

**POLICIES AND PROCEDURES  
OUACHITA TECHNICAL COLLEGE**

SUBJECT AREA: **Academic Policies and Procedures**

POLICY/PROCEDURE: **Distance Learning Policies**

DATE: **March 30, 2004**

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REVISION(S):

**Introduction**

Ouachita Technical College (OTC) is an open access two-year college. In order to extend OTC's educational commitment and to promote the College Purposes stated in its Mission Statement, OTC will develop and offer courses and degrees that will be delivered over the Internet through a Course Management System (CMS). The Distance Learning (DL) Policy established and maintained by OTC will govern these courses and degrees.

The purpose of the OTC DL Policy is to assure quality in its delivery with regards to instruction and process. Furthermore, it is to assure that the planning, development, and implementation of distance learning activities are in accordance with the mission of the College. OTC's main goal is to utilize distance learning to provide quality college-level instruction to students through technological media such as video, audio, and print. The College is committed to providing quality college-level instruction, access to library resources, and all other learning resources provided to on-campus students. The OTC DL policy reflects "Best Practices for Electronically Offered Degree and Certification Programs" recommended by the Higher Learning Commission of the North Central Association of Colleges and Schools, OTC's accrediting agency policies and procedures

**Distance Learning Purposes**

1. To provide all students with maximum access to a quality college-level education that is available anywhere at any time.
2. To maximize student learning by employing instructional technology to address a variety of adult learning styles and multiple intelligences.
3. To encourage student completion by providing multiple educational delivery methods.

To promote and support the effective use of technology in the curricula through improvements in existing programs and the creation of new technology opportunities for faculty, students, and the community.

**Definition of Distance Learning at OTC**

Distance learning is any instructional activity that takes place with faculty and students separated by place and/or time. Beyond this simple definition, distance education can be delivered in many

forms, which include, but are not limited to, videotape, Web-based, CD-ROM, and other electronic media. The different formats of DL class delivery utilized at OTC are defined as:

1. **Web Course** - Classes delivered via computer technology and the Internet through the College's Course Management System (CMS). All Web Courses will be delivered only through the CMS. Courses consist of an online syllabus, assignments, and assessments. Communication is carried out via CMS email, discussion boards, chat rooms, or other CMS communication tools.
2. **Web-Enhanced** - Combines two modes of instructional delivery: online and on-campus instruction and/or meetings. Courses may consist of an online syllabus, assignments, and assessments. Communication may be carried out via CMS email, discussion boards, chat rooms, or other CMS communication tools.

Since Web Courses and Web-Enhanced Courses utilize the same technologies in all or part of the course delivery, they are classified as Distance Learning (DL) courses and are subject to the same regulations and requirements as stated in the DL Policy.

### **Distance Learning Delivery**

In order to protect student privacy, faculty professionalism, and the general legal interests of OTC regarding potential litigation, all DL courses will be delivered through a restricted access Course Management System (CMS). Ouachita Technical College reserves the right to examine any and all portions of DL courses at any time and to take appropriate actions in the execution of the objectives expressed in the previous sentence.

### **Distance Learning Management**

All DL activities shall be supported and managed by the Office of the Vice President of Instruction through a collaborative effort of the Distance Learning Coordinator (DLC) and OTC's Department Chairs. Collaboration will consist of activities such as course marketing, planning, scheduling, training, and implementation.

### **Web Course or Web-Enhanced Course Proposal**

Courses that are proposed to be offered in a DL format must go through OTC's procedures as described in the **COPP 4.04** for proposing a new course. Upon receiving approval, faculty identified for online course delivery will coordinate a training plan with the DLC.

### **Accessibility**

All DL courses will be designed for universal access in accordance with Section 508 of the Rehabilitation Act created by the Federal Access Board. The DLC will evaluate courses based on the Accessibility Checklist (under development) and may make adjustments necessary within any course to ensure that Section 508 regulations are maintained.

## **Copyright and Fair Use**

All faculty and course developers shall be governed by U.S. copyright laws, including the Technology, Education, and Copyright Act (TEACH Act) of 2002. Faculty and course developers will comply with the provisions of the TEACH Act, including, but not limited to, the 22 prerequisites of displaying and performing copyrighted materials in a distance education medium.

Faculty using copyrighted materials in their courses are protected from copyright infringement as part of the education fair use provision (17 U.S.C. 107) and the performance/display exemptions (917 U.S.C. 110(2)) of the copyright act. Faculty are required to comply with the limitations of these provisions.

## **Course Ownership**

The scope of developing a DL course is to produce or utilize content specific curriculum that can be delivered online in OTC's CMS. The scope of instructional delivery for a DL course is to engage students with content specific curriculum so produced, including, but not limited to, resource development or textual commentary, electronic communication with students, and student assessment products (exams, research projects, etc.). Courses developed and delivered in OTC's CMS are required to meet or exceed educational standards established by the college for traditional courses.

Since all courses developed and delivered in OTC's CMS are "a work prepared by an employee within the scope of his or her employment" (17 U.S.C. Section 101), they constitute a "work for hire"; and since works made for hire are the property of the employer (17 U.S.C. Section 201(b)), all DL courses are the property of OTC unless otherwise stated in a written agreement. The primary purpose of this ownership is to protect OTC's right to offer developed courses to its students in the event that the developer of the course or the instructor is unable or unwilling to deliver the course in OTC's CMS.

## **Intellectual Property and Copyright**

According to the World Intellectual Property Organization (WIPO), "Intellectual property refers to creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce." The WIPO further states, "Copyright protection [of intellectual property] extends only to expressions, and not to ideas, procedures, methods of operation or mathematical concepts as such."

According to 17 U.S.C Section 102 "Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device... In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work."

Original works of authorship published in an OTC DL course are intellectual property expressed in a tangible form and as such constitutes a copyrightable work. Such authorship is outside the scope of employment and is not required as an integral component of OTC's work for hire contract with a DL course developer or faculty member. In the event that an original work of authorship is voluntarily produced by a developer or faculty member during their work for hire contract period, that work shall be subject to the policies and procedures expressed below.

Intellectual property unrelated to the individual's employment responsibility that is developed on an individual's own time and without OTC support or use of OTC facilities is the exclusive property of the creator and the College has no interest in any such property and no claim to any profits resulting therefrom. Copyright protection of such material is the sole responsibility of the creator.

Intellectual property either related to the individual's employment responsibility (work produced as a result of a work for hire contract), or resulting from activities performed on OTC time, or with support by State funds, or from using OTC facilities is subject to ownership by OTC. Copyright protection of such material is the sole responsibility of OTC.

Before intellectual property subject to ownership by OTC is disclosed to any party outside the college, to the public generally, or for commercial purposes, and before publishing same, the creator shall submit a reasonably complete and detailed disclosure of such intellectual property to OTC's President for determination of OTC's interest.

The President will notify the creator within one hundred eighty (180) days of the date of a complete submission, asserting the extent, if any, of OTC's interest. Should an interest be asserted, OTC will enter into a joint ownership agreement with the creator and will, after recovering expenses related to pursuing copyright protection and other relevant expenses, share royalties with the creator in a 50% by 50% division, unless otherwise stated in a written agreement.

Intellectual property resulting from research supported by a grant or contract with the Federal Government, or an agency thereof, with a nonprofit or for profit nongovernmental entity, or by a private gift or grant to the College shall be subject to ownership by OTC.

### **Faculty Responsibilities**

Regarding faculty responsibilities, DL faculty will follow all COPP policies, especially referencing those expressed in **COPP 4.10-11, 4.20-27 and 4.30-33**.

### **Faculty Office Hours**

Faculty members who teach a web course will conduct office hours online. Faculty members who teach a web-enhanced course will conduct office hours on campus in accordance with departmental requirements, but may offer additional hours online. Each DL faculty will state

their office hour availability in the course syllabus and their personal policy on the timeliness of replies to online enquiries from students.

**Academic Integrity of Distance Learning courses**

Faculty shall make every effort to ensure academic integrity in all DL courses. In order to achieve this goal, faculty will include requirements stated in the course syllabus such as a grading system, examination procedures, research project guidelines (where appropriate), course/faculty evaluation procedures, attendance policies, clock hour tallies (if required), and other requirements listed in COPP 4.04 and as mandated by department guidelines.

Should a student violate these efforts to ensure academic integrity, they will be subject to the disciplinary procedures established in **COPP 5.50**.

**Distance Learning Attendance**

In order to comply with certain financial aid requirements and in order to promote high standards of communication, faculty will monitor students' attendance on a weekly basis. Faculty will design their course(s) in such a way that students will be required to log-on at least once each week to complete an assignment or an electronic communication. Students will be subject to the requirements in **COPP 5.72**.

**Student Admission**

DL courses are subject to the same admission qualifications and procedures as stated in the **COPP 5.20-5.25** and as reflected in the College Catalog.

**Student Responsibilities**

Distance learning students will have the same rights and responsibilities as those established in **COPP 5.50-52**.

AUTHENTICATION (Signature):		COPP
_____	03/30/04	
President	(Date)	<b>4.09</b>