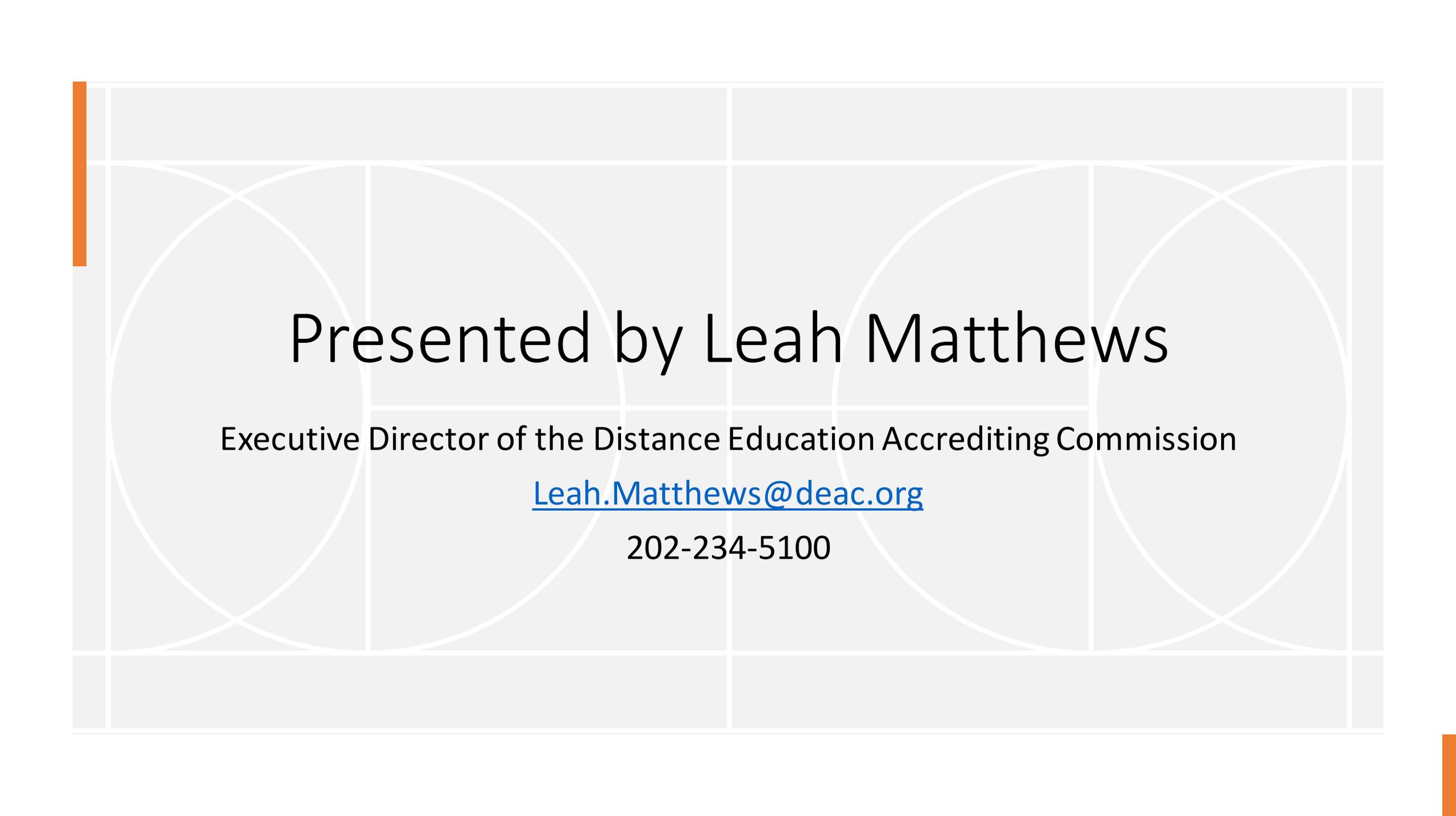


State & Federal Requirements for IDL Programs

May 15, 2020

A special presentation
prepared for ACCET
schools and programs

The background features a light gray grid with two large, overlapping white circles. A solid orange vertical bar is positioned on the left side of the slide.

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Update on USDE Proposed Changes for Distance Education

What's new, what's next?

Credit Hour Definition Changes

Credit hour – current language

Except as provided in 34 CFR 668.8(k) and (l), a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than...

Credit hour – proposed changes

*Except as provided in 34 CFR 668.8(k) and (l), a credit hour is an amount of student work defined by an institution, **as approved by the institutions accrediting agency or State approval agency**, that is consistent with commonly accepted practice in postsecondary education and that...*

Credit Hour Definition changes

Credit hour – current language

- (1) One hour of classroom or direct faculty instruction and a minimum of two hours of out of class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work of a different amount of time; or*
- (2) At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution including laboratory work, internships, practica, studio work and other academic work leading to the award of credit hours.*

Credit hour – proposed changes

- (1) Reasonably approximates not less than
 - i. One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester or trimester hour of credit or the equivalent amount of work over a different period of time; or*
 - ii. At least an equivalent amount of work as required in paragraph (1)(i) of this definition for other academic activities as established by the institution, including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours; and**
- (2) Permits an institution, in determining the amount of work associated with a credit hour, **to take into account a variety of delivery methods,** measurements of student work, academic calendars, disciplines and degree levels.*

What is different?



Accrediting agency and state approval



Delivery methods



Measurement of student work



Theoretically would allow schools to take into consideration a number of factors when determining CREDIT HOURS including delivery methods, level of work and student learning.

Correspondence Education

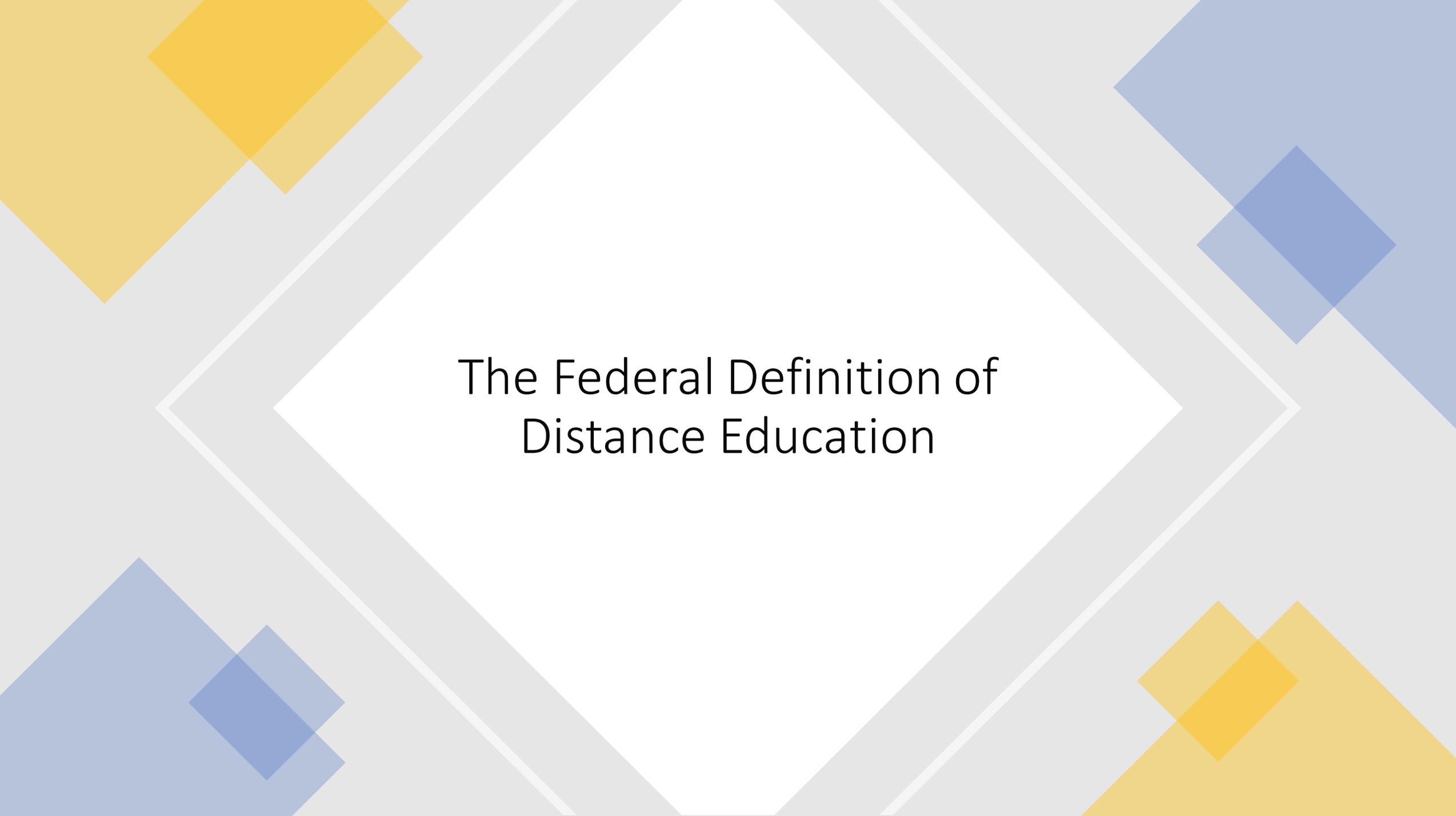


Proposed Changes: conditions of institutional ineligibility (correspondence education), 34 CFR 600.7

Currently, students at an institution are not eligible for Title IV financial aid if the institution offers more than 50 percent of its courses by correspondence or enrolls 50 percent or more of its students in correspondence education.

What is new? The addition of paragraph (b)(2) which states that a student is considered enrolled in correspondence courses if **the student's enrollment in correspondence courses constituted more than 50 percent of the courses in which the student enrolled during an award year.**





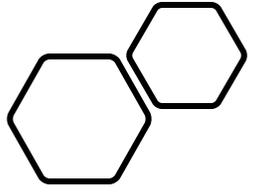
The Federal Definition of Distance Education

Current definition 34 CFR 600.2:

Distance education means education that uses one or more of the technologies listed in paragraphs (1) through (4) of this definition to deliver instruction to students who are separated from the **instructor** and to support **regular** and **substantive interaction** between the students and the instructor, either synchronously or asynchronously.

The technologies may include —

1. The Internet;
2. One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
3. Audio conferencing; or
4. 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 paragraphs (1) through (3) of this definition.



Three key words for discussion



INSTRUCTOR



REGULAR



SUBSTANTIVE

Proposed changes

Distance education: Education that uses one or more of the technologies listed in paragraphs (1)(i) through (1)(iv) of this definition to deliver instruction to students who are separated from the ***instructor*** or ***instructors***, and to support ***regular*** and ***substantive*** interaction between the students and the instructor or instructors, either synchronously or asynchronously.

- *The technologies that may be used to offer distance education include —*
 1. *The internet;*
 2. *One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;*
 3. *Audio conferencing; or*
 4. *Other media used in a course in conjunction with any of the technologies listed in paragraphs (1) through (3) of this definition.*

Proposed changes

2. For purposes of this definition, an **instructor** is an individual responsible for delivering course content and who meets the qualifications for instruction established by the institution's accrediting agency.

3. For purposes of this definition, **substantive interaction** is engaging students in teaching, learning, and assessment, consistent with the content under discussion, and also includes at least two of the following—

Providing direct instruction;

Assessing or providing feedback on a student's coursework;

Providing information or responding to questions about the content of a course or competency;

Facilitating a group discussion regarding the content of a course or competency;
or,

Other instructional activities approved by the institution's or program's accrediting agency.

Also...

An institution ensures regular interaction between a student and an instructor or instructors by, prior to the student's completion of a course or competency—

1. Providing the opportunity for substantive interactions with the student on a predictable and regular basis commensurate with the length of time and the amount of content in the course or competency; and

2. Monitoring the student's academic engagement and success and ensuring that an instructor is responsible for promptly and proactively engaging in substantive interaction with the student when needed, on the basis of such monitoring, or upon request by the student.

What about...

- Competency based
- Direct Assessment
- Subscription-based

Subscription-based Program (34 CFR 668.2)

A standard or nonstandard-term direct assessment program in which the institution charges a student for each term on a subscription basis with the expectation that the student completes a specified number of credit hours during that term. Coursework in a subscription-based program is not required to begin or end within a specific timeframe in each term. Students in subscription-based programs must complete a cumulative number of credit hours (or the equivalent) during or following the end of each term before receiving subsequent disbursement of title IV, HEA program funds. An institution establishes an enrollment status (for example, full-time or half-time) that will apply to a student throughout the student's enrollment in the program, except that a student may change his or her enrollment status no more often than once per academic year.

What applies to subscription program(s)?

Competency-based education (CBE)*

- Students' progress at a pace that is appropriate for their learning since all students learn differently.
- The curriculum is built around competencies
- Students are able to access learning resources, including assistance from instructional staff, that is directly aligned with the competencies.

*RSI is required!

How are schools implementing direct assessment?

A small subset of CBE programs are classified as direct assessment program. Direct assessment programs are no longer tied to credit hours as the default measure of student learning, and although institutions offering CBE direct assessment programs provide students with learning resources and instructional support, the focus of these programs is on assessments that allow students to show proof of mastery.

*RSI is required!

What are
your
questions
about the
federal
definition of
distance
education?



State Authorization for Distance Education

It is essential to know
where students enrolled
in distance education
reside



States expect schools to obtain approval for regulated activities that occur in their State. These activities may include; online learning, experiential learning, instructors teaching from another state, marketing, advertising, and more.

State Authorization for Distance Education

- Institutions must also be aware of additional State Agencies in other States that may wish to have oversight of the institution's activities and programs such as State professional boards (e.g. nursing, physical therapy, etc.) as well as the State Secretary of State Office and State Department of Labor. Requirements will vary State to State.
- In addition to State compliance, institutions must comply with Federal regulations to participate in Title IV, HEA Programs.



DO YOUR
RESEARCH!

State Authorization Disclosures

New Federal Regulations addressing student notification requirements, including professional licensure disclosures for all modalities, become effective July 1, 2020.

Institutions must provide general and direct disclosures for prospective and enrolled students for all programs leading to professional licensure or certification regardless of modality (34 CFR 668.43(a)(5)(v) and 34 CFR 668.43(c)).

Just a few words on digital accessibility

Concerns about the accessibility of online content and services for persons with disabilities have been a major driver of legal and regulatory compliance actions in higher education for well over a decade.

The “emergency remote delivery” of face-to-face courses has highlighted the continuing accessibility challenges facing online and hybrid learning, with a renewed push for policy responses sure to follow.

The compliance landscape remains fractured given a lack of web accessibility regulations under the Americans with Disabilities Act (ADA) and reliance on the Web Content Accessibility Guidelines (WCAG) 2.0.





(SEA)RESULTS® DISTANCE EDUCATION EFFECTIVENESS ASSESSMENT

The Distance Education Accreditation Commission (DEAC) has partnered with Higher Digital, the leading digital strategic advisor to higher education institutions, to create the **(SEA)RESULTS® Distance Education Effectiveness Assessment**. Using accreditation standards DEAC has developed, the assessment enables higher education leaders around the world to benchmark their distance education capability, quality, scalability, and sustainability along 40 data points spanning academic, operational, organizational, and

Get more information about the (SEA)RESULTS® Distance Education Effectiveness Assessment

Visit the Higher Digital Website to take the assessment



What are your questions about state authorization?

