**Marshall University Board of Governors**
**Meeting of April 21, 2022**

ITEM:                                    Review and Approval of the following Academic Affairs Policy:

                                         MUBOG AA-46    **Distance Education Courses**        01/28/20

COMMITTEE:                               Academic and Student Affairs

RECOMMENDED ACTION:                      *Resolved,* That the Marshall University Board of Governors does
                                         hereby take the following action as it relates to MUBOG Policy AA-
                                         46.  We recommend amendment to the policy's name and other
                                         changes throughout the policy to reflect the increasing number of
                                         degree programs offered completely online.  We further recommend
                                         the addition of *hyflex* course type.

STAFF MEMBER:                            Avinandan Mukherjee
                                         Interim Provost & Senior Vice President for Academic Affairs

BACKGROUND:

The increasing number of degree programs offered completely online, and the hyflex course presentation
option, necessitate these policy changes.

MUBOG AA-46    **Distance Education Courses**                                                01/28/20
               See attached.  We recommend a name change from "Distance
               Education Courses" to "Distance Education."  This change reflects
               the increasing number of degree programs offered completely
               online at Marshall University.  We have added and defined a new
               course type, *hyflex*, in section 2.4.


        Fiscal Note:  There are no anticipated costs associated with these changes.

Upon approval of this resolution, a comment period will open and remain open until 10:00am on Monday,
June 6, 2022. If substantive comments are received, a final policy will be presented to the Board for
approval at a subsequent meeting. The policy changes for any individual policy are approved as final at
the conclusion of the comment period if no substantive comments are received for that policy.

        Comments should be sent via paper mail only (USPS mail or campus mail) to:

*Michael McGuffey*
*Office of the President*
*Marshall University*
*Huntington, WV 25755*

**MARSHALL UNIVERSITY BOARD OF GOVERNORS**

**Policy No. AA-46**

**DISTANCE EDUCATION ~~COURSES~~**

1. **General Information.**
   1.1. Scope:  This policy addresses a variety of issues related directly to the development and teaching of distance education courses for use in credit or non-credit courses or in support of university funded research.

   1.2. Authority: WV Code §18B-1-6

   1.3. Passage Date: December 19, 2019

   1.4. Effective Date: January 28, 2020

   1.5. Controlling over: Marshall University

   1.6. History: This policy replaces MUBOG Policy IT-5 Distance Education Courses (effective 12-13-2011).  The policy was converted to MUBOG Policy AA-46, updated, and approved by the Marshall University Board of Governors on December 19, 2019.


2. **Definitions**

   2.1. The Higher Education Opportunity Act, 2008, defines distance education in this way:
   "(19) DISTANCE EDUCATION.
   (A)  IN GENERAL. Except otherwise provided, the term 'distance education' means education that uses one or more of the technologies described in the subparagraph (B)
       (i)       to deliver instructions to students who are separated from the instructor; and
       (ii)      to support regular and substantive interaction between the students and the instructor synchronously or asynchronously.
   (B)  INCLUSIONS.  For the purposes of subparagraph (A), the technologies used may include
       (i)       the Internet;
       (ii)      one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
       (iii)     audio conferencing; or
       (iv)     video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in clauses (i) through (iii)."

   2.2. *Online course* refers to any distance education course in which 100% of the course content is delivered asynchronously.  There are no synchronous, fact to face, or on-site attendance requirements.  Online courses are designated as such in the schedule of courses.  Designation: Online Course (OC).

2.3. *Hybrid course* refers to any distance education course in which a potion of the course is delivered synchronously with scheduled and required online, fact to face, or on-site attendance requirements; the remainder of the course is delivered asynchronously. Types of *Hybrid courses* include the following delivery modes and are designated in the Marshall University schedule of courses:

    2.3.1. T-course is a hybrid course in which 25% or more of the course is delivered synchronously requiring scheduled face-to-face or online attendance. Designation: Technology Enhanced (TE)

    2.3.2. V-course is a synchronous course in which the faculty member holds live class meetings in person, by technological means, or by both delivery formats simultaneously. Designation: Virtual Class (VC)

    2.3.3. IV-course is a synchronous course in which the faculty member holds live class meetings using the interactive video system. Designation: Interactive Video (IV)

2.4. *Hyflex course* refers to a course in which the students have both classroom-based and online options available for all or most learning activities.

    2.4.1. Hyflex gives students the flexibility to choose when and where they study based on their own needs, desires, and preferences.

    2.4.2. Students can also choose to change which option they use to attend courses weekly.

    2.4.3. Instructors are expected to teach using methods that treat all students equitably regardless of the student's modality.

2.5. *Course creator* refers to the individual(s) who generate original content for the purpose of delivering an online or hybrid course.

2.6. *Content* refers to course content and materials (intellectual property) a course creator develops for instructional delivery as an online course.

3. **Intellectual Property and Online Courses**

3.1. The Marshall University Intellectual Property Policy (MUBOG GA-4) addresses the ownership, licensing, and income distribution rights of online course materials.

4. ~~Online and Hybrid~~Distance Education **Course and Program Approval**

4.1. ~~Online and hybrid~~Distance education courses and programs must be approved by the appropriate academic dean and comply with department, college, and university policies and practices relating to distance education course quality and acceptable delivery practices.

4.2. ~~Online and hybrid~~Distance education courses must ~~also~~ be approved by the faculty peer review committee in accordance with the university's established faculty-centered, peer review process.

4.3. Only courses and programs appearing in the current university catalog may be developed and submitted for distance education delivery.

4.4. Only approved ~~online and hybrid~~distance education courses may be listed in the official schedule of courses.

4.5. Only approved distance education programs may be listed as distance programs on the official university admissions application.

5. **Teaching ~~Online~~ Distance Education Courses**

5.1. Faculty assigned to teach ~~an online or hybrid~~a distance education course must possess the online teaching endorsement required by the university.

5.2. A faculty member can develop and teach a different version of an existing ~~online or hybrid~~distance education course with the approval of the department chair and dean.

5.3. If ~~an online or hybrid~~a distance education course instructor is unable to complete a semester course or will not be available to follow up with students who may receive an approved Incomplete, the relevant department will ensure that the course remains available.

5.4. The department chair/division head may enter ~~an online or hybrid~~a distance education course as part of the faculty evaluation process for retention, promotion, or tenure, or if required by a student academic appeal.

5.5. The Instructional Designers or the Information Technology staff will provide access to ~~an online or hybrid~~ a distance education course when access is requested according to 5.3 and 5.4 above.

6. **Course Delivery Format and Support**

6.1. Student access to online or hybrid courses must be through the official online course management system. The appropriate dean and the Chief Academic Officer (CAO) must approve any exceptions.

6.2. The University will make best practices information for online and hybrid course development, training opportunities, and faculty resources available through Academic Affairs and Online Learning.

6.3. Information Technology personnel will provide technical support for ~~online and hybrid~~distance education courses.

7. **Review and Update of Content**

7.1. The online faculty peer review committee will review active ~~online and hybrid~~distance education courses every three years after the initial approval of the course or upon request of the CAO or appropriate dean. The purpose of the three-year review is to ensure that ~~online and hybrid~~distance education courses remain current with changes in technology and best practices. The online faculty peer review committee will facilitate the review adhering to a timetable that allows for revisions to take place.

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7.2. Academic units are encouraged to review ~~online and hybrid~~distance education course content during the initial and three-year review cycle.

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