest course inventory.

8. All Distance Education courses must be housed in the institution-adopted learning management system. This does not eliminate the use of outside vendors/ providers, but any such vendor materials are to be used in conjunction with the college's learning management system.

B. Implementing and Delivering a Distance Education Course

1. A new online course or significant revision of an existing online course will be reviewed prior to the delivery of instruction.
2. Online courses will undergo periodic reviews.
3. Approval from the Chair for new hybrid master copies (MC-H). The

department chair is responsible for submitting a help desk ticket.

4. 3rd PARTY and PUBLISHER INTEGRATIONS WITH THE LMS

All requests for integrations with the learning management system must be submitted through the Remedyforce Service Desk system no later than the deadline for submitting textbook adoptions for the semester you wish to have the integration ready to use. Currently, that is March 15th for Summer term adoptions, April 15th for Fall term adoptions, and October 15th for Spring term adoptions. Should the dates for textbook adoptions change in the future; these guidelines will always default to the established date for textbook adoptions.

Per TBR and Southwest Policies (2.05.00.00) for Distance Education:

"Teaching and learning delivered online must be offered using the TBR-contracted learning management system (LMS). Courses offered through the LMS that contain publisher courseware or synchronous delivery methods must initiate through the LMS, i.e., students will access the publisher material by way of system integration with the LMS or by direct links from the LMS."

3rd Party and Publisher Platform integrations require a series of steps to implement and test before being used in the college LMS. Requests for integrations should be submitted to Digital Learning through the college help desk platform no later than the day textbook adoptions are due for the semester of planned implementation in live courses. Digital Learning will provide an up-to-date list of all existing integrations on the Digital Learning SharePoint site. New integration requests should include the following information:

- Product Name
- Company/Publisher
- Publisher Representative Name, email, and contact phone number
- Publisher Technical Support number
- Course Master Copy that will receive the integration

New integrations will be implemented and tested in our Test environment for the LMS before being moved to the Production environment. The first semester of implementation in live classes should be a pilot in a limited number of sections to ensure the platform integration is working smoothly and error-free before full-scale implementation in all sections.

Digital Learning is responsible for ensuring the integration is set up and running correctly. The Lead Faculty making the platform adoption is responsible for communicating to all sectional faculty (full-time and adjunct) the availability of said integration and organizing training from the vendor for use of the integration within the LMS environment. Sectional

faculty are responsible for providing technical support information to students. The college help desk and the Digital Learning office **do not have access** to these systems and cannot provide support to students.

C. Procedure for Non-Developer Requests of MC Content Other Than MC-OL

1. The non-developer must contact the developer of the master copy.
2. The developer will be able to grant access for:
    a. One-term use with limited rights. The faculty member does not have rights to create a derivative work.
    b. Ongoing use to retain and modify (i.e. create a derivative work), which then becomes the faculty member's master copy.
3. The developer must submit a help desk ticket indicating approval as designated above in C.2.a or C.2.b. They must also provide the CRN and dept.-number-section for the course or courses into which the material will be cloned.
4. For online courses developed under the work-for-hire contract, the college owns the content of said courses. Therefore, courses taught using any modality could use this content as seen fit by the department chair to ensure that course content is available each semester in sectional courses to guarantee student success. This action would be in extreme situations, i.e. last-minute course assignments and adjunct assignments. Full-time non-developers should maintain their own non-asynchronous courses.

IV. FACULTY LOAD, COMPENSATION, AND OFFICE HOURS

A. Compensation – Revised on 4/27/2023 (Not voted within committee)

To receive the compensation detailed below, the faculty member must sign a "Work for Hire Agreement" for each course he or she develops.
1. Any full-time or adjunct faculty member of Southwest Tennessee Community College creating a Level 1 or Level 2 new online course or engaging in such a significant redevelopment as to be equivalent to a new development (see III.A.1.a) will be compensated in the amount equivalent to the current rank overload rate for a three hour course for an Associate Professor. This is payable upon completion of the online course review process.

2. Redevelopment Fee: All full-time or adjunct faculty will be compensated in the amount equivalent to the current rate of pay for an

adjunct faculty for a three-hour course. This is payable upon completion online course review process.

A. Distance Education Class Sizes:

1. Online courses will generally be capped at 25 during the first semester a course is taught. Courses with intensive writing may be capped at 15. After the first semester of the course is offered, the department chair will determine the cap.

B. Office Hours:

Due to the nature of Distance Education courses, full-time faculty will be expected to be available to students at times not usually reserved for traditional office hours. Therefore, full-time faculty teaching Distance Education courses will require more flexibility in their office hours in order to meet the needs of students. Full-time faculty teaching distance education courses will:
1. Maintain virtual office hours and be digitally available for students.
2. Be available online and by appointment.
3. Abide by the college office hour guidelines as they pertain to online teaching.

V. COURSE OWNERSHIP

A. Online Course Ownership:

Ownership of the online course(s) remains with the faculty member who developed the course if the college provides no compensation as described above or the faculty member chooses not to receive the aforementioned compensation.

TBR Policy 5:01:06:00 states: Title to all inventions, discoveries, or copyrightable materials developed solely through individual initiative or personal time, and not involving assignment or the significant use of institutional facilities or services (libraries excluded), shall be vested in the employee producing the patentable or copyrightable materials. Furthermore, the general obligation of faculty members to produce scholarly and creative works shall not for purposes of this policy be construed as an institutional assignment affecting title claims to inventions, discoveries, or copyrightable materials.

B. Compensation

If the college provides compensation, as defined in section IV A. above, to a faculty member for creating or revising an online course(s), a "Work for Hire Agreement" between the faculty member and the college must be entered into, which designates ownership of the course materials to the college. This will ensure continuity in the online program, which is not dependent on individual faculty participation in the program.

VI. FIRST RIGHT OF REFUSAL

After the first semester an online course is taught, the faculty member who creates an online course which has become the property of Southwest shall have first right of refusal to teach the first two sections of the course that make each semester. First-right courses should be the first courses assigned to a faculty developer's base course load, unless it conflicts with other College policies. This right is dependent upon several factors including the following:

1. First rights may be bypassed only after all other means to staff a full-time faculty's base course load have been exhausted. For example,
   a. Non-developer faculty should be assigned to courses they are credentialed to teach, even if it is not their first choice.
   b. Seniority, modality, location, and time/day preferences for the non-developer should not be considered sufficient reasons to bypass first rights.
   c. Overload assignments cannot be used to bypass first rights.
   d. These guidelines apply to summer teaching assignments while adhering to TBR policies.

2. Satisfactory performance in the online environment.
3. Satisfactory results from the course review process.

VII. REVISION RIGHTS

(Paragraph taken from TBR Work for Hire document)
"The Author shall retain the right to revise the Work [at one year intervals] during the term of this agreement in accordance with academic standards. The Author further agrees to revise the Work within one year upon the receipt of a written request from the University. The provisions of this agreement shall apply to each revision of the Work by the Author as though that revision were the Work being published for the first time under this agreement. In the event that the Author is unable or unwilling to provide a revision within one year after the University has requested it, or should the Author be deceased, the University may have the revision made and

charge the cost against sums due the Author under Section 5 above, if any, and may display, in the revised Work and in advertising, the name of the person or persons who perform the revision."

VIII. STUDENT SUPPORT SERVICES

A. Testing:

The preferred testing situation for all Distance Education courses is testing sessions proctored by the faculty member of the course. This is the person who is best suited to answer questions about the test. However, since students often register for these courses due to time and distance constraints, this ideal situation is not always possible. Therefore, the following is recommended:

1. Faculty provide at least two different testing sessions for students, preferably in the evening and on weekends, but in all cases at two times that best suit the needs of the majority of the class.

2. Faculty make arrangements for students who cannot attend the two major sessions in the following ways:

   a. Set up alternate individual times for students in their offices
   b. Use the alternate proctoring process in which students locate their own proctor, whom the faculty member must approve.

IX. FACULTY AND PROGRAM EVALUATION

A. Course Evaluation by Students:

Students will use the college's current evaluation instrument to evaluate distance education courses.

B. Course/Faculty Evaluation by Chairs:

Department chairs will have access to the master copies of courses and to all sections of online and hybrids courses to review faculty use of best practices and engagement.

C. Program Evaluation:

1. Distance Education courses are evaluated in several ways.

The department chair and dean of the division are responsible for reviewing the following for each distance education course in their area of responsibility:

- student evaluations,
- completion rates,
- enrollment trends,
- retention rates,
- feedback from support services such as the library, tutoring centers, counseling, advising, and enrollment management may be included in the process.

2. The services of Digital Learning are evaluated in several ways. First, each year a survey is conducted online for Distance Education students to use in evaluating the services they receive, including the Help Desk, the Virtual Library, the Distance Education Web Site and the staff. Second, the Help Desk requests are analyzed for feedback to use in improving the area. Third, each year students who withdrew from Distance Education courses are sent a survey in an effort to analyze and focus our retention efforts.