MEMORANDUM

DATE: September 30, 2022

TO: **Deans, Department Chairs, School Directors**

FROM: **Dr. Michele Hawkins, Interim Provost and Vice**
                 President for Academic Affairs

SUBJECT: **Distance Learning Scope and Policies**
                 (Supersedes all prior memoranda and policies)

Introduction

Distance learning policies at Florida Atlantic University ("FAU" or the "University") must recognize the variety of distance learning modalities and the respective stages of development of each modality. Policies are provided for designation of course type, reuse of materials and software, intellectual property rights, and registrar interfaces. Policies herein apply existing University regulations and policies, and applicable collective bargaining agreement requirements to Distance Learning ("DL") teaching and learning environments.

Mission

- The program or courses are consistent with the University's role and mission.
- Review and approval processes ensure the appropriateness of the technology being used to meet program or course objectives.

Definitions

A Fully Online Program as defined by the Florida Board of Governors as 100 percent of the direct instruction of the program is available using some form of technology when the student and instructor are separated by time, space, or both. All program requirements that cannot be completed online can be completed off-campus (See [State University System of Florida Board of Governors 2025 Strategic Plan for Online Education Amended March 30, 2022](#)). FAU further defines a Fully Online Program as being offered 100 percent online with no on-campus commitment for students. In some cases, exam proctoring may be required at an approved testing center proximal to the student's location. All classes in an online program are hosted in FAU's online platform called Canvas. Courses in an online program are ideally offered asynchronously, but may require select online synchronous attendance where appropriate. FAU online courses require regular and substantive

interaction between students and faculty in accordance with US Department of Education Policy.

A Fully Online Course is defined by the Florida Board of Governors as having 100 percent of the direct instruction of the course delivered using a form of technology when the student and instructor are separated by time, space, or both. All special course components (exam, internship practice, clinicals, labs, etc.) that cannot be completed online can be completed off-campus (See State University System of Florida Board of Governors 2025 Strategic Plan for Online Education Amended March 30, 2022).

Distance Learning Delivery Modes

FAU is a leader in the use of digital media in instruction. The nature of our distributed campuses requires extensive support from state-of-the art digital technologies. Students should be advised that any course may require access to the internet using a device with a screen large enough to view instructional materials. Students may be asked to interact with classmates and instructors, or to utilize digital resources and support software in their courses. These requirements may not be listed in the course schedule.

The principal delivery modes of courses at FAU and their respective class schedule descriptions are:

Instructional Method	Definition
In-Person	Traditional concept of in person. Mandatory attendance is at the discretion of the instructor.
In-Person w/ Live Remote Option	In-person class. Instructor will live stream the class for remote synchronous attendance. In-person attendance not required.
In-Person w/ Recorded Lecture	In-person class. Instructor will record the course for asynchronous viewing. Synchronous viewing may be an option at the discretion of the instructor. In-person attendance not required.
Primarily Classroom	Less than 50% of the course is delivered online.
Mixed Online and Classroom	50%-79% of the course is delivered online. (Hybrid)
Mostly Online Class	At least 80% of the course is delivered online.

Online Live Lecture	100% of the course is delivered online, with synchronous meeting times. (The course will meet live on the specified meeting days and times)
Fully Online Class	100% of the course is delivered online.
Videotaped Class	Online class that uses lecture capture recording. (Used by EG.)
Multi Campus: Main Loc w/Remote	Video-conferenced class. Students may attend in person or view remotely. Synchronous or asynchronous delivery is at the discretion of the instructor.
Multi Campus: Main Location	Video-conferenced class. Section from which the faculty delivers the course instruction in person.
Multi Campus: Remote Location	Video-conferenced class. Section that receives the video-conferenced signal.
Multi Campus: Instructor Rotation	Video-conferenced class. Faculty will alternate delivery of instruction between campuses.

Principles of Good Practice

FAU adheres to *The Principles of Good Practice* as defined by the Southern Regional Electronic Campus. They identify the expectations and requirements for participation in the Electronic Campus. The Principles are listed at: https://www.sreb.org/publication/principles-good-practice

Best Practices for Distance Learning at FAU

The *Principles of Good Practice for Distance Education* provide guidance from the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) on how distance education degrees and certificate programs should be offered at an accredited post-secondary institution. The University curriculum governance process ensures the accreditation standards of SACSCOC are met for all academic programs, including distance learning programs. The same processes for program evaluation are used for online and on campus degrees and certificates. By following these procedures, FAU is able to participate in the Florida Virtual Campus and the Southern Regional Education Board ("SREB") Electronic Campus.

Institutional Responsibilities

The University is responsible for providing the appropriate instructional delivery systems. The University ensures that services available for online students are equivalent to services available to on-campus students. Equivalent services include, but are not limited to online access to admission processes; financial aid services; academic support; library resources; career and job counseling; advising services; online tutoring; online testing; online access to counseling and psychological services; and complaint resolution services. The Office of Information Technology (OIT) provides technology infrastructure (facilities, equipment, and technical expertise) to support online student access to instruction and services. Infrastructure and procedures are in place to verify the students' identity and protect their privacy. The Center for Online and Continuing Education (COCE) coordinates with enrollment services, Undergraduate Studies, the [Center for Learning and Student Success](#), [Student Accessibility Services](#), and the Graduate College to ensure that online students have a range of support options to successfully complete their degree.

Department/ College Responsibilities

The Department/ College is responsible for identifying degree and certificate programs that are appropriate for online delivery, and for development of new online programs that support local community needs, state workforce goals, and/or the University mission. New online degree and certificate programs follow the curriculum proposal processes established by the University Faculty Senate. The addition of online delivery modality to an existing degree program follows approval processes as established by the Office of the Provost. The Department works with COCE to ensure the Department meets and adheres to SACSCOC requirements for online delivery, state authorization requirements for out-of-state online students, state High Quality Standards for online course delivery, and state goals for online faculty development. If the Department desires, COCE provides services to help programs meet the requirements for Quality Matters (QM) program certification.

The Department is responsible for identifying the courses to be developed for online delivery to support students in meeting degree requirements. The Department is also responsible for ensuring courses in the online program are designed for online delivery and have the same degree of rigor as on-campus courses. In a fully online program, the courses, once developed, are offered fully online in a sequence and frequency that allows for students to complete the degree within the prescribed time frame with no on-campus requirements. A formal teach-out plan must be submitted to the Office of the Provost if the program will no longer be offered online. In accordance with the [Board of Governor's statewide quality initiative](#), online course development is expected to follow the [state rubric standards for High Quality](#) and faculty that teach online should be assigned to participate in faculty development workshops/courses focused on distance learning pedagogy and practice.

Faculty Responsibility

The faculty member ensures the quality and rigor of the online courses and modifies course content to promote student success in an online learning environment. All online courses will include a course orientation, learning objectives, instructional material which aligns with the learning objectives, substantive faculty interaction with students, assessments with feedback, an evaluation plan, and student-to-student interaction. The faculty member is responsible for the instructional strategies used in the distance learning courses based upon the considerations of course content, skills taught, available tools, student readiness, and primary instructional modality. Faculty members who are new to online teaching and course design are expected to engage in professional development specific to online teaching and are expected to complete a teaching online orientation

and/or a teaching online pedagogy workshop, both are available free of charge through COCE, or through other sources such as Quality Matters or the Online Learning Consortium.

Faculty Development

Quality distance learning course delivery and student success at FAU is supported through faculty development opportunities focused on preparation for teaching distance learning courses. The Office of the Provost offers multiple online faculty development opportunities, including those offered through COCE. Faculty selected to teach a distance learning course must complete training as appropriate for their delivery method. By accepting the assignment to teach a distance learning course, the faculty agree to participate, as necessary, in workshops on the use of the instructional technology tools that can be utilized to promote student interaction, communication, and classroom management of distance education. FAU is a Quality Matters subscribing institution and offers faculty development, instructional design services, and external course review through COCE and Quality Matters for all faculty teaching online courses which collect a Distance Learning (DL) fee.

Accessibility

COCE and the Student Accessibility Services Office provide technologies, video captioning, and other accessibility services to support online students. In compliance with the Americans with Disabilities Act Amendments Act of 2008 (the "ADAAA"), students who require special accommodations to properly execute coursework due to a disability, must register with Student Accessibility Services ("SAS") and follow all SAS procedures (https://www.fau.edu/sas/).

Evaluation

Student Perception of Teaching ("SPOT") is an anonymous and effective tool given at the end of each semester to help evaluate the quality of instruction and improve the University's education standards. Student evaluations of instructors, SPOTs, are conducted for all courses including distance learning modalities. Institutional assessments specific to distance learning and student learning are conducted for all distance learning courses. The Office of Institutional Effectiveness and Analysis provides faculty support for assessing instructional effectiveness in distance learning courses and provides University administrators with data and information on the impact of distance learning on faculty and students. Longitudinal research and data collection may include student demographics, withdrawal and retention rates, success rates, student and faculty satisfaction, and student learning styles. All SPOTS are administered online, and faculty are urged to encourage their students to participate.

General Policies on Intellectual Property Rights, Disclosure of Interest

All policies listed below stem from existing University regulations, policies, and provisions of any applicable collective bargaining agreement as they apply to distance learning.

FAU Policy 10.6 Intellectual Property Policy establishes policy and procedures related to intellectual property created at or for Florida Atlantic University or with more than incidental use of Florida Atlantic University resources

FAU Policy 10.6 Intellectual Property Policy (the "FAU IP Policy") can be found at: https://www.fau.edu/research-admin/docs/policies/technology-development/fau-intellectual-property-policy-7.1.2020.pdf

Overview of Intellectual Property Rights and Obligations

Section 10.6.3.1 Definitions of the FAU IP Policy defines pertinent terms related to this Memorandum, including, but not limited to:

> *d. Work(s) shall include any copyrightable material, including but not limited to printed material, computer software and databases, audio and visual material, circuit diagrams, architectural and engineering drawings, lectures, musical and dramatic compositions, choreographic works, and pictorial and graphic works. A Work also includes copyrightable material that is used to assist or enhance instruction.*

> *g. University Support shall include the use of University funds, personnel, facilities, equipment, materials, or technological information, and includes such support provided by other public or private organizations when it is arranged, administered, or controlled by the University.*

> *h. Independent Efforts with regard to a Work shall mean that the ideas for the Work came from the Creator(s), the Work was not made with the use of University Support, and the University is not held responsible for any opinions expressed in the Work.*

> *i. University-Supported Work(s) shall mean a Work of a Creator(s) made using University Support, or for which the University is held responsible for any opinion expressed in the Work, or for which the ideas for the Work did not come from the Creator(s).*

> *k. Regular Instructional Work(s) shall mean University-Supported Works developed without the use of appreciable University Support and used solely for the purpose of assisting or enhancing the faculty member's instructional assignment. In determining whether University Support is appreciable, factors such as the following shall be considered: (i) whether the creation of the Work involved the use of special services, equipment, facilities, or technological information that go beyond what is traditionally provided to faculty members generally in the preparation of course materials; and (ii) whether the Work in question was created as a specific requirement of employment or as an assigned instructional duty.*

Ownership Rights

University Supported Work(s), such as video streamed or web-based courses developed with University Support, as defined in Section 10.6.3.1 of the FAU IP Policy, are the property of the University (See also Section 10.6.3.2, 10.6.3.4, and 10.6.4.4).

Commercialization

Commercialization of University Supported Work(s) is governed by the FAU IP Policy which complies with Section 1004.23 (2022) of the Florida Statutes and Article 18 of the 2022 - 2025 Florida Atlantic Board of Trustees and the United Faculty of Florida Collective Bargaining Agreement ("BOT/UFF CBA").

The Office of Technology Development (the "OTD") is responsible for all matters relating to patents, trademarks and copyrights as related to identification, protection, and commercialization of Intellectual Property. OTD is the primary contact for Creators regarding disclosure of Inventions and Works and during subsequent stages of protection, marketing, commercialization, and other activities.

Disclosure Process

Pursuant to Section 10.6.4.2 of the FAU IP Policy, University Personnel are required to promptly disclose all Inventions and University-Supported Works, including all Regular Instructional Works but excluding Traditional Works of Scholarship. All Inventions must be disclosed, even those believed by the Creator to be unrelated to his or her University duties and not involving the use of University Support. Disclosure forms can be found online at: https://www.fau.edu/research-admin/technology-development/forms/

Disclosures shall be submitted to OTD. If the Creator believes the Invention(s) or Work(s) described in the disclosure are not the property of the University, the disclosure should indicate the reasons for this belief so OTD can make an assessment. Section 10.6.4.4 of the FAU IP Policy states that OTD will assess the disclosure and make a recommendation to the Vice President for Research as to the ownership interest of the University and the University's legal rights.

If a Work is determined by OTD to be a University-Supported Work, OTD may, on behalf of the University: 1) elect to acquire title of the Work by assignment and proceed with intellectual property protection and commercialization procedures; 2) decide the Work is premature or incomplete, and ask the Creator to resubmit the disclosure when additional information is obtained; or 3) elect to waive the University's ownership rights to the Work, thus allowing the Creator to protect the Work as he or she may wish. In general, the University will not waive its rights to Works of Creators who are full-time employees or appointees of the University. If a Creator assumes ownership of any University-Supported Work, the University and the State of Florida will retain for informational or educational purposes a limited, royalty-free right to the use of the Work and to all copyright rights in the Work, excluding the copyright right to make modifications.

Academic Freedom and Responsibility

Academic Freedom and Responsibility, as discussed below, can be found in the *Florida Atlantic University Faculty Handbook*, https://www.fau.edu/provost/documents/university-faculty-handbook.pdf and are applicable to online course delivery and traditional on-campus course delivery.

It is the policy of the University to maintain and encourage full academic freedom. Academic freedom and responsibility are essential to the full development of a true university and apply to teaching, research and creative activities. An employee engaged in such activities shall be free to cultivate a spirit of inquiry and scholarly criticism and to examine ideas in an atmosphere of freedom and confidence.

Academic freedom is accompanied by the corresponding responsibility to be forthright and honest in the pursuit and communication of scientific and scholarly knowledge; to respect students as individuals and avoid any exploitation of students for private advantage; and to indicate, when appropriate, that one is not an institutional representative unless specifically authorized as such.

Consistent with the exercise of academic responsibility, employees shall have freedom to present and discuss their own academic subjects, frankly and forthrightly, without fear of censorship, and to select instructional materials and determine grades in accordance with University policies. Objective and skillful exposition of such subject matter, including the acknowledgment of a variety of scholarly opinions, is the duty of every such employee. Employees shall also be free to engage in scholarly and creative activity and publish the results in a manner consistent with their professional obligations.

Academic freedom is accompanied by the corresponding responsibility to:
1. Be forthright and honest in the pursuit and communication of scientific and scholarly knowledge;
2. Respect students, staff, and colleagues as individuals; treat them in a collegial manner; and avoid any exploitation of such persons for private advantage;
3. Respect the integrity of the evaluation process with regard to students, staff, and colleagues, so that it reflects their true merit;
4. Indicate when appropriate that one is not an institutional representative unless specifically authorized as such; and
5. Contribute to the orderly and effective functioning of the employee's academic unit (program, department, school, and/or college) and/or the University.

In addition to their assigned duties, employees have responsibilities arising from the nature of the educational process. Such responsibilities include, but are not limited to, observing and upholding the ethical standards of their discipline; participating, as appropriate, in the shared system of collegial governance, especially at the department/unit level; respecting the confidential nature of the relationship between professor and student; adhering to one's proper role as teacher, researcher, intellectual mentor, and counselor; and conducting oneself in a collegial manner in all interactions.

Distance Learning Course Scheduling Procedures

Approval Process

Credit-bearing courses must be listed in the FAU catalog before they may be submitted for consideration for delivery by distance learning unless approved as a Special Topics course.

The approval process for distance learning delivery of courses begins at the Department level by submission of a request from the Department Chair to the College Dean. Each College will establish a procedure for approval of courses for distance learning. FAU policy requires that a syllabus be on file for all courses regardless of delivery mode. For distance learning, the syllabus of the course and the strategies used to communicate the course content, and testing or student evaluation procedures, i.e. the course format, will be

examined against minimum standards established at the University level and any additional standards established by the College faculty.

Process for Listing Distance Learning Courses in the Class Schedule

The process for listing distance learning courses in the class schedule is initiated by Department Chairs/school directors. Distance learning courses will be developed and entered into the master class schedule with approval of the Department Chair/school director. The University Registrar or designee will review the master schedule in its first and subsequent edits to identify all distance learning courses proposed for offering by the Colleges. The Office of the Registrar, COCE, and the faculty member will ensure that appropriate technology capable classrooms are scheduled for distance learning and mixed mode courses or that arrangements have been made to provide academic (e.g., testing or library access) and student support (e.g., registration, financial aid, advisement or orientation) to the distant learners.

It is important to make the distinction between determinations of course content and the decision that a course will be offered. The former decision rests with the faculty member. The latter decision is made through the administrative approval process described in this section. In the event of a disagreement over whether the course will be offered, the final decision to offer any course at the University, regardless of delivery mode, is made by the Dean of the College in consultation with Department Chairs/school directors.

Course and Program Accreditation Standards Compliance

The University is accredited by SACS/COC that published: the *Distance Education and Correspondence Courses Policy Statement*, https://sacscoc.org/app/uploads/2019/07/DistanceCorrespondenceEducation.pdf; *Guidelines for Evaluation of Distance Education*, https://sacscoc.org/app/uploads/2020/09/Guidelines-for-Evaluation-of-Distance-Education.pdf; *Guidelines for Addressing Distance Education and Correspondence Courses*, https://sacscoc.org/app/uploads/2020/01/Guidelines-for-Addressing-Distance-and-Correspondence-Education.pdf; and *Best Practices for Electronically Offered Degree and Certificate Programs*, https://sacscoc.org/app/uploads/2019/08/commadap.pdf.

The Office of the Provost is responsible for determining that the guidelines are met. The general areas of the guidelines that must be addressed include: curriculum and instruction, rigor of program, appropriateness of technologies, currency of materials, interaction between students and faculty, interaction among students, evaluation and assessment (assess student success, educational effectiveness, integrity), library and learning resources (access to library resources and technology support), and student services (financial aid, academic advising, placement and counseling, student grievances, informational materials, student admission standards). The Office of the Provost is responsible for ensuring that the overall systems are in place to support distance learning programs or courses.

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