

Article 42

DISTANCE EDUCATION

A. Preamble

1. The purpose of distance education is to increase accessenrich and ~~to increase~~ the availability of the curriculum offerings of the STATE SYSTEM/UNIVERSITIES. ~~The purpose of the parties in adopting this Article is to expand the curriculum offerings of the STATE SYSTEM/UNIVERSITIES, and to promote access to these offerings.~~

2. The parties agree that the method of classroom instruction with the FACULTY MEMBER and the traditional residential and commuter students in the same room provides the best opportunity for a quality educational experience. Distance education is not intended to diminish that experience.

~~3. During the term of this Agreement, the STATE SYSTEM agrees not to retrench a FACULTY MEMBER teaching in a department where distance education is being used, when retrenchment is a direct result of distance education. This sub-section applies only to the University at which the retrenched FACULTY MEMBER is employed.~~

~~4.2.~~ Distance education is a part of the approved curriculum and evaluated pursuant to Section F.

B. Definitions

1. Distance Education

a. Distance Education is an educational process in which the instruction occurs with the instructor and student in different locations. Distance Education makes use of one or more technologies including web-conferencing to deliver 100% of the instruction for the course to students who are separated from the instructor and to support interaction between the students and the instructor synchronously or asynchronously. ~~defined as instruction where the FACULTY MEMBER(S) and the student(s) are separated geographically so that face-to-face communication is absent; communication is accomplished instead by one or more technological media. This linkage with technology allows real-time or delayed interaction using voice, video, data and/or text. Examples of technological methods that can be used singly or in combination include live or recorded visual presentations and material using direct signal or cable transmission by telephone line, fiber optic line, video conferencing using compressed video, digital, and/or analog video, audiotape, CDROM, computer or internet technology, email, or other electronic means now known or hereafter developed, utilized to teach any course approved by one of the STATE SYSTEM UNIVERSITIES.~~

Online/web-based is the delivery of instruction synchronously or asynchronously.

ITV - Interactive Television (compressed video) is the delivery of instruction by two-way synchronous audio and video among two or more geographically-separated locations.

b. For purposes of compensation, ~~online/web-based~~ distance education courses must have one hundred eighty percent (80%)(100%) of the course instruction delivered online or via ITV. In-person and/or proctored exams and field experiences are excluded when determining whether the distance education course is being delivered one hundred percent (100%) online or via ITV.

c. Distance education does not include the use of movies, filmstrips, videotapes, computers, and their related technologies, or other forms of aural or visual recordings, to the extent that they are used as part of course instruction, by a FACULTY MEMBER who is in the same classroom as the students. ~~However, where a FACULTY MEMBER is in the same classroom as the students, but simultaneous transmission of some form occurs to students in other off campus locations, this Article shall cover both the FACULTY MEMBER in the classroom as well as the education of students at the off campus location.~~ In addition, distance education shall not include instruction at multiple locations on the same campus.

2. Home Site

Home site means the site at which the distance education originates. There may be more than one (1) home site for a distance education course, if more than one (1) FACULTY MEMBER is involved. ~~The site at which a distance education course is recorded or otherwise stored for later transmission or replay shall be deemed a home site.~~

3. Remote Site

A remote site is any site physically separate from the home site at which a distance education course is received. There may be more than one (1) remote site for a course. ~~If a course, which is recorded or otherwise stored for later replay, is replayed at the same site at which it was recorded, this site shall be the home site for recording purposes and the remote site for replay purposes.~~ Individual website users shall not be considered individual remote sites.

4. Originating FACULTY MEMBER(S)~~d~~

The originating FACULTY MEMBER(S) may be one (1) or more FACULTY MEMBERS who develop and teach a distance education course.

5. Instructor of Record

For credit-bearing University courses, the instructor of record is the FACULTY MEMBER(S) who has the task of grading students and otherwise supervising the offering of a distance education course. In no event shall a person who is not a FACULTY MEMBER be the instructor of record, except as provided for under Article 7, PERFORMANCE OF BARGAINING UNIT WORK.

C. FACULTY Participation

1. Except where specifically stated in a letter of appointment for a FACULTY MEMBER describing his/her job expectations, teaching through distance education technologies shall be voluntary. The assignment of distance education courses to those faculty members who volunteer to teach through distance education shall be made in accordance with Article 6, Section A.1 of this agreement.

2. Prior to teaching a distance education course, University officials may require FACULTY MEMBERS identified in C.1. to complete appropriate training in distance education instruction or the use of a technology. A FACULTY MEMBER may suggest appropriate distance education training in consultation with his/her department and will be subject to approval by the appropriate University official(s).

3. The STATE SYSTEM shall encourage FACULTY participation in the distance education planning process. The STATE SYSTEM has established a Distance Education Advisory Committee and APSCUF may appoint three (3) APSCUF representatives to this committee or its successor.

D. Technical and Instructional Support

1. The University shall assure the availability of technical support professional(s) and instructional design professional(s) and materials appropriate to the principal technology and consistent with the FACULTY MEMBER'S prior training and experience. ~~Effective Fall, 2014, failure of a University to provide such technical support and instructional design professional(s) shall result in continuation and/or restoration of development and redevelopment fees for FACULTY MEMBERS teaching online/web-based courses and ITV/compressed video courses taught at that University in accordance with Section H.6. and 7., below. In Universities that provide such technical support and instructional design professional(s), d~~Disputes concerning the sufficiency or adequacy of the support provided shall be presented, in the first instance, for resolution at local meet and discuss. If the issue is not resolved at local meet and discuss, a grievance may be initiated under Article 5, GRIEVANCE PROCEDURE AND ARBITRATION.

2. The University shall assure the means for students at remote sites to interact with FACULTY MEMBER(S) (e.g. site visits, voice mail ~~boxes~~, e-mail, ~~fax~~ and other technological methods of communication).

3. The University shall insure that textbooks and other course materials are available to students at remote sites. Additionally, arrangements shall be made for library access, either through technology or physical access, as appropriate.

E. Course Approval

1. In approving distance education courses, the following criteria shall be applicable: (a) course approval through the traditional academic process; (b) a qualified instructor; (c) use of suitable technology as a substitute for the traditional classroom; (d) suitable opportunity for interaction between instructor and student; (e) suitable evaluation of student achievement by the instructor; and (f) integrity of the evaluation methods used.

2. In accordance with Article 31E, New credit bearing courses, which may be offered through distance education, must be approved through the normal course approval procedure at the University.

3. Existing credit bearing courses, which may be offered through distance education, shall be reviewed by the department and University curriculum committee, which shall each provide its recommendation to the President or his/her designee. Each University shall develop an expedited procedure to complete this review within thirty (30) days. Such procedure shall be reviewed with APSCUF at local meet and discuss prior to implementation.

F. Evaluation

1. Evaluation of FACULTY MEMBER(S) teaching distance education courses shall follow the same procedures and practices that apply to regular classroom courses identified in Article 12, PERFORMANCE REVIEW AND EVALUATION.

2.2. For distance education courses, a peer evaluation process shall be developed by local APSCUF and University management and approved at local meet and discuss. This process must be completed no later than June 30, 2017.

3. For distance education courses, an appropriate student evaluation instrument shall be developed by local APSCUF, the University management and the appropriate student government body as designated by the President, and approved by local APSCUF and the University management at local meet and discuss. This student evaluation instrument shall be reviewed every three years by local APSCUF, the University management and the appropriate student government body as designated by the President, to ensure its continued effectiveness. The University shall insure that student evaluation instruments are made available to, and completed by, students at all remote sites.

G. Intellectual Property

Ownership of Intellectual Property created through distance education shall be governed by the provisions of Article 39, INTELLECTUAL PROPERTY.

H. Compensation

1. Base Compensation

Credit-bearing courses taught via distance education during the academic year shall be included in the workload hours pursuant to either Article 23, WORKLOAD AND WORKLOAD EQUIVALENTS, or Article 27, CONTINUING EDUCATION, as appropriate. Credit-bearing courses taught via distance education during the summer shall be paid at the appropriate summer school rate.

2. ~~Compensation Per Student Home Site and Remote Site Instruction~~

a. A FACULTY MEMBER teaching a distance education ITV/compressed video course during the academic year shall receive his/her base compensation for teaching at the home site. A FACULTY MEMBER teaching a distance education course during the summer shall be paid at the appropriate summer school rate for teaching at the home site. Additionally, the FACULTY MEMBER shall receive ~~a payment of \$250.00 for each remote site and \$15.00~~ \$25.00 for each student enrolled at the remote site(s). ~~For purposes of the \$250.00 remote site payment, individual web site users shall not be considered individual remote sites.~~ Enrollment will be established ~~on the day after~~ on the day after the last day of the add/drop period for that class for that semester.

b. A FACULTY MEMBER teaching a distance education online/web-based course during the academic year shall receive his/her base compensation for teaching at the home site. A FACULTY MEMBER teaching a distance education course during the summer shall be paid at the appropriate summer school rate for teaching at the home site. Additionally, the FACULTY MEMBER shall receive a payment of \$25.00 for each student enrolled in the course. Enrollment will be established ~~on the day after~~ on the day after the last day of the add/drop period for that class for that semester.

~~3. Instruction at the Remote Site(s) Only~~

~~———— A FACULTY MEMBER teaching a distance education course during the academic year will receive his/her base compensation for the assigned workload plus a payment of \$250.00 for each remote site. A FACULTY MEMBER teaching a distance education course during the summer will be paid the appropriate summer school rate plus a payment of \$250.00 for each remote site. For purposes of the \$250.00 remote site payment, individual web site users shall not be considered individual remote sites.~~

~~4. Recording a Course Without a Live Class Present~~

~~———— If a FACULTY MEMBER is requested by management to record a course without a class present and does so, he/she shall receive the workload hours that would have been received had there been a live class present.~~

~~5. Reuse of a Recorded Course~~

~~———— If a recorded course is reused at any University or elsewhere by the STATE~~

~~SYSTEM/UNIVERSITIES, by someone other than the originating FACULTY MEMBER, the originating FACULTY MEMBER shall be compensated forty dollars (\$40.00) per student. A recorded course may only be reused with the written permission of the originating FACULTY MEMBER.~~

~~6. Course Development Compensation~~

~~a. In addition to the compensation required above, a distance education course development payment of \$800.00 per credit shall be paid the first time an online/web-based course is developed and initially taught beginning with the Fall 2007 semester. Course development compensation is to be paid the first time a FACULTY MEMBER teaches a distance education course. Notwithstanding Section C(1), the FACULTY MEMBER may be required to teach the distance education course up to three (3) additional times during the next four (4) year period.~~

~~b. Similarly, a distance education course development payment of \$400.00 per credit shall be paid the first time an ITV/compressed video course is developed and initially taught beginning with the Fall 2007 semester. Course development compensation is to be paid the first time a FACULTY MEMBER teaches a distance education course. Notwithstanding Section C(1), the FACULTY MEMBER may be required to teach the distance education course up to three (3) times during the next four (4) year period.~~

~~c. If a FACULTY MEMBER has been paid the preparation payment for a specific course within the previous three (3) years, July 1, 2004—June 30, 2007, he/she would be eligible for a course development payment for the same course only after completing the three (3) year eligibility requirement as defined under the July 1, 2003—June 30, 2007 faculty agreement Article 42, Section I.6. Thereafter, Section H.6.a.or b. of this Article is applicable.~~

~~d. FACULTY MEMBERS who are hired on or after July 1, 2007, solely for the purpose of teaching via distance education, or for the purpose of teaching courses in a program(s) delivered via distance education, shall not be eligible for the course development payment.~~

~~e. Effective for online/web-based courses and ITV/compressed video courses taught in Fall, 2014 and thereafter, no course development compensation shall be paid, except as provided for in Section D.1. of this Article.~~

~~7. Course Re-development Compensation~~

~~a. A distance education course re-development payment shall be paid every five (5) years if a given online/web-based course has been taught at least four (4) times during that period by the FACULTY MEMBER and the FACULTY MEMBER is able to document appropriate professional development experiences. Course re-development compensation for revisions in online/web-based courses~~

are as follows: ~~\$100.00 per credit to be paid the first time the FACULTY MEMBER teaches a re-developed distance education course and up to three (3) additional times the course is taught by the same FACULTY MEMBER during the next five (5) year period.~~

~~b. — A distance education course re-development payment shall also be paid to a FACULTY MEMBER who assumes responsibility for a section of an online/web-based course developed by another FACULTY MEMBER. Course re-development compensation for revisions in online/web-based courses are as follows: \$100.00 per credit to be paid the first time the FACULTY MEMBER teaches a distance education course and up to three (3) additional times the course is taught by the same FACULTY MEMBER during a five (5) year period.~~

~~c. — Effective for online/web-based courses taught in Fall, 2014 and thereafter, no course re-development compensation shall be paid, except as provided for in Section D.1. of this Article~~

8.3. Travel

If it is necessary for a FACULTY MEMBER to travel to a remote site(s) for orientations or other academic purposes, travel expenses shall be reimbursed pursuant to Article 32, TRAVEL EXPENSES.

NCES National Center for Education Statistics

Distance education	<p>Education that uses one or more technologies to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor synchronously or asynchronously.</p> <p>Technologies used for instruction may include the following: Internet; one-way and two-way transmissions through open broadcasts, closed circuit, cable, microwave, broadband lines, fiber optics, satellite or wireless communication devices; audio conferencing; and video cassette, DVDs, and CD-ROMs, if the cassette, DVDs, and CD-ROMs are used in a course in conjunction with the technologies listed above.</p>
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Proposed Language:

Distance Education is an educational process in which the instruction occurs with the instructor and student in different locations. Distance Education makes use of one or more technologies including web-conferencing to deliver 100% of the instruction for the course to students who are separated from the instructor and to support interaction between the students and the instructor synchronously or asynchronously.

Rationale:

The premise for the definition of distance education is to be within the scope of acceptable definitions for federal reporting purposes; provide structure yet flexibility for universities to utilize emerging technologies; and to emphasize the role of the instructor in this educational process.