

SOUTHWEST TENNESSEE COMMUNITY COLLEGE**SUBJECT: Distance Education****EFFECTIVE DATE: July 1, 2000; Revised February 9, 2023****Purpose**

The purpose of this policy is to establish the criteria and process for the delivery of distance education programs and courses for Southwest Tennessee Community College (“Southwest” or “the College”). Distance education is an established and effective method for extending flexible educational opportunities. To provide the citizens of Tennessee with greater access to postsecondary education, the Tennessee Board of Regents (“TBR”) affirms the effectiveness of distance education; recommends the use and development of distance education teaching and learning technologies, materials, and methods; and encourages institutions to take advantage of such opportunities in carrying out their individual missions.

Definitions

- Distance education describes a multimedia method of instructional delivery that can include a mix of online (web-based) instruction, streaming video conferencing, face-to-face classroom time, television, telephone, radio, computers or interactive video, or other combinations of electronic and traditional educational models using present and/or future electronic and telecommunication technology.
- Distance education can be executed in a variety of ways and is consistent in that there is some degree of physical separation of the teacher and the learners. Communication, instruction, and assessment takes place through, or is supported by, technological means with focus on student-to-student, student-to-content, and instructor-to-student interaction.
- The term “distance education” encompasses the terms “distance learning,” “online learning,” “e-learning,” “hybrid learning,” “blended learning,” “digital learning,” and other similar terminology.
- Traditional on-ground instruction refers to instruction in a traditional brick and mortar classroom with an instructor physically present in the classroom. This may also be referred to as “web-assisted” if the instructor implements some web-based instructional technologies.
- 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).
- Work Made For Hire. An employer owns the copyright to a work of authorship when the work was created by an employee within the scope of his/her employment. Some kinds of work can also be owned by the College as a work made for hire if it is specially ordered or commissioned under a written contract signed by two (2) (or more) parties. (17 U.S.C. § 101, § 201 (b)).

- Fair Use. The Copyright Act provides for some exceptions to the exclusive rights of the copyright owners. One of these exceptions permits fair use of a copyrighted work for purposes such as teaching, scholarship, or research. (17 U.S.C. § 107). The four (4) factors to be considered in determining fair use are:
 - The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
 - The nature of the copyrighted work;
 - The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - The effect of the use upon the potential market for or value of the copyrighted work.
- Joint Work. A work prepared by two (2) or more authors with the intention that their contributions be merged into inseparable or interdependent parts of a unitary whole. (17 U.S.C. §101).
- Collective Work. Work such as a periodical issue, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works in themselves, are assembled into a collective whole. (17 U.S.C. § 101).
- Compilation. A work formed by the collection and assembling of preexisting materials or of data that are selected, coordinated, or arranged in such a way that the resulting work as a whole constitutes an original work of authorship. The term "compilation" includes collective works. (17 U.S.C. § 101).

Policy

I. Requirements and Standards

- A. Distance education courses and programs offered by Southwest will meet the same academic requirements and quality standards maintained in traditional on-ground instruction. Institutions offering their courses through TNeCampus will meet the quality standards set forth by TNeCampus protocol.

II. Applicability of Board Policies

- A. Unless otherwise provided, all Board, accrediting agency, and College policies, standards, and guidelines for on-campus instruction apply to distance education instruction.

III. Funding of Distance Education

- A. For the purpose of reporting and appropriations, no distinction shall be made between student credit hours generated through distance education and those generated through traditional on-ground instruction.
- B. Southwest's distance education courses will be included in the budget process for the acquisition and maintenance of distance education hardware,

software, and related courseware and media, and the College shall maintain careful records of all operating costs.

IV. Administration of Distance Education

- A. 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.
- B. Southwest will participate as a partner in TNeCampus and abide by the policies and procedures established by TNeCampus governance and documentation. To this end, the College will designate appropriate and participating representatives to the TNeCampus Oversight Committee, Curriculum Committee, Advisory Committee, and other governing committees, subcommittees, and councils. Southwest will offer to students all TNeCampus courses that align with local programs and curriculum (with the exception of courses for which there are no institutionally approved faculty).
- C. This policy and its procedures are intended to facilitate the implementation of distance education and address issues to be considered during the planning and delivery of such programs. Additional procedures relating to issues of distance education delivery and administration are specified in the Distance Education Guidelines. In establishing policies and procedures, the following stipulations shall apply:
 1. Each distance education course offered by Southwest will be consistent with the level, nature, and mission of the College.
 2. When a course is offered online, it will carry the same code, title, and credit as other sections of that course and adhere to the same learning outcomes adopted and approved by the College’s Curriculum Committee.
 3. Faculty teaching online courses fall under the same accreditation standards and requirements as those teaching traditional on-ground sections.
 4. Each online course must provide for student-to-student interaction, student-to-content interaction, and instructor-to-student interaction, as well as opportunities for self-reflection and timely feedback from faculty member(s) teaching the course and students. As appropriate, these interactions may be individual, group, or mixed and may take place electronically, e.g., by telephone, by email, by computer, or by interactive video or other internet technologies.
 5. Each online course must include an evaluation of the course, including evaluation of the delivery mode, in its procedures for monitoring and assessing student satisfaction.
 6. Each student enrolled in an online course shall have access to all the academic support services, instructional equipment and services, campus events, and other non- academic activities, which Southwest provides for other students. Support

services may include but are not limited to academic advising, counseling, disability support services, library, and other learning resources, tutoring services, and financial aid.

- D. Course developers and instructors of each online course must comply with federal guidelines for accessibility as directed by TBR policy, Section 508 of the Rehabilitation Act, and the Americans with Disabilities Act. Course developers and instructors utilizing materials that are not accessible must provide a written plan for alternate access and a plan for bringing the course into compliance.
- E. Southwest shall ensure compliance with all applicable copyright laws concerning the reproduction and use of printed and digital materials and the use and transmission of all media recordings, performances, or other protected works.

V. Program Planning and Implementation

- A. Faculty, administrators, and other support personnel involved in the development and implementation of distance education must have clearly defined roles, responsibilities, and duties. Roles and responsibilities are outlined in the Distance Education Guidelines.
- B. Faculty involved in distance education must receive specialized training in online teaching and learning practices and in the use of related technologies and the training must be refreshed regularly, as technology and best practices change. Current training requirements are outlined in the Distance Education Guidelines.
- C. Southwest will determine teaching load equivalents and faculty compensation for distance education, including compensation for course development and course maintenance. The Distance Education Guidelines will house the current compensation rates for new development and redevelopment/maintenance.
- D. At the discretion of the Vice President of Academic Affairs, the overload policy for summer semesters for faculty teaching TNeCampus courses is a maximum of twelve (12) hours (four (4) classes), if the additional course (three (3) credit hours) is a TNeCampus course. The three (3) additional hours over nine (9) for the TNeCampus course will be paid as overload hours versus the normal summer school rate. This is optional for campuses and the Vice President of Academic Affairs must sign off on the request.
- E. Southwest will make academic and administrative information available to online students. This information may include but is not limited to: exams, grading, student-faculty interaction, proctoring, the provision of support services, and registration and fee-payment procedures.
- F. Whenever possible and to realize the greatest savings, the acquisition of technology, software, and other course related materials should be made through TBR's Procurement, Contracts & Payment Services Division.

Procedures

I. Ownership of Copyrightable Materials

- A. Guidance for ownership of copyrightable materials is provided in [TBR 5.01.06.00, Intellectual Property](#), and [TBR 2.05.00.00, Distance Education](#).
- B. All online course development at Southwest is executed through the Work for Hire contract method.
- C. Revision Rights are outlined in the Distance Education Guidelines.

II. Student Complaint Procedure

- A. Students in distance education programs and courses use the same procedures for resolving complaints as do all other students. These procedures are set forth in [Southwest policy 3:02:01:01/22, Student Complaints](#).
- B. State Authorization Reciprocity Agreement (“SARA”) Complaint Resolution
 1. Student complaints relating to consumer protection laws that involve distance learning education offered under the terms and conditions of the [State Authorization Reciprocity Agreement \(SARA\)](#), must first be filed with the College to seek resolution.
 2. Complainants not satisfied with the outcome of the College’s internal process may appeal, within two (2) years of the incident about which the complaint is made, to the Tennessee Higher Education Commission (“THEC”) (<https://www.tn.gov/thec/bureaus/student-aid-and-compliance/postsecondary-state-authorization/request-for-complaint-review.html>).
 3. For purposes of this process, a complaint shall be defined as a formal assertion in writing that the terms of SARA or the laws, standards or regulations incorporated by the SARA Policies and Standards (<http://www.nc-sara.org/content/sara-manual>) have been violated by the College operating under the terms of SARA.

Responsible Source of Policy: _____

Administrator: VP of Academic Affairs

TBR Guideline Reference: A-070

TBR Policy Reference: 2.05.00.00

Approved: _____

Date: February 9, 2023

President