

**BP 2105 DISTANCE EDUCATION**

**References:**

Title 5 Section 55200 et seq.; U.S. Department of Education Regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended; and 34 Code of Federal Regulations Section 602.17.

The Chancellor, in consultation with the District Academic Senate, shall establish procedures to ensure effective Distance Education programs exist.

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**Date Adopted:** April 18, 2023

**Revised:** N/A

**AP 2105 DISTANCE EDUCATION**

**References:**

- Section 504 of the Rehabilitation Act;
- Americans with Disabilities Act;
- Title 5 Sections 55200 et seq.;
- 34 Code of Federal Regulations Section 602.17 (U.S. Department of Education Regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);
- ACCJC Accreditation Standard II.A.11

The Distance Education Department, in collaboration with the colleges' distance education committees, is the official District entity that supports distance education at the colleges. This includes, but is not limited to, technology infrastructure, faculty technology training, reporting, and regulatory compliance.

**Definition:** Distance education means education that uses technology to deliver accessible instruction to students who are separated from the instructor(s) and to support regular and substantive interaction between the students and instructors(s) either synchronously or asynchronously with the assistance of the RCCD approved Learning Management System (LMS). In this context, the term "accessible" means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. The person with a disability must be able to obtain the information as fully, equally, and independently as a person without a disability. Although this might not result in identical ease of use compared to that of persons without disabilities, it still must ensure equal opportunity to the educational benefits and opportunities afforded by the technology and equal treatment in the use of such technology.

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

(2) The District has processes in place through which it establishes that a student who registers in a course offered via distance education is the same student who academically engages in the course or program. The District will make clear in writing that institutions must use processes that protect student privacy and notify students of any projected additional student charges associated with verification of student identity at the time of registration or

enrollment (BP/AP 5040 Student Records, Directory Information and Privacy). The District may utilize one or more of these methods to authenticate or verify the student's identity:

- (i) secure credentialing/login and password; or
- (ii) proctored examinations; or
- (iii) new or other technologies and practices that are effective in verifying student identification.

### **Instructor Contact:**

(1) Any portion of a course conducted through distance education includes regular and substantive interaction between the instructor(s) and students, (and among students as described in the course outline of record), either synchronously or asynchronously, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, voicemail, email, or other activities. 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:

- (i) Providing direct instruction via synchronous or asynchronous methods; or
- (ii) Assessing or providing feedback on a student's coursework; or
- (iii) Providing information or responding to questions about the content of a course or competency; or
- (iv) Facilitating a group discussion regarding the content of a course or competency; or
- (v) Other instructional activities approved by the institution's or program's accrediting agency.

(2) An institution ensures regular interaction between a student and an instructor(s) by, prior to the student's completion of a course or competency:

- (i) Providing the opportunity for substantive interactions with the student on a predictable and scheduled basis commensurate with the length of time and the amount of content in the course or competency; and
- (ii) 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.
- (iii) For purposes of calculating instructional time in the context of asynchronous distance education, a week of instructional time is any week in which:

- (1) The District makes available the instructional materials, other resources, and instructor support necessary for academic engagement and completion of course objectives; and
- (2) The District expects enrolled students to perform educational activities demonstrating academic engagement during the week.

(3) Student-to-student interaction

- (i) Instructors will provide opportunities for regular and substantive interaction among students. Interaction is designed to facilitate interaction with and about course content.
- (ii) Unstructured student-to-student interaction should be facilitated by the instructor using a variety of tools and methods available to accommodate a variety of cultures and communication styles.

**Curriculum Approval:**

For any portion of the instruction in a new or existing course that is to be provided through distance education, the course outline of record or a distance education addendum to the course outline of record shall address how course outcomes will be achieved in a distance education mode and how the portion of instruction delivered via distance education meets the requirement for regular and substantive interaction as specified in “Instructor Contact” section above.

The course design and all course materials must be accessible to every student including students with disabilities. The distance education course outline of record or addendum shall be approved according to the district’s adopted curriculum approval procedures.

The review and approval of new and existing distance education courses shall follow the curriculum approval procedures outlined in Administrative Procedure 2020 Program, Curriculum, and Course Development. Distance education courses shall be approved under the same conditions and criteria as all other courses.

**Course Approval:** When approving distance education courses, the Vice-Chancellor, Educational Services, or designee, will certify the following:

- **Course Standards:** Consistent standards of course rigor and content are applied to the distance education courses as are applied to face-to-face classroom courses.
- **Course Determinations:** Determinations and judgments about the consistency and alignment to existing standards of the distance education course structure were made with the full involvement of the curriculum committee approval procedures.
- **Instructor and Student Interaction:** Each section of the course that is delivered through distance education will include regular and substantive interaction

between instructor and students, as well as among students, either synchronously or asynchronously.

- The manner in which face-to-face class (seat) time will be effectively replaced in a distance education format has been addressed.
- Course compliance with Section 508 to ensure the electronic and information technology accessibility needs of individuals with disabilities has been addressed.

### **Addendum to Course Outline**

An addendum to the official course outline of record may be made if any portion of the instruction of a new or existing course is provided through distance education. The addendum, if submitted, must be approved according to the District's curriculum approval procedures. The addendum or course outline of record must address the following:

- How course outcomes will be achieved in a distance education mode;
- How the portion of instruction delivered via distance education provides regular and substantive contact between instructors and students; and
- How the portion of instruction delivered via distance education meets the requirements of the Americans with Disabilities Act (ADA) and Section 508 of the Rehabilitation Act of 1973.

**Duration of Approval:** All distance education courses approved under this procedure will continue to be in effect unless there are Major Modifications made to the Course Outline of Record.

### **Authentication of Student Identity**

Consistent with federal regulations pertaining to federal financial aid eligibility, the District must authenticate or verify that the student who registers in a distance education course is the same student who participates in and completes the course or program and receives the academic credit. The District will provide to each student at the time of registration, a statement of the process in place to protect student privacy, level of technology required to activate the authentication process, and estimated additional student charges associated with verification of student identity, if any.

The District's chief instructional officer shall utilize one or more of these methods to authenticate or verify the student's identity:

- secure credentialing/login and password for the LMS;
- proctored examinations (determined by department); or
- new or other technologies and practices that are effective in verifying student identification.

The District's chief instructional officer shall establish procedures for providing a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any, to each student at the time of registration.

The District requires no additional fees for the authentication methods listed above. If an individual faculty member requires face-to-face proctoring at an off-campus site, any potential or associated fees will be stated in the course syllabus and should be noted in the schedule to alert students to these costs prior to registration.

The faculty teaching distance education courses shall authenticate student identification over the period of the course. Opportunities to authenticate include but are not limited to:

- Systematic monitoring and tracking of student work
- Remote online proctored exams using District furnished resources
- Synchronous oral examinations using an approved photo ID
- In-person proctored exams with photo ID check
- Synchronous or asynchronous video activities using an approved photo ID
- Other technologies or procedures specified by faculty in their course syllabus and approved by the department.

### **Legal Issues in Online Classes:**

**Webcam Use During Live Synchronous Online Classes:** While there is no express prohibition against faculty requiring students to attend live online synchronous classes with their cameras on, an indiscriminate cameras-on requirement risks violation of student privacy rights under the California Constitution, and potentially implicates other federal and state privacy and civil rights laws. However, if there are circumstances where full audio and visual student participation is essential to instruction and assessment, a carefully tailored cameras-on requirement is appropriate. Requirements of camera usage for students should be limited to showing individual student faces and should avoid requirements of scanning surrounding environments.

**Real-Time Captioning During Live Synchronous Online Classes:** An auxiliary aid or service is required if the class includes deaf or hearing-impaired students to ensure they are able to participate in their educational program. In most cases, this requirement will be satisfied by the provision of real-time captioning in live, synchronous online classes. However, the District should give "primary consideration" to the choice of aid or service requested by deaf or hearing-impaired students, and weigh such requests against the burdens they would impose upon instruction.

### **Local District Standards for Quality Distance Education Instruction:**

**Faculty Certification to Teach Online:** Instructors of distance education shall be prepared to teach in a distance education delivery method consistent with the requirements of this procedure, local district policies, accrediting agencies, and negotiated agreements. Faculty requesting or required to teach courses developed for online or hybrid delivery are expected to complete RCCD Distance Education Department online teaching certification training that includes course development, course design, course facilitation, and equity considerations within the learning management system. Enforcement of the certification requirement shall be done by the Vice-President of Academic Affairs or their designee, as a result of a process approved by the Academic Senate and the office of the Vice-President of Academic Affairs.

**Non-Evaluative Peer Online Course Review:** The voluntary review of courses designed for fully online and hybrid delivery should be completed by a certified team that provides mentorship and support to faculty. The courses are reviewed using industry-recognized, quality-course-design standards which include but are not limited to Quality Matters, the Online Learning Consortium Quality Scorecard, or the CVC-OEI Rubric.

**Office of Primary Responsibility:** Vice Chancellor, Educational Services & Strategic Planning

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**Administrative Approval:** June 15, 2009

**Revised:** July 30, 2012

**Revised:** June 16, 2015 (References and Titles only)

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