

Lincoln Memorial University Duncan School of Law Distance Education Policy

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Contents

1. Purpose and Scope	1
2. Definitions	1
3. Distance Education Course Requirements	5
4. Students	8
5. Faculty	8
6. Oversight and Quality Control	9

1. Purpose and Scope

This policy is designed to guide Lincoln Memorial University Duncan School of Law (“LMU Law”) in the development, delivery, and evaluation of quality distance education courses in accordance with the requirements of American Bar Association (“ABA”) Standards.

This policy supplements the University’s *Online Instructor Packet: Required Materials for Online Instructors* and applies to all online education courses regardless of whether they fall within the definition of distance education courses as defined by the ABA. To the extent the provisions in this policy are inconsistent with the provisions set forth in the *Online Instructor Packet*, this policy controls.

In an unscheduled circumstance that affects the ability of LMU Law to deliver its residential curriculum in its normal course (due to weather, absence of a professor, etc.), the Associate Dean for Academic Affairs may grant a waiver of this policy and permit the use of distance education teaching methods in lieu of a regularly scheduled class meeting.

2. Definitions

2.1 Course Formats

A course is a discrete product of developed material, including but not limited to, syllabi, introductory material, articulated learning goals, assigned materials (readings, videos, podcasts, web links, text assignments, prepared PowerPoints, etc.), assignments, and assessment mechanisms.

For purposes of this policy, the following course formats are recognized by LMU Law: Traditional, Hybrid, and Distance Education Courses.

Any course or course section not considered a Traditional Course is identified as an Online Education Course (i.e., an Online Education Course includes Hybrid Courses, Hybrid Course Sections, Distance Education Courses, and Distance Education Course Sections)

2.1.1 Distance Education Course

The ABA defines a distance education course (“Distance Education Course”) as one in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously. In accordance with Interpretation 306-1 of the ABA Standards, various technologies may be used to support instruction in a Distance Education Course, including the Internet, audio and video conferencing, open or closed circuit broadcasting or wired/wireless communication, and various physical media technologies.

For example, for a three-credit hour course that requires 39 hours of in-class or direct faculty instruction, the course will be designated a Distance Education Course if more than 13 hours, and up to all 39 hours, of the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.

2.1.2 Hybrid Course

A hybrid course (“Hybrid Course”) is a course in which at least 10% but no more than one-third of the total pre-planned face-to-face class meetings are replaced with instruction involving the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.

For example, for a three-credit hour course that requires 39 hours of in-class or direct faculty instruction, the course will be designated a Hybrid Course if at least 4 hours, but no more than 13 hours, of the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.

2.1.3 Traditional Course

A traditional course (“Traditional Course”) is a course in which at least 90% of all course content, instruction, and assessment is delivered during pre-planned face-to-face class meetings.

All first-year, first-semester courses must be Traditional Courses.

Illustration of Course Format Designations Based on a 3-Credit Hour Course

0 hours	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
Traditional Course	Hybrid Course (at least 10% but no more than 1/3 of hours online)													Distance Education Course (more than 1/3 of hours online)																									
	Online Education Course (any course with at least some online education component)																																						

2.2 Hybrid or Distance Education Course Section

A Hybrid Course Section is the particular version of a Traditional Course in which more than 10% but no more than one-third of the total pre-planned face-to-face class meetings are replaced with instruction involving the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.

A Distance Education Course Section is the particular version of a Traditional Course in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and

between the students and the faculty member, either synchronously or asynchronously.

2.3 *Asynchronous*

An asynchronous course or component of a course is one in which the instruction is delivered at one time and the work can be completed at different times. In asynchronous courses or components of courses, students and teachers use email, discussion boards, listservs, wikis, video or audio posts, and other technologies that allow them to communicate without having to be online at the same time.

2.4 *Synchronous*

A synchronous course or component of a course is one in which teachers and students are in different physical locations, but conduct two-way communication with virtually no time delay, allowing participants to respond in real time.

2.5 *Online Education Teaching Faculty*

An Online Education Teaching Faculty member is a person who executes and delivers a specific Online Education Course or Course Section. An Online Education Teaching Faculty member interacts with students, provides feedback, coordinates assessments, and delivers other appropriate material to facilitate student learning and evaluation.

2.6 *Online Education Course Developer*

An Online Education Course Developer is a faculty member who designs and prepares an Online Education Course or Course Section, paying particular attention to developing appropriate materials, activities, and assessments tied to learning goals.

2.7 Director of Online Education

Director of Online Education, or other similarly designated position, is an LMU Law employee who oversees and manages the development, delivery, and evaluation of quality online education courses in accordance with the requirements of ABA Standards.

Prior to the appointment of the Director of Online Education, or other designated position, the University's Center for Teaching and Learning Excellence (CTLE), or one of its designees, and a designated member of the LMU Law faculty will be responsible for oversight and management of the development, delivery, and evaluation of quality online education courses in accordance with the requirements of ABA Standards. The Director of Online Education, or other designated position, will ensure regular monitoring of faculty activity, including faculty interactivity with students, feedback, and assessment.

3. Distance Education Course Requirements

3.1 *Approval*

All new courses, whether Traditional, Hybrid, or Distance Education, must be presented to the Curriculum Committee, faculty, and the Director of Online Education, or other similarly designated position, for review and approval. Prior to the appointment of the Director of Online Education, or other designated position, the University's CTLE will assist in the reviewing and approval process.

In addition, every new Distance Education Course Section of a Traditional Course must go through the curricular approval process. Academic content, method of course delivery, and the method of evaluating student performance shall be reviewed as part of the course approval process.

New Hybrid Course Sections of existing Traditional Courses need not go through the curricular approval process.

3.2 *Syllabi*

Syllabi for Online Education Courses must comply with the University's and LMU Law's minimum syllabus requirements and must identify student learning

outcomes, including appropriate methods of assessment and evaluation of student progress toward learning outcomes consistent with ABA Standard 302.

3.3 *Determination of credit hours for coursework*

Following ABA Standard 310, one credit hour of any for-credit Online Education Course will require not less than one hour of direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time, or an equivalent amount of work in the form of other academic activities, such as simulations, co-curricular, and other academic work. Courses built exclusively for non-JD programs such as LL.M. or MSL degrees may deviate from these standards.

Direct faculty instruction in Online Education Courses can constitute a variety of activities with a pedagogical purpose that is planned, facilitated, and documented by the faculty member. Generally, the direct faculty instruction will be calculated at follows:

Online Instruction Activity	Description	% of Direct Faculty Time
Lecture (synchronous or asynchronous)	Audio or video lecture presentation by faculty that is related to student learning outcomes for the course.	100%
Timed assignments	Times assignments, graded or ungraded, that is related to student learning outcomes for the course.	100%
Meetings	Phone meetings or in-person or online meetings between faculty member and student that is planned and documented in the syllabus.	50%
Discussion board	Faculty-directed threaded discussions that is relate to student learning outcomes for the course, requiring thoughtful analysis of course material and readings, as well as reflective and insightful comments of the posts of others.	100%
Group project	Faculty-directed activity that targets specific student learning outcomes whereby students work together and prepare a project with faculty guidance.	100%
Simulated, active learning	Faculty-directed activity involving student participation.	50%
Multimedia	Faculty-directed use of video, podcasts, music, etc., including written text.	100%

Out-of-class student work generally consists of time students spend outside of direct faculty instruction to fulfill course objectives, which includes but is not limited to, reading assignments, preparing for exams, writing papers, and working on projects.

3.4 *Interactivity requirements*

Online Education Courses must include sufficient interactive tools and course design elements that allow the Online Education Teaching Faculty member and students interactive opportunities that equal or exceed the interaction found in a traditional classroom setting, in line with ABA Standard 306(d).

3.5 *Student attendance*

The Online Education Teaching Faculty member, in consultation with the Associate Dean for Academic Affairs, will develop and identify the appropriate mechanisms for determining and recording students' class attendance (for example—completing every component of the distance education class meeting by the assigned deadline) to ensure compliance with the LMU Law Student Handbook and Catalog.

In addition, verification of a student's identity shall be accomplished either by: (a) use of a secure login and pass code; (b) proctored examinations; or (c) use of new or other technologies and/or best practices that are commonly and widely accepted within higher education as being effective in verifying student identity in a distance education environment.

3.6 *Technological resources*

Online Education Courses must be designed to utilize the technological resources available at LMU Law, supportable by the University, and reasonably available to students.

3.7 *Proctoring of examinations*

Each required midterm and final examination for an Online Education Course must be proctored by designated individuals or by using available technology, such as remote proctoring services.

4. Students

4.1 Student enrollment

Students will register for Online Education Courses or Course Sections through LMU Law's registration platform.

4.2 Student orientation

All students who participate in an Online Education Course or Course Section must participate in a mandatory orientation program, which will, at minimum, train students in the technology used, distance education protocols and etiquette, and application of the Code of Academic Integrity. This orientation will be provided by the Online Education Teaching Faculty member, the Director of Online Education, or a designated member of the LMU Law faculty.

4.3 Maximum credit hours permitted

Students may count a maximum of one-third of the credits of Distance Education Course or Course Sections earned at LMU Law towards the J.D. degree as part of the credit hours required for conferment of the J.D. degree in accordance with ABA standards and limitations.

4.4 Monitoring of student work

All student work that occurs in an Online Education Course may be monitored and reviewed by the Online Education Teaching Faculty member or other LMU Law personnel as necessary for the delivery of the Online Education Course and compliance with this policy.

5. Faculty

5.1 Adjunct Teaching Faculty

Adjunct Teaching Faculty members teaching Online Education Courses will be governed by the provisions set forth in the Adjunct Faculty Handbook.

5.2 *Mandatory training*

Individuals who develop an Online Education Course Developers and Online Education Teaching Faculty members are required to attend initial and continued training on online education technology and teaching.

5.3 *Maximum respond time to student inquiries and questions*

The Online Education Teaching Faculty member will answer student questions and concerns within 24 hours during the regular workday period in which the class is offered or scheduled, except on weekends and holidays. If the Online Education Teaching Faculty member is unable to attend to a course for more than a 24-hour period, the Online Education Teaching Faculty member will alert students in advance. If the Online Education Teaching Faculty member is unavailable due to an emergency, he or she will alert the students at his or her first possible opportunity.

5.4 *Feedback for students*

The Online Education Teaching Faculty member will provide regular and concrete feedback on student effort and performance.

5.5 *Evaluation of Teaching Faculty*

All Online Education Teaching Faculty members will be evaluated regularly by students.

6. **Oversight and Quality Control**

6.1 *Applicable policies*

All policies of LMU Law apply to the Online Education Courses, unless otherwise provided in this Policy.

6.2 Primary responsibility for academic quality

The Online Education Teaching Faculty member, whether an adjunct or full-time faculty member, assumes primary responsibility for, and exercises oversight of, the content and quality of the instruction of his or her Online Education Course or Course Section.

6.3 Assistance to Course Developers and Teaching Faculty

The Director of Online Education, or other designated position, will assist Online Education Course Developers and Online Education Teaching Faculty members in the technological aspects of their course development and teaching activity, including recording of materials, faculty interaction with students, and student assessments.